



Audit and Risk Committee

9th May 2022

Review of College Policies Ref 28-22

DATE:	29 th April 2022
TITLE OF REPORT:	Review of Policies
AUTHOR AND CONTACT DETAILS	Keith McAllister keith.mcallister@slc.ac.uk
PURPOSE:	To present updated / new draft policies for review and approval.
KEY RECOMMENDATIONS/ DECISIONS:	That the Committee review the draft policies and recommend their approval to the Board of Management for implementation from August 2022. Members are recommended to comment and endorse the attached revised policies for consideration at the June 2022 Board of Management meeting.
RISK	Polices can be either out of date or even not exist which may result in a loss of assets and / or a lack of good governance. Staff do not have appropriate guidance, leading to audit error or insufficient control.
RELEVANT STRATEGIC AIM:	<ul style="list-style-type: none">• Highest quality education and support.• Sustainable behaviours.
SUMMARY OF REPORT:	<p>The College has revised its Financial Regulations, with these being considered and approved by both the Senior Leadership Team and the Finance and resources Committee of the Board of Management. The Financial Regulations will be considered at June 2022 Board of Management meeting.</p> <p>The College is undertaking a comprehensive review of a range of policies and procedures, refreshing and updating them, with a timetable that will see policies being considered by the appropriate Standing Committee prior to approval by the Board of Management.</p> <p>The three draft policies attached are:</p> <ul style="list-style-type: none">• Gifts and Hospitality – an update of an existing policy;• Anti-Bribery – an update of an existing policy;• Free Issues and Donated Goods – this is a new policy <p>Also attached is a Declaration of Interests Form, which all members of the College Leadership Team will sign annually.</p>



**South
Lanarkshire
College**

East Kilbride

**GIFTS AND
HOSPITALITY POLICY**

Document Control Information	
Document Date	3 May 2022
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1. Purpose

The purpose of this Policy is to set out rules and guidance for all staff (which should be taken for the purposes of this policy to include members of the Board of Management) to ensure that the College can demonstrate that no undue influence has been applied by an individual or external organisation in the decision-making processes within the College. Courtesy gifts and hospitality must not be given or received in return for services provided or to obtain or retain business but shall be handled openly and unconditionally as a gesture of esteem and goodwill only. Gifts and hospitality shall always be of symbolic value, appropriate and proportionate in the circumstances, and consistent with local customs and practices. They shall not be made in cash.

2. Policy

All staff covered by this policy should be aware that this is an area where perception can be as significant than fact. In circumstances where a gift or hospitality is accepted with selfless motives and solely in the interests of the College, if an external observer could put an adverse construction on a gift or hospitality this is what is likely to happen. In accepting any gift or hospitality, therefore, the individual and, if applicable, his or her line manager, must exercise judgement about how acceptance might be perceived, recognising that, what at first sight might appear to be reasonable, may nevertheless become the subject of unreasonable comment or criticism by external parties. The judgement made therefore needs to include an assessment as to whether the benefits gained by the College through the acceptance of a gift of hospitality might be outweighed by adverse third party criticism, even when that criticism is not reasonable.

3. Scope

This policy applies to members of the Board of Management, all employees and officers of the College, including agency workers.

This policy and the accompanying procedures cover all offers of gifts and hospitality whether declined or accepted and provide guidelines on acceptance and disclosure.

4. Responsibility

The Board of Management is responsible for the maintenance of this policy and related procedures through the Audit and Risk Committee.

5. Principle

The College permits corporate entertainment, gifts, hospitality and promotional expenditure that is undertaken:

- for the purpose of establishing or maintaining good business relationships;
- to improve the image and reputation of the College; or
- to present College services effectively;

provided that it is:

- arranged in good faith, and
- not offered, promised or accepted to secure an advantage for the College or any of its employees or associated persons or to influence the impartiality of the recipient.

The College will authorise only reasonable, appropriate and proportionate entertainment and promotional expenditure.

This principle applies to Board members, employees and associated persons, whether based in the UK or overseas. However, those with remits overseas will be given further training on the specific procedures that they are required to follow.

