



Gifts, Hospitality and Bribery Policy

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Related Policies/Guidance	<ul style="list-style-type: none"> • Anti Fraud, Corruption and Cybercrime Policy • Staff Code of Conduct • Whistle blowing • School Financial Procedures and Scheme of Financial Delegation • Disciplinary, Grievance and Capability Policies • Equal Opportunities Policy
Review	Annually

Approved by: The Trustees

Date: 15.12.22

Last reviewed on: Nov 2024

Next review due by: Nov 2025

Introduction:

This policy is based on the Academy Trust Handbook, which states that academy trusts should have a policy and register on the acceptance of gifts, hospitality, awards, prizes or any other benefit which might be seen to compromise the personal judgement or integrity of members, trustees, staff and/or any other representative of the trust. It states that the trust should ensure that all staff are aware of this policy.

This policy also complies with our funding agreement and articles of association.

The Bribery Act 2010 creates four criminal offences, these are:

- Paying bribes.
- Receiving bribes.
- Bribery of foreign public officials.
- Failure of commercial organisation to prevent bribery.
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Anyone representing the School is expected to:

- ensure that the interests of the school remain paramount at all times;
- be impartial and honest in the conduct of their official business;
- not to accept gifts or hospitality which could be construed to influence any business decision;
- use the public funds entrusted to them to the best advantage of the school, always ensuring value for money.

It is also the responsibility of staff to ensure that they do not:

- abuse their official position for personal gain or to benefit their family or friends;
- seek to advantage or further their private business or other interests, in the course of their official duties.

Definitions

Gifts are any items, cash, awards, prizes, goods or services, offered without expectation of payment or benefit. Gifts also include goods or services offered at a discounted rate, or on terms not available to the general public.

Hospitality is defined as food, drink, accommodation or entertainment (such as cultural or sporting events) provided free of charge, heavily discounted or on terms not generally available to the general public.

Aims/Scope of the Policy

This policy aims to ensure that:

- The academy trust's funds are used only in accordance with the law, its articles of association, its funding agreement and the latest Academy Trust Handbook
- The trust and those associated with it operate in a way that commands broad public support
- The trust has due regard to propriety and regularity, and ensures value for money, in the use of public funds
- Trustees fulfil their fiduciary duties and wider responsibilities as charitable trustees and company directors
- Members, trustees and staff are aware of what constitutes acceptable gifts and hospitality, and the process that must be followed if they are presented with any of the same

Roles and responsibilities

Members, trustees and staff

Members, trustees and staff:

- Must not give or accept gifts or hospitality to or from a third party where it might be perceived that their personal integrity has the potential to be compromised, or that the trust might be placed under any obligation as a result of acceptance
- Must not use their official position to further their private interests or the interests of others
- Must not solicit gifts or hospitality
- Must record any gifts or hospitality offered to them or the trust with a value of over £25 on the gifts and hospitality register (see appendix 1) within 7 working days, even if declined
- Must consult the Chief Financial Officer before accepting or offering any gifts or hospitality with a value of over £25.

4.2 Academy trustees

Academy trustees will ensure that the trust's funds are used in a way that commands broad public support, pays due regard to propriety and regularity, and provides value for money.

4.3 The Executive Head Teacher

The Executive Head teacher is responsible for ensuring that staff are aware of and understand this policy, and that it is being implemented consistently.

The Executive Head teacher will act with the utmost integrity on all matters relating to gifts and hospitality, ensuring that they set a good example to the rest of the school and trust and to those outside the organization.

They will also ensure, alongside the Chief Financial Officer/Business Manager that decisions on whether individuals or the trust can accept or offer gifts or hospitality with a value of over £25/other value set by the trust are in line with this policy.

4.4 The Chief Financial Officer / Business Manager

The Chief Financial Officer (CFO) will ensure that:

- The trust maintains a gifts and hospitality register
- Figures for transactions relating to gifts made by the trust are disclosed in the trust's audited accounts, in accordance with the Academy Trust Handbook
- The academy trustees and Head of School are provided with information on gifts and hospitality received and given, as appropriate.
- They will also ensure, alongside the Head of School, that decisions on whether individuals or the trust can accept or offer gifts or hospitality with a value of over £25 are in line with this policy.

The Chief Financial Officer

The CFO is responsible for maintaining the gifts and hospitality register on a day-to-day basis.

Any gifts, rewards and benefits that are disproportionately generous or that could be seen as an inducement to affect a business decision should be declared. The acceptance of gifts and hospitality is a sensitive area where actions can easily be misconstrued. Therefore, employees' actions should be such that they would not be embarrassed to explain them to anyone.

