

THE GLASGOW SCHOOL OF ART

Gifts, Hospitality, Material Benefits or Services Policy for the Board of Governors

POLICY DETAILS:

Date approved	18 June 2024
Approving Bodies	Board of Governors
Implementation Date	18 June 2024
Supersedes	Gifts, Hospitality, Material Benefits or Services Policy for the Board of Governors 2023
Date of Impact Assessment	June 2024
Review Date	June 2027
Author	Corporate Governance Office
Supporting Policy	<ul style="list-style-type: none">• Anti-Bribery and Corruption Policy• Register of Interests Policy and Procedure• Gift Acceptance and Donor Relations Policy• GSA Financial Regulations section B 11.1-11.6 <i>Receiving gifts, hospitality, material benefits or services.</i>• Expenses Policy for the Board of Governors
Benchmarking	Code of Good HE Governance 2023 A sector Benchmarking Exercise was undertaken as follows: University of St Andrews University of Strathclyde University of Edinburgh Heriot Watt University

THE GLASGOW SCHOOL OF ART

GIFTS, HOSPITALITY, MATERIAL BENEFITS OR SERVICES POLICY FOR THE BOARD OF GOVERNORS

1. SCOPE

- 1.1 This policy and procedure applies to all members of GSA's Board of Governors (including the Chair, Independent Governors, Ex Officio Governors, Elected Staff and Student Governors, and Trade Union Governors) (hereinafter known as Governors) where they are offered, give or accept gifts and/or hospitality, material benefits, services, in relation to their role as a member of the Board of Governors. This extends to the Secretary and Registrar, Director of Finance and such other senior officers as the governing body may determine. Where Governors are also members of GSA staff, they must also comply with GSA's Financial Regulations section B 11.1-11.6 *Receiving gifts, hospitality, material benefits or services* and where a policy conflict occurs, the stricter policy will be deemed to apply.

2. INTRODUCTION

- 2.1 GSA is committed to conducting its business fairly, honestly and openly. This is in alignment with the *Nine Principles of Public Life in Scotland* which all Governors are expected to observe and which are set out in GSA's Statement of Corporate Governance: duty, selflessness, integrity, objectivity, accountability and stewardship, openness, honesty, leadership and respect.
- 2.2 GSA is committed to maintaining the highest standards, and conducts all of its operations and business in accordance with best practice in higher education corporate governance and all relevant legal and regulatory requirements (including the [Bribery Act 2010](#)).
- 2.3 This policy should be read in conjunction with GSA's *Anti-Bribery and Corruption Policy, Register of Interests Policy and Procedure, Gift Acceptance and Donor Relations Policy*, GSA's Financial Regulations section B 11.1-11.6 *Receiving gifts, hospitality, material benefits or services, and Expenses Policy for the Board of Governors* (where appropriate).

3. THE POLICY

- 3.1 The Bribery Act 2010, which came into force on 1 July 2011, introduced a corporate offence of failing to prevent bribery. Offences under the Act include:
- Offering, promising or giving a bribe to another person
 - Agreeing to receive or accept a bribe from another person
 - For an organisation to fail to prevent bribery

A bribe does not have to be a financial incentive. An offence is committed if a person offers any type of improper advantage, benefit or reward.

- 3.2 It is recognised that corporate hospitality is part of normal business activity. There is therefore no intention

to seek to penalise reasonable and proportionate hospitality for legitimate business purposes. Nevertheless, it is important that the giving or receiving of gifts, hospitality, material benefits or services can stand up to internal and public scrutiny.

- 3.3 In light of this Act, this policy is designed to protect members of the Board of Governors from accusations of bribery and corruption and thereby also protect the reputation of the School. This policy applies to gifts and/or hospitality, material benefits or services offered by private companies, contractors or consultants or any organisation or person to members of the Board of Governors, and also applies to gifts, hospitality, material benefits or services offered by Governors. Gifts, hospitality, material benefits or services offered to friends and family of Governors will also be subject to the policy if they might reasonably be perceived to affect or influence any future business with the School.
- 3.4 The expectation is that all Governors will conduct themselves with integrity, honesty and openness at all times. They should maintain high standards of professionalism and propriety. The School expects Governors to exercise the utmost care when giving and accepting gifts, hospitality, material benefits or services when on School business. The conduct of Governors should not arouse suspicion of any compromise of Governors' objectivity or conflict between their official duty and their private interest. The actions of Governors acting in their official capacity should not give the impression (to any member of the public, to any organisation, or to colleagues or fellow Governors), that they have been (or may have been) improperly obliged or influenced by a benefit to show favour or disfavour to an organisation.