6. Procedure and Guidance

6.1 General Rules

- Where there is any doubt as to the value of a gift or hospitality then the offer should be disclosed to the Head of Finance or, in the case of a Board member, the Clerk to the Board.
- The Head of Finance will arrange for the maintenance of a Register of Gifts and Hospitality and shall make this available for inspection as required. For Board members, this will be the responsibility of the Clerk to the Board.
- Any offer of a bribe or commission made by external organisations, or anyone else dealing with the College, must be reported at once to a member of the Senior Leadership Team (SLT) or the Clerk to the Board.
- Any employee who becomes aware of a breach of the Gifts and Hospitality Policy must report this immediately to their line manager and a member of the SLT. If the breach involves a member of the SLT this should be brought to the attention of the Principal. Board members should bring this to the attention of the Clerk to the Board.
- Should the breach involve the Principal the matter should be brought to the attention of the Chair, the Senior Independent Member or Clerk of the Board of Management
- Should the breach involve a member of the Board of Management, the Chair and the Clerk should be informed.
- Staff and members of the Board of Management also have access to the Senior Independent Member of the Board of Management.
- Any breach may require appropriate action to be taken against a third party and where an offer is accepted, a proven breach of this Policy will lead to disciplinary action in relation to the employee involved and may constitute gross misconduct.

Those covered by this Policy:

- shall not use their authority or office for personal gain and shall seek to uphold and enhance the standing of the College by maintaining an unimpeachable standard of honesty, impartiality and integrity in all their business relationships.
- have a personal responsibility to ensure that an audit trail exists for all offers of gifts or hospitality. The notification of an offer of gifts or hospitality in excess of £50 requires a Form for Receipt of Offers of Gifts or Hospitality to be completed and lodged with the Head of Finance.
- may choose, in the interests of transparency, to declare any offer of gift or hospitality below £50.

6.2 Gifts

- Gifts should not be accepted where they may appear to be disproportionately generous or could reasonably be construed as an inducement to affect a business decision.
- Any gifts offered (whether accepted or not) which are not of a trivial nature, should be notified to the Head of Finance using the form in Appendix 1. A gift will be considered trivial if by virtue of its nature or branding it has no material commercial value. For Board members, notification should be to the Clerk to the Board.
- Any gifts falling outside the definition of trivial should not be accepted by an individual except where to refuse a gift may cause offence. In these circumstances the gift should be accepted and disclosed. The disclosure should also record the agreed treatment of any gift. These items are not generally of a personal nature and are likely to be displayed within the College.
- Staff should not normally accept more than two gifts from any external organisation within a single financial year.

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6.3 Hospitality

- Invitations to lunch or dinner from an external organisation should only be accepted where the primary reason for accepting an invitation is to discuss business matters.
- Invitations of a social kind (e.g. sporting and cultural events) should be declined except where the interests of the College can be clearly demonstrated in advance and the business justification is both compelling and exceptional. Acceptance must be agreed in advance in writing by a member of the SLT and subsequently disclosed.
- Hospitality that includes travel or overnight accommodation must not be accepted.
- When an employee or Board member is speaking at an educational conference, and travel and accommodation is provided by the organisers, approval to accept and attend the conference should be obtained in advance from the appropriate line manager and member of the Principalship or, in the case of Board members, the Clerk to the Board.
- Repeated invitations are deemed to be inappropriate, and any employee or Board member who has accepted hospitality of a social kind (e.g. sporting and cultural events) from an external organisation should not accept any further invitations of a similar type from the same organisation within the following twelve months.

Appendix 1

Form to Record the Receipt of Offers of Gifts or Hospitality

All offers (whether accepted or refused) of Gifts or Hospitality in excess of £50	
Name of Employee	
Job Title & Department	
Description of Gift/Hospitality Offered	
Date	
Name & Address of External Organisation who made the offer	
Relationship to the Company	
Estimated Value	
Accepted/Declined	
Date Accepted/Declined	
Reason for Acceptance/Decline	
If Accepted, Approver's Name and Signature	
Employee's Signature	
Date of Notification	
Head of Finance Signature of Notification	

Note: Board members should contact the Clerk to the Board for the appropriate form to complete.



South
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East Kilbride

ANTI-BRIBERY POLICY

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1. Introduction

South Lanarkshire College is committed to the highest standards of ethical conduct and integrity in its business activities in the UK and overseas. This policy outlines the College policy on preventing and prohibiting bribery, in accordance with the Bribery Act 2010. The College will not tolerate any form of bribery by, or of, its employees, agents or consultants or any person or body acting on its behalf. The Board of Management is committed to implementing effective measures to prevent, monitor and eliminate bribery.

