

REGISTER OF GIFTS AND HOSPITALITY

The University recognises that members of staff frequently work outside normal hours or engage in additional activity to raise the profile of the University and enhance its reputation. This may take the form of business trips, evening speaking engagements, attendance at conferences etc. The University fully appreciates this significant personal contribution by staff.

It is often as a part of these and similar activities that staff may in good faith be offered hospitality, and sometimes gifts, which may be accepted in the spirit in which they are offered. The Nolan Committee identified seven principles to ensure the highest standards of propriety in public life – integrity, selflessness, objectivity, accountability, openness, honesty, and leadership; the University expects the actions of its staff to reflect these values. In order to protect staff from accusations of improper conduct in accepting gifts and/or hospitality, the following guidance is provided.

1. It is an offence under the Bribery Act 2010 for members of staff to accept or give corruptly any gift or consideration (including hospitality) as an inducement or reward for doing, or refraining from doing, anything in an official capacity or showing favour or disfavour to any person in an official capacity. Please also see Anti-Bribery and Corruption Policy (www.birmingham.ac.uk/university/governance/policies-regs/index.aspx).
2. Individual members of staff of the University should use their discretion as to whether to accept a gift or instance of hospitality. Gifts or hospitality with an estimated value of more than £100 should be registered using the form available at www.hr.bham.ac.uk/policy/interests.shtml. If the value of the gift or hospitality is in doubt the better course of action is to declare it. Gifts and/or hospitality of lesser values may also be registered if the member of staff considers it appropriate to do so in the interests of transparency.
3. When evaluating what is acceptable, first take a step back and consider:
 - What is the intent – is it to build a relationship or is it something else?
 - How would this look if these details were on the front of a newspaper?
4. Although no two situations are the same, circumstances which are never permissible include examples that involve:
 - A 'quid pro quo' (offered for something in return)
 - Gifts in the form of cash or cash equivalent vouchers
 - Entertainment of a sexual or similarly inappropriate nature.
5. In many countries, it is customary business practice to make payments or gifts of small value to junior government officials in order to speed up or facilitate a routine action or process. Despite this, facilitation payments as defined here are not permitted under this policy and the University takes the view that they are illegal within the UK as well as within most other countries. Current UK legislation makes no distinction between facilitation payments and bribes – regardless of size or local cultural expectations, even if that is 'how business is done'. However, in the event that a facilitation payment is being extorted, or if you are forced to pay under duress or faced with potential safety issues or harm, you must contact Legal Services as soon as possible for further advice. Any payments made under duress must be recorded appropriately to reflect the substance of the underlying transaction. If you are unsure whether certain payments which resemble the definition of facilitation payments are permissible, please contact Legal Services.
6. Members of staff should seek approval from the Procurement Office for the acceptance of hospitality or gifts if they are aware that the person or organisation offering the gift or hospitality is doing so while participating in a University competitive tendering, competitive quotation or bidding process at that time.
7. Any member of staff who, having read this document, has questions or is unclear as to how to proceed may contact the Director of Legal Services (legalservices@contacts.bham.ac.uk) or the Head of Internal Audit (J.darling@bham.ac.uk).