4. CIRCUMSTANCES IN WHICH IT MAY BE PERMISSIBLE TO OFFER GIFTS, HOSPITALITY, MATERIAL BENEFITS OR SERVICES

- 4.1 This policy is not intended to prevent the normal and appropriate giving of small gifts (nominal cost of up to £50), nor providing appropriate hospitality (such as working lunches and dinners), or material benefits or services to third parties. It is recognised that this can be essential to the operation of normal business with visitors, hosts, sponsors or partner institutions and will be deemed appropriate so long as it is given openly in the name of the Glasgow School of Art, and is not made with the intention of influencing directly or via a third-party to obtain or retain business or a business advantage, or in explicit or implicit exchange for favours or benefits.
- 4.2 Gifts given as a 'thank you' to individuals, for example, those who have participated in, or represented the School at a significant international event. In such circumstances, it would be more appropriate for gifts to be presented to individuals after the event rather than before.
- 4.3 Gifts given to individuals on special occasions, for example, to mark a significant anniversary or the end of an individual's tenure in a particularly significant role such as the Chair of the Board of Governors, Independent Governor or honorary President.
- 4.4 Costs for gifts should be pre-authorized, wherever possible, by the Secretary and Registrar. Appropriate and proportionate costs for providing gifts in terms of this policy will be reimbursed on production of receipts provided they are reasonable and comply with the terms of this policy.
- 4.5 Hospitality afforded to guests of GSA should be explicitly authorised in advance, wherever possible, by the Chair of the Board of Governors. This should also be communicated in advance to the Secretary and Registrar. The ratio of Governors to guests should not normally exceed 4:1 respectively. Appropriate and proportionate costs for providing hospitality will be reimbursed on production of receipts provided they are reasonable.

4.6 The following information must be provided:

- the names of all 3rd party guests/person to whom gift is made
- the organisation which they represent
- the nature of the hospitality/gift
- the purpose of the hospitality/gift
- the date and place of the hospitality

4.7 Expenditure under the heading of “Hospitality” should only be incurred for good business reasons. No claims for hospitality may be made unless a third-party is present.

4.8 At times it may be appropriate and necessary to provide individual Governors with an agreed hospitality budget in connection with certain GSA project activities in which they are involved. In such cases clear parameters for the budget will be agreed in advance with the approval of the Board of Governors. Such arrangements shall be subject to the same terms and guidance contained in this policy.

5. CIRCUMSTANCES IN WHICH IT MAY BE PERMISSIBLE TO ACCEPT GIFTS, HOSPITALITY, MATERIAL BENEFITS OR SERVICES

5.1 The following types of gifts/hospitality/material benefits/services, are considered to be acceptable:

- a) A small gift regarded as trivial and of nominal cost (up to £50) which may be of a promotional or advertising nature such as a memento of a visitor’s own university or organisation or where refusal of such a small or trivial gift would cause needless offence.
- b) Conventional hospitality such as working lunches or dinners; attendance in an official capacity as a School Governor at higher education and professionally related functions, conferences, seminars, performances, private views, dinners, award ceremonies etc. The hospitality should be appropriate, proportionate and reasonable. What is reasonable should take into account the nature of the event and Governors should ensure that the hospitality does not compromise them in any way. The frequency and scale of hospitality should not normally be greater than the School is likely to provide in return.

The above list is not exhaustive; each offer should be considered carefully in relation to the circumstances. If there is any doubt, see 5.4 below.