2. Scope

This policy applies to members of the Board of Management, all employees and officers of the College, and to temporary workers, consultants, contractors, agents and subsidiaries acting for, or on behalf of, the College ("associated persons") within the UK and overseas. Every employee and associated person acting for, or on behalf of, the College is responsible for maintaining the highest standards of business conduct. Any breach of this policy is likely to constitute a serious disciplinary, contractual and criminal matter for the individual concerned and may cause serious damage to the reputation and standing of the College.

The College may also face criminal liability for unlawful actions taken by its employees or associated persons under the Bribery Act 2010. All employees and associated persons are required to familiarise themselves and comply with this policy, including any future updates that may be issued from time to time by the College.

3. Policy

It is the policy of the Board of Management:

- To endorse the Nine Key Principles of Public Life in Scotland (Appendix 1).
- To investigate fully any substantive allegation of a breach of relevant legislation.
- To ensure that allegations of unethical or illegal behaviour are dealt with expeditiously, consistently, fairly and within the requirements of The Public Interest Disclosure Act 1998.
- To ensure that all procurement is conducted prudently and honestly.
- To require the College to operate a system of financial record keeping and budgetary control capable of meeting both its own internal accounting needs and the need to demonstrate accountability for the use of public funds.
- To ensure that the risk of fraud and corruption is minimised.
- To ensure that Board members and employees of the College:
 - Are aware they are not entitled to retain any fees, commission or other benefits received in connection with the duties of an appointment;

- Declare an interest on an annual basis if there is any personal, family, financial or other connection which may be thought to compromise the College and update this declaration should there be a material change during the course of the year;
- Comply with the Public Interest Disclosure Policy/Whistle Blowing Policy if they have reason to suspect unethical or illegal behaviour by another person in the College (including the Board of Management);
- Comply with the Gifts and Hospitality Policy

The Bribery Act 2010 imposes further obligations on the College. These obligations include the establishment of procedures which can be put into place to prevent bribery by persons associated with the College and the publication by the Board of its commitment to the Act.

In compliance with those statutory obligations, it is the policy of the Board of Management:

- To ensure that its members comply with the obligations imposed upon them by the Act and other relevant legislation.
- To retain responsibility for any decision making in relation to potential bribery issues.
- To foster and implement a culture of integrity where bribery is unacceptable.
- To communicate this policy to Board of Management members employees, contractors, agents, students, partners, stakeholders, , other persons associated with the work of the College and the general public.
- To commit the College to carry out its work and business fairly, honestly and openly.
- To state its commitment to zero tolerance towards bribery publicly.
- To confirm the reputational, student and business benefits accruing from the rejection of bribery.
- To encourage transparent dialogue throughout the College so as to seek to ensure effective dissemination of anti-bribery policies and procedures to employees, students and all others who come into contact, or work, with the College.
- To ensure that the College provides effective training to Board members, its employees, which is continuous, and regularly monitored and evaluated, through education and awareness raising about the threats posed by bribery so as to firmly establish an anti-bribery culture.
- To ensure that those participating in training develop a firm understanding of what College policies and procedures mean in practice for them.
- To follow the best practice objective of avoiding doing business with others who do not commit to doing business without bribery.
- To remind all employees, contractors, agents, students and other persons associated with the College of the existing Public Interest - Whistle Blowing Policy.
- To remind all employees, contractors and suppliers that they are required to comply fully with all relevant legislation.

- To instruct the Principal and Chief Executive to establish appropriate procedures including the design, operation and monitoring of bribery prevention procedures and their regular review which demonstrate the Board's commitment to compliance with the Act.
- To instruct the Principal and Chief Executive to report routinely to the Board on College ant-bribery measures.
- To communicate to employees and students that breaching the antibribery policies and procedures and therefore the requirements of the Act will lead to appropriate disciplinary action and potential referral to the police..
- To endorse all bribery prevention related publications which are relevant to the operation of the College.
- To join with other colleges and Colleges Scotland in appropriate collective action against bribery.
- To keep under regular review the Board policy related on the Bribery Act 2010 and its bribery prevention procedures.

