

Gifts and Hospitality Policy



Status	Statutory
Responsible Directors	Board of Directors
LGB	Full Governing Board
Responsible Persons	Mrs. L Birley
Date of last review	September 2021
Date of last review	September 2022

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Version Control

<i>Version</i>	<i>Revision Date</i>	<i>Revised by</i>	<i>Section Revised</i>
V1	April 2018	K Winstanley	New policy
V1	March 2019	B Nixon	No revisions made
V1	March 2020	L Birley	4.1 Removed committees replaced with Governor/Governing Board 4.3. Reworded, Appendix C removed Executive Principal replaced with CEO
V1	January 2021	J Tuke	Pg 4 & 5 changed Business and Operations Manager to Chief Operations Officer
V1	March 2021	A Hibbitt	No revisions made
V2	September 2021	L Burton and L Birley	Updated amount that all gifts/hospitality received over the value of £50 must be recorded in the Gifts and Hospitality Register, in line with updated staff code of conduct.

1. Background

- 1.1 Exceed Learning Partnership is committed to the highest level of integrity, and accountability in all its business dealings. All staff, Directors and Governors are expected to maintain high standards of propriety and professionalism in all their dealings, ensuring they are free from any conflict of interest through their business in the name of the academy or Trust.
- 1.2 In order to protect all individuals associated with the Trust, and the reputation of the Trust and its academies, from accusations of bribery or corruption, staff, Directors, and Governors must take extreme care that none of their dealings, directly or indirectly, could be deemed as a reward or benefit, in line with the Prevention of Fraud and Bribery Act 2010. This Act makes it a criminal offence to:
 - offer, promise or give a bribe
 - request, agree to or accept a bribe (by an organisation)
 - fail to prevent bribery by those acting on its behalf (associated persons) to obtain or retain business or a business advantage for the organisation
- 1.3 Under this Act, a bribe is 'a financial or other advantage' offered, promised or given to induce a person to perform a relevant function or activity improperly, or reward them for doing so.
- 1.4 The Trust and each Academy will hold a Gifts and Hospitality Register. All gifts/hospitality received over the value of £50 must be recorded in the Gifts and Hospitality Register.

2. Definition

- 2.1 A Gift is any item or service, award, prize or any other benefit which is received free of charge, or personally offered at a discounted rate or on terms not available to the general public or which might be seen to compromise the personal judgment or integrity of the recipient.
- 2.2 Hospitality is the offer of food, drink, accommodation or entertainment or the opportunity to attend any cultural or sporting event not available to the general public.

3. Dealing with Gifts and Hospitality

- 3.1 The Trust expects staff, Directors and Governors to exercise the utmost discretion in giving and accepting gifts and hospitality when on Trust or Academy business. Particular care should be taken about a gift from a person or organisation that has, or is hoping to have, a contract with our organisation. In any case of doubt, advice should be sought from the Business Manager or Trust Directors.
- 3.2 Staff, Directors and Governors must not make use of their official position to further their private interests or those of others.
- 3.3 Staff, Directors and Governors must not accept gifts, hospitality or benefits of any kind from a third party where it might be perceived that their personal integrity is being compromised, or that the Trust/Academy might be placed under an obligation.
- 3.4 Gifts of low intrinsic value such as promotional calendars or diaries, small tokens of gratitude, can be accepted. If there is any doubt as to whether the acceptance of such an item is appropriate, individuals should decline the gift or refer the matter to the Trust Chief Operations Officer/ Academy Business Manager or Trust Directors.
- 3.5 It is common for appreciative parents and pupils to register their thanks for the work of staff in the form of a small personal gift. If these are valued at less than £50 these are perfectly acceptable without reference to senior members of staff. These will not need to be recorded in the register. Where gifts valued over £50 are accepted, these should be recorded in the register.
- 3.6 Where a more valuable gift, benefit or service is offered which is to the good of the Academy, rather than an individual, it must be referred to the Business Manager, or if, in the case of the Business Manager, to the Trust Finance Officer for approval within their discretion; if acceptable, then these terms must be recorded in the register.
- 3.7 Hospitality such as working lunches, coffees etc. are perfectly acceptable where it is appropriate to offer or receive these in support of good relationships with visiting staff or business colleagues. Modest hospitality, provided it is reasonable in the circumstances, should be similar to the scale of hospitality which the Trust as an employer would be likely to offer. These would not be added to the register. Hospitality received above this level should be recorded in the register.