5.2 All gifts, hospitality, material benefits or services, must be disclosed to the Corporate Governance Office who will record them in a Register of Gifts, Hospitality, Material Benefits or Services for the Board of Governors which will be accessible to the Board and Audit and Risk Committee upon request.

5.3 Where a valuable gift or benefit is offered from which the School in general might benefit, rather than an individual Governor, acceptance should be referred to the Development Director for consideration under the School's Gift Acceptance and Donor Relations Policy.

5.4 When it is not easy to decide between what is and what is not acceptable in terms of gifts, hospitality, material benefits or services, the offer should be politely declined (with an explanation of the School's policy) or advice sought from the Secretary and Registrar who will take into consideration the circumstances under which the gifts, hospitality, material benefits or services has been offered.

6. UNACCEPTABLE GIFTS, HOSPITALITY, MATERIAL BENEFITS OR SERVICES

6.1 The types of gifts/hospitality/material benefits/services listed below are unacceptable and acceptance of such gifts/hospitality/material benefits/services without prior approval, wherever possible, of the Secretary and Registrar are likely to result in the circumstances of the gifts/hospitality/material benefits/services being referred to the Chair or Vice-Chair of the Board to consider whether any action requires to be taken against the Governor involved:

- Gifts/hospitality/material benefits/services which are lavish or expensive (costing over £100).
- Gifts/hospitality/material benefits/services which are received on a regular basis from the same source.
- Gifts/hospitality/material benefits/services which could be deemed as political campaigning purposes as this would breach the School's charitable obligations.
- Travel, holidays or accommodation (other than travel and accommodation incurred when being invited as a speaker at a conference, for example).
- Offers of items or services for personal use at trade or discounted price other than discounts generally available to all Governors.
- Receiving payment or other reward from an external organisation/company for work undertaken in an individual's official capacity as a Governor of the School.
- Personal gifts of money (or monetary instruments) should never be accepted, regardless of the amount. Gifts of money to the School should be received only if they are clearly charitable donations, coordinated through the Development Director with reference to the Secretary and Registrar.
- Acceptance of gifts/hospitality/material benefits/services which could be deemed as influential in the award of a contract or business to an external organisation.
- Inducements that could lead to a contractual position between the School and a supplier, contractor or consultant.
- Gifts from students that could be perceived as attempting to influence the outcome of grades and awards.

It is also unacceptable to ask for gifts and/or hospitality, material benefits, services.

6.2 The list in paragraph 6.1 above is not exhaustive. Each offer should be considered with due regard to its particular circumstances and the nature of the gifts/hospitality/material benefits/services offered. Where any Governor is in any doubt as to whether to accept an offer of a gifts/ hospitality/material

benefits/services, they should consult the Secretary and Registrar prior to accepting.

- 6.3 Dishonesty (such as bribery and corruption) in connection with the performance of a Governor's role constitutes gross misconduct and where it has been determined that a Governor has acted improperly in terms of this policy, removal from office may occur in line with the School's policy on removal of Governors from office. The Secretary to the Board will treat all such allegations seriously and will investigate any circumstances in which a Governor accepts any gift/hospitality/material benefits/services as an inducement or reward for:
- a. Not undertaking their correct duties and responsibilities.
 - b. Showing favour or disfavor to an individual/organisation.

Similarly, accepting any gifts/hospitality/material benefits/services that is listed under the section entitled "Unacceptable Gifts/Hospitality/Material Benefits/Services" may constitute gross misconduct which could result in a Governor being removed from office.

- 6.4 Any attempt at bribery or corruption should be reported to the Secretary and Registrar without delay. Should reporting in this way be inappropriate, the School's Public Interest Disclosure (Whistle Blowing) Policy should be referred to. Bribery and corruption are criminal offences that can be reported to the police.

7. GIFTS, HOSPITALITY, MATERIAL BENEFITS OR SERVICES AND CONFLICTS OF INTEREST

- 7.1 If, having previously accepted a gifts, hospitality, material benefits or services, a Governor finds themselves in a position where a decision might be construed as having been influenced by the acceptance of that gifts, hospitality, material benefits or services, the resulting conflict of interest should be declared to the Secretary and Registrar or at any meeting where the conflict may be relevant to the business being considered.