Appendix A

Public Service

You have a duty to act in the interests of the College and in accordance with the core activities of the College.

Selflessness

You have a duty to take decisions solely in terms of public interest. You must not act in order to gain financial or other material benefit for yourself, family or friends.

Integrity

You must not place yourself under any financial, or other, obligation to any individual organisation that might reasonably be thought to influence you in the performance of your duties.

Objectivity

You must make decisions solely on merit when carrying out public business.

Accountability

You are accountable for your decisions and actions to the public. You have a duty to consider issues on their merits, taking account of the views of others and must ensure that the College uses its resources prudently and in accordance with the law.

Openness

You have a duty to be as open as possible about your decisions and actions, giving reasons for your decisions and restricting information only when the wider public interest clearly demands.

Honesty

You have a duty to act honestly. You must declare any private interests relating to your public duties and take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

You have a duty to promote and support these principles by leadership and example, to maintain and strengthen the public's trust and confidence in the integrity of the College in conducting public business.

Respect

You should treat others fairly and equally in a courteous manner respecting the views of others.



**South
Lanarkshire
College**

East Kilbride

**FREE ISSUES /
DONATED GOODS
POLICY**

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1. Purpose

The purpose of this Policy is to set out rules and guidance for all staff (which should be taken for the purposes of this policy to include members of the Board of Management) to ensure that the College can demonstrate that no undue influence has been applied by an individual or external organisation in the decision making processes within the College and, as such, is allied to the Policy on Gifts and Hospitality. Free issues will include goods or services received by the College from suppliers, even if they only benefit the students or the learning experience. Examples of this are goods or services donated by suppliers or employers as part of a contract that has been negotiated or tendered and which may be deemed to be of community benefit. Free issues must not be given or received in return for services provided or to obtain or retain business but shall be handled openly and unconditionally as a gesture of esteem and goodwill only.

2. Policy

All staff covered by this policy should be aware that this is an area where perception is as equally important as fact. In circumstances where free issues are accepted with selfless motives and solely in the interests of the College, if an internal or external observer could put an adverse construction on free issue this is what is likely to happen. In accepting any gift or hospitality, therefore, the individual and, if applicable, his or her line manager, must exercise judgement about how acceptance might be perceived, recognising that, what at first sight might appear to be reasonable, may nevertheless become the subject of unreasonable comment or criticism by internal or external parties. The judgement made therefore requires to include an assessment as to whether the benefits gained by the College through the acceptance of a free issues or donation might be outweighed by adverse third party criticism, even when that criticism is not reasonable.

3. Scope

This policy applies to members of the Board of Management, all employees and officers of the College, including agency workers.

This policy and the accompanying procedures cover all offers of free issues whether declined or accepted and provide guidelines on acceptance and disclosure.

4. Responsibility

The Board of Management is responsible for the maintenance of this policy and related procedures through the Audit and Risk Committee.

5. Principle

The College permits free issues or donated goods that are:

- for enhancing the student experience; or
- for the purpose of establishing or maintaining good business relationships;

provided that it is:

- arranged in good faith and transparently; and
- not offered, promised or accepted to secure an advantage for the College or any of its employees, Board members or associated persons or to influence the impartiality of the recipient.

The College does aim to incorporate provision for the inclusion of **community benefits** in all its tender opportunities and these will be recorded and monitored as a separate and parallel exercise by College Supply Chain Manager.

6. Procedure and Guidance

6.1 General Rules

- Those covered by the Policy shall not use their authority or office for personal gain and shall seek to uphold and enhance the standing of the College by maintaining an unimpeachable standard of honesty, impartiality and integrity in all their business relationships.
- Those covered by the Policy have a personal responsibility to ensure that an audit trail exists for all free issues, whether given to or by the College offers of gifts or hospitality. The notification of a free issue must be recorded in the central Free Issues Log.
- Those covered by the Policy may choose, in the interests of transparency, to declare any offer of free issue or donation below £50.
- Where there is any doubt as to the value of a free issue or donation then the offer should be disclosed to the Head of Finance.
- The Head of Finance will arrange for the maintenance of a Free Issue Log and have this available centrally and shall make this available for inspection as required.
- Budget holders are responsible for the maintenance of the Free Issues Log for their area.
- Any person covered by the Policy who becomes aware of a breach of the Free Issues Policy must report this immediately to their line manager and a member of the Senior Leadership Team (SLT). If the breach concerns a member of the SLT it should be brought to the attention of the Principal.