Gifts & Hospitality Rules:

Guide lines regarding the nature and procedures to follow regarding gifts and hospitality are included below. If in any doubt about whether the matter should be considered under this policy clarification must be sought from the School Business Manager.

The following general rules apply and must guide decisions on receipt of gifts and hospitality as an employee of the School:

To accept gifts should be the exception. You may accept small 'thank you' gifts of token value, such as a diary, a coffee mug or bunch of flowers, not over £25 in value. You should notify the School Business Manager of any gift or hospitality received for entry in the Register of Business Interests. See Appendix 1.

Always say "no" if you think the giver has an ulterior motive. Be sensitive to the possibility that the giver may think that even small gifts or simple hospitality will elicit a more prompt service or preferential treatment.

Never accept a gift or hospitality from anyone who is, or may be in the foreseeable future, tendering for any contract with the School, seeking employment with the School or is in dispute with the School, even if you are not directly involved in that service area.

You should never accept:

- cash gifts; or
- gifts which are worth more than £25 or
- repeated/regular gifts from the same donor; or
- any gift which you are asked to keep secret; or
- any sort of gift where your judgment might reasonably be thought to be at risk of influence as a result of the gift or
- any sort of gift which might reasonably bring the business into disrepute or be contrary to terms or the spirit of our equal opportunities/dignity at work policy.

Be aware that a 'gift' includes food, drink and other corporate hospitality if the host is not present.

If any unauthorised gift is offered to you then you should decline it politely explaining that our policy does not permit you to accept it, unless to do so would be embarrassing or insulting (for example because the gift is offered in public) in which case you should accept the gift and then refer the situation to your Manager. The School is likely then to return the item and write to the donor of the gift explaining our policy and the existence of the Bribery Act 2010.

Where items purchased for the School include a 'free gift', such a gift should either be used for School business or handed to the School Business Manager to be used for charity raffles.

Where items purchased for the School include loyalty rewards e.g. discount vouchers, airmiles, points (E.g. Boots advantage points) these must not be claimed by the individual and where collected should be handed to the School Business Manager to be used for School use.

If you are in doubt about the acceptability of any gift or offer of hospitality it is your responsibility to consult the School Business Manager.

There are occasions when children, young people or parents wish to pass small tokens of appreciation to adults e.g. on special occasions or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value. Please see Guidance for Safer Working Practice for Adults who Work with Children and Young People. All such gifts should be declared as in 3.3 above.

Care should also be taken to ensure that adults do not accept any gift from students or parents/carers that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

A gauge of what is acceptable in terms of hospitality is whether this School would offer a similar level of hospitality in similar circumstances.

Occasional working lunches with customers, providers or partners are generally acceptable as a way of doing business provided they are not to an unreasonable level or cost.

Invitations to corporate hospitality events must each be judged on their merit. Provided the general rules have been taken into account, it may be acceptable to join other company / organisation guests at:

- a) sponsored cultural and sporting events, or other public performances, as a representative of the School;
- b) special events or celebrations.

But, consider the number of these events, and always take into consideration what public perception is likely to be if they knew you were attending.

Acceptability depends on the appropriateness of the invitations, in terms of the level of hospitality, the frequency and the status of the invited employee. In all such cases the Headteacher must be consulted.

Paid holidays or concessionary travel rates are not acceptable. Neither are offers of hotel accommodation nor the use of company villas/apartments.

If you are visiting a company to view equipment that the School is considering buying, you should ensure that expenses of the trip are paid by the School. Acceptance of refreshments and/or a working lunch may be acceptable, but care must be taken to ensure that the School's purchasing and/or tender procedures are not compromised.

Acceptance of sponsored hospitality that is built into the official programme of conferences and seminars related to your work are acceptable.

Offers to speak at corporate dinners and social gatherings, or events organised by, for example, a professional body, where there is a genuine need to impart information or represent the School must be agreed in advance with the Headteacher. Where your spouse or partner is included in the invitation, and approval has been given for you to attend, it will be acceptable for your spouse or partner to attend as well, but if expenses are incurred, these must be met personally.

Any invitation you accept should be made to you in your professional/working capacity as a representative of the School.

Monitoring arrangements

The gifts and hospitality register is monitored regularly by the CFO.

This policy will be reviewed every year by the CFO and approved by the AR&F committee.

Links with other Policies:

This Gifts, Hospitality and Bribery policy should be read in conjunction with the following School policies:

- Anti Fraud, Corruption and Cybercrime Policy
- Staff Code of Conduct
- Whistle blowing
- School Financial Regulations and Scheme of Financial Delegation
- Disciplinary, Grievance and Capability Policies
- Equal Opportunities Policy