- 3.8 If a member of staff, Director or Governor is offered a gift or hospitality whilst involved in the procurement of goods and services, tenders for work or when liaising with anyone conducting business with the academy (other than light refreshments) it is their responsibility to discuss this with the Business Manager or in the case of the Trust the Chief Operations Officer or Chair of Directors immediately.
- 3.9 If not accepting a gift would be regarded as causing offence (such as a sudden and unexpected gift or one where refusal could cause cultural offence) the item should be accepted. The matter should then be brought to the attention of the Trust Finance Officer as soon as possible, who may decide to return the gift, or may donate it to the Academy raffle/fair or a charitable cause.
- 3.10 Examples of gifts or hospitality that should not be accepted are; cash or monetary gifts, gifts or hospitality offers to a member of your family, gifts or hospitality from a potential supplier or tenderer in the immediate period before tenders are invited or during the tender process, staff, Director or Governor attendance at sporting and cultural events at the invitation of suppliers, potential suppliers or consultants. (Where it is considered that there is a benefit to the Trust or one of its academies in a member of staff, Director or Governor attending a sponsored event, the attendance must be formally approved and registered by the Trust Finance Officer).
- 3.11 Where a gift is received on behalf of the Academy, the gift remains the property of the Academy. Where a gift is received on behalf of the Trust, the gift remains the property of the Trust. The gift may be required for departmental display or it may, with the Principal's/ CEO's approval, remain in the care of the recipient. Unless otherwise agreed, the gift should be returned to the department on or before the recipient's last working day.
- 3.12 Gifts are sometimes offered by suppliers with the purchase of items. All such special offer gifts are the property of the Academy/Trust and must be used accordingly.

4. Giving Gifts and Hospitality

- 4.1 The Trust and its academies will not normally give gifts to other individuals or organisations, however appreciation gifts to the value of £15 per person per term for non-employees (not cash, cheques or vouchers) may be given from pupils within academies; the Governors will approve this termly. All gifts will be clearly visible in the reconciliation statement presented to the Full Governing Board.

- 4.2 If gifts are given, staff must ensure that the decision is fully documented in the Gift and Hospitality Register and has regard to the propriety and regularity of the use of public funds. This does not apply to the award of gifts, prizes etc. related to the achievement of pupils e.g. attainment or merit awards.

- 4.3 The purchase of alcohol using Academy funds (and therefore public monies) goes against the primary purpose of the Academy and is prohibited by the Academies Accounts Direction 2018/19. Therefore, any expenditure on alcohol is not permitted at all, including any expenditure from unrestricted funds. Any expenditure on alcohol would constitute a breach of irregularity and impropriety.

- 4.4 Where hospitality is provided by the Trust or its academies this should be approved in advance by the Business and Operations Manager. In approving hospitality, the Finance Officer/Business Manager should ensure it is not in breach of the UK Bribery Act 2010 and also that the costs are appropriate for a publicly-funded organisation. Hospitality such as working lunches, coffees etc. and modest hospitality in the form of meals etc. are perfectly acceptable where it is appropriate to offer or receive these in support of good relationships with visiting staff or business colleagues (but not for their family or friends). These would not be added to the register. Hospitality provided above this level should be recorded in the register.

5. Non-Compliance

- 5.1 In the case where it is believed a member of staff, Director, or Governor has not declared a gift or hospitality then a formal investigation will be instigated by the Trust Executive. If misconduct is indicated, this may take the form of disciplinary procedures in the case of employees.

Policy Agreed April 2018 and reviewed March 2021

Signed CEO

B.A. Nixon

Signed: Chair of Directors:

J.H. Gleeson

Policy to be reviewed: March 2022

Appendix A

DECLARATION OF A GIFT OR HOSPITALITY

Name:	Position:
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I have been offered a gift / hospitality which I have declined.

I have been offered a gift / hospitality which I have accepted.

Date and time of offer:	Place where offered:
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Name of organisation / person making the offer and their relationship with the academy	Nature of interest / gift / hospitality	Estimated value if applicable

Reason for accepting / declining gift / hospitality:
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Signed: _____ Date: _____

Approved: _____ Date: _____
 (Principal / Academy Business Manager)

On completion, please return this form to the Academy Business Manager who will keep this and record in the Register in date order.

Entered in Register	Date:	Reference:
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Appendix B

GIFTS AND HOSPITALITY REGISTER TEMPLATE

Date	Recipient	Nature of Gift or Hospitality	Donor	Estimated Value	Accepted or Declined	Comments