8. REGISTER OF GIFTS, HOSPITALITY, MATERIAL BENEFITS OR SERVICES - BOARD OF GOVERNORS

- 8.1 The School maintains a Register in respect of offers of gifts, hospitality, material benefits or services which is held by the Corporate Governance Office.
- 8.2 Members of the Board of Governors are required to record all gifts, hospitality, material benefits or services offered, including the value of the gift (if known), whether received or not, on the form at appendix 1 within 28 days of receipt and return this to the Corporate Governance Office.
- 8.3 Members of the Board of Governors are also required to record all gifts, hospitality, material benefits or services, including the value of the gift, offered by them to a third-party guest of GSA, in their role as Governor, on the form at appendix 1 within 28 days of offer and return this to the Corporate Governance Office.
- 8.4 Any gifts, hospitality, material benefits or services which are offered to but not accepted by members of the Board of Governors following consideration of the terms of this policy must also be recorded in the Register.
- 8.5 The Register will be open to inspection by the internal and external auditors. It is also important to note

that under the Freedom of Information (Scotland) Act 2002¹, the information contained within the Gifts, Hospitality, Material benefits or Services Register may be disclosed to any member of the public on request.

8.6 It is the responsibility of each member of the Board of Governors to ensure that they comply with this policy and its related procedures.

9. MONITORING AND REVIEW

9.1 The Secretary and Registrar has primary and day-to-day responsibility for implementing this policy and for monitoring its use and effectiveness and dealing with any queries on its interpretation.

¹ [Freedom of Information \(Scotland\) Act 2002](#)

THE GLASGOW SCHOOL OF ART

REGISTER OF OFFERS OF AND RECEIPT OF GIFTS, HOSPITALITY,
MATERIAL BENEFITS OR SERVICES DECLARATION FORM FOR THE
BOARD OF GOVERNORS

Please refer to the Gifts, Hospitality, Material Benefits or Services Policy for the Board of Governors before completing this form.

This form should be used to record both acceptance (or rejection) of all offers of gifts, hospitality, material benefits or services made to you in your role as a Governor and all offers (or rejection) of gifts and hospitality made by you to a third-party guest of GSA in your role as a Governor and should be completed within 28 days of the date of offer/receipt.

Personal Details		
Title:	Forename:	Surname:
Position at GSA:		

Gifts, Hospitality, Material Benefits or Services (all offers of gifts, hospitality, material benefits or services made to you in your role as Independent Governor)
<i>Date of Offer/ Receipt of Gifts, Hospitality, Material Benefits or Services:</i>
<i>Name of 3rd party guest/person offering the gifts, hospitality, material benefits or services and the organisation they represent:</i>
<i>Accepted/ Declined:</i>
<i>Reason for the Gifts, Hospitality, Material Benefits or Services:</i>
<i>Brief details of the Gifts, Hospitality, Material Benefits or Services:</i>
<i>Value of Gifts, Hospitality, Material Benefits or Services:</i>

Gifts, Hospitality, Material Benefits or Services (all offers of gifts and hospitality made by you to a third-party guest of GSA in your role as Independent Governor)
<i>Date of Offer/ Receipt of Gifts, Hospitality, Material Benefits or Services:</i>
<i>Name of 3rd party guest/person to whom the gifts, hospitality, material benefits or services is made and the organisation they represent:</i>

Accepted/ Declined:	
Reason for the Gifts, Hospitality, Material Benefits or Services:	
Brief details of the Gifts, Hospitality, Material Benefits or Services:	
Value of Gifts, Hospitality, Material Benefits or Services:	
Gifts, Hospitality, Material Benefits or Services Declaration	
I confirm that I have read and understood GSA's policy on Gifts, Hospitality, Material Benefits or Services for members of the Board of Governors and that I have completed the Declaration form in accordance with that guidance and underlying principles.	
Name:	
Date:	

(If this form is completed and returned electronically, please type your name and the date in the spaces above, which will be taken as an "electronic signature" on receipt by GSA)

Please return to:

Corporate Governance Office
Governance@gsa.ac.uk