Should the breach involve the Principal the matter should be brought to the attention of the Chair and Clerk of the Board of Management.

- Staff and Board members also have access to the Senior Independent Member of the Board of Management.
- Any breach may require appropriate action to be taken against a third party and where an offer is accepted, a proven breach of this Policy will lead to disciplinary action in relation to the employee involved and may constitute gross misconduct.

6.2 Free Issues or Donated Goods Received

- It is accepted practice in the sector that suppliers or employers make their products or services available to aid in the learning and teaching process. This benefits the student learning experience, particularly where these products / equipment are state of the art, or the service represents the most up to date procedures.
- Any gifts offered (whether accepted or not) which are not of a trivial nature, should be notified to the Head of Finance using the form in Appendix 1.
- Any appropriate free issues must be entered onto the College asset register and should be treated the same as if it had been purchased with College funds.
- It should be established whether any equipment is the property of the College or of the organisation or individual who supplied it.
- It will be the receiving department's responsibility to ensure that any item of equipment is safe for use using the same procedure as would be the case with an item purchased by the College.
- Any equipment must be covered by the College's insurance policy and included in any annual audit or declaration.
- It is the responsibility of the receiving department to retain written documentation which explains the details of the donation to the College.

6.3 Free Issues Given

- Any free issues over the value of £50 must be recorded in the Free Issues Log and the recording in the Log is the responsibility of the head of that area.
- Free issues should only be given to students with the express written permission of the department head.
- Where the free issue is a piece of equipment, it is the department's duty to ensure that the equipment has been subject to appropriate Health & Safety procedures and is safe for use.
- Any free issue above the value of £50 must be signed for by the recipient and the person giving the item to the recipient. The receipt should be given to the Finance Department who will maintain a file of these.

Appendix 1

Form to record free issues where over the value of £50

Name of Employee	
Job Title & Department	
Description of free issue	
Date	
Was this a free issue received or given?	
Name & Address of Third Party	
Relationship to the College (e.g. supplier, employer, student, member of staff)	
Estimated Value	
If the item was received, is it a "Community Benefit" received as a result of a tender being won by the giver?	
Approver's Name and Signature	
Employee's Signature	
Date of Notification	
Head of Finance Signature of Notification	

Appendix 2

Register of free or donated goods and services

South Lanarkshire College - Declaration of Interests form

All members of the College Leadership Team are required to declare any personal or business interests, which may conflict with their responsibilities as an employee of SLC. Any member of staff who has a material interest, either directly or through a business partner, spouse, (unmarried) partner or close relative, in matters likely to be considered by SLC should declare that interest. Such declarations should describe the interest clearly and state whether it carries either direct or indirect financial interests.

Part 1 - Staff Details

Full name:

SLC email address:

Faculty/Department:

Job title/function:

Do you have any external interests to declare?

Yes No

If you have answered 'no' to the above question, you are not required to complete the next section. Please instead move to part 3 complete this section.

If you do have interests to declare, please continue to part 2.

Part 2 - Declaration of interests

Nature of interest to declare:

Has this interest arisen through yourself or through a family member?

Myself A family member

If a family member, please provide further details below:

Name of organisation:

Date interest began:

Date interest will end (if applicable):

Is this interest likely to lead to an actual or a perceived conflict?

If yes, please provide further details below:

Is this the only interest you have to declare?

Yes No

If you have answered 'no' to the above, please complete Appendix 1 'Declaring further interests' which will allow you declare additional interests.

Part 3 - Form submission

You are required to submit this declaration to the Clerk to the Board of Management on an annual basis. You should also keep a copy of the form signed off by your Line Manager for your own records.

Signed:

Date:

Clerk to the Board signature:

Date:

Appendix 1 - Declaring additional interests

If you have additional interests to declare that have not been noted in part 2, please complete the below. If you have declared all your interests above, this section can be left blank.

Nature of interest to declare:

Has this interest arisen through yourself or through a family member?

Myself A family member

If a family member, please provide further details below:

Name of organisation:

Date interest began:

Date interest will end (if applicable):

Is this interest likely to lead to an actual or a perceived conflict?

If yes, please provide further details below: