

The *Active Learning* Trust

## **Gifts & Hospitality Policy**

*May 2019*

# Gifts and Hospitality Policy

This document consists of:

- Trust Policy on gifts and hospitality
- Template for Gifts and Hospitality Register for completion locally by the Director of Finance & Operations / Business Manager in the Trust and each academy (Annex 1)

## 1. Background

- 1.1 The Active Learning Trust is committed to the highest level of integrity, honesty and accountability in all its business dealings. All staff, trustees, 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 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, trustees, 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.
- 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.
- 1.3 The Trust Central Team and each academy will hold a Gifts and Hospitality Register. All gifts/ hospitality offered or accepted over the value of £30 must be recorded in the Gifts and Hospitality Register, providing the reason for acceptance or declining.
- 1.4 The Academy is to submit a copy of the register annually as part of the year end processes to the Director of Finance & Operations and this will be collated with other academy registers and reported annually to the Trust Audit Committee

## 2. Definitions

- 2.1 A Gift is any item or service, award, prize or any other benefit which is received free of charge (this may include alcohol such as a bottle of wine); 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, trustees, 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

Trust's Director of Finance & Operations.

- 3.2 Staff, trustees and governors must not make use of their official position to further their private interests or those of others.
- 3.3 Staff, trustees 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, or 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's Director of Finance & Operations.
- 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 £30 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 £30 are accepted from individual parents, these should be recorded in the register. If parents choose to pool gifts then this only needs to be recorded on the register if the value exceeds £200 or more than £30 per parent.
- 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 Trust's Director of Finance & Operations for approval within their discretion; if acceptable, these items 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, trustee 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 school (other than light refreshments) it is their responsibility to discuss this with the Trust's Director of Finance & Operations 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's Director of Finance & Operations as soon as possible who may decide to return the gift, or may donate it to a school 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, trustee 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, trustee or governor attending a sponsored event, the attendance must be formally approved and registered by the Trust's Director of Finance & Operations).
- 3.11 Where a gift is received on behalf of the school, the gift remains the property of the school.

The gift may be required for departmental display or it may, with the Headteacher/Principal'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 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. 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. The Trust will not fund any gifts of alcohol.

- 4.2 Where hospitality is provided by the Trust or its academies this should be approved in advance by the Director of Finance & Operations. In approving hospitality the Director of Finance & Operations should ensure it is not in breach of the UK Bribery Act 2010 and also that the costs are appropriate for a publically 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, trustees, and governors has not declared a gift or hospitality then a formal investigation will be instigated by the Trust Chief Executive Officer /Director of Finance & Operations. If misconduct is indicated, this may take the form of disciplinary procedures in the case of employees.

Review date: Every 3 years

**ANNEX 1**

**Active Learning Trust - Gifts and Hospitality Register (please record all instances including those rejected)**

<b>Recipient</b>	<b>Nature of Gift / Hospitality</b>	<b>Donor</b>	<b>Date</b>	<b>Estimated Value (£)</b>	<b>Comments – to include reason for acceptance / rejection and use of gift – eg: donated to academy raffle</b>