



omega
MULTI-ACADEMY TRUST

Gifts, Hospitality and Anti-Bribery Policy

Version Number	1.1
Date policy last reviewed	March 2023
Policy Type	Mandatory
Owner	Chief Financial & Operations Officer
Approved By	Trust Board
Approval Date	18 th April 2023
Next Review Date	March 2025

Commented [AK1]: Date changed to March 2023

Commented [AK2]: Next review date set to Biennial Marc 2025

Review Date & Summary Changes

March 2023	Summary of Changes
	<p>2. Roles and responsibilities Added: Trust's Professional Services Office</p>
	<p>5. Acceptable practice 5.1 Limit increased to £100 Added: and/or CEO</p>
	<p>7. Gifts and Hospitality from Parents and Pupils 7.2 Value increased to £100 Deleted: 7.3. Staff are permitted to accept gifts from groups of pupils or parents up to the value of £50 (providing that these gifts do not satisfy the conditions outlined in 4.1 and 5.1). These gifts do not need to be recorded in the Gifts and Hospitality Register. 7.3 or monetary gifts, including tokens and store gift receipts</p>
	<p>8. Gifts to Staff from the Omega Multi-Academy Trust Added: 8.1 The Omega Multi-Academy Trust may, at the Chief Executive/Headteacher's discretion, provide staff with token gifts to reward efforts beyond their duties such as significant contributions towards extra-curricular activities. These gifts will be non-monetary, non-alcoholic and normally cost up to a maximum of £100. Rewards can be made under the Trust's staff reward scheme in cash or non-cash equivalent up to a value of £50. Rewards which exceed this amount must be authorised by the Trust Board</p>
	<p>11. Record Keeping 11.1 Deleted: Employees will make the Headteacher aware of all hospitality or gifts received or offered over the value of £25, or £50 if received from multiple recipients, these will be subject to managerial review. 11.2 Added: in excess of £100 Deleted: that needs to be recorded</p>
	<p>12. Policy Review Review frequency changed to biennial.</p>

Approved by	Date
Chief Executive Officer	18/04/23
Chair of Trustees	18/04/23

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APPENDIX 1 – GIFTS & HOSPITALITY REGISTER

Statement of Intent

Omega Multi-Academy Trust ('the Trust') is committed to the highest ethical standards and acting with integrity in all business activities. This policy details the Trust's position on preventing and prohibiting bribery.

Bribery by, or of, employees, agents or consultants, or any person acting on behalf of the Trust will not be tolerated. The Trust is committed to implementing effective measures to prevent, monitor and eliminate bribery.

Bribery and corruption by individuals are punishable by up to 10 years' imprisonment and the school could face an unlimited fine and serious damage to its reputation; therefore, the Omega Multi-Academy Trust takes its legal responsibilities very seriously.

The purpose of this policy is to:

- Establish the responsibilities of the Trust in observing and upholding our position on bribery and corruption
- Provide information and guidance to Trust staff on how to recognise and deal with bribery and corruption concerns
- Ensure the trust achieves regularity, propriety and value for money in its use of public funds

This policy covers all individuals working for the school at all levels (whether permanent, fixed-term or temporary), and includes Trustees, Governors, volunteers, agents and any other person associated with the Trust (known throughout the policy as employees).

This policy and the school's Gifts and Hospitality Register outline the school's procedures on the acceptance of gifts, hospitality, awards, prizes and other benefits that could compromise the judgement or integrity of the school or its staff. All staff will be made aware of this policy.

1. Legal framework

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- The Bribery Act 2010
- ESFA Academy Trust Handbook

Commented [AK3]: Dates of handbook removed to avoid the need to update dates annually

This policy operates in conjunction with the following school and Trust policies and documents:

- Gifts and Hospitality Register
- Whistleblowing Policy
- Anti-Fraud and Corruption Policy
- Disciplinary Policy

2. Roles and responsibilities

For the purposes of this policy, where the Headteacher, Chair of Governing Body and Governing Body are allocated roles of responsibility, if the concern raised is from the Trust's Professional Services Office employees or in regard to the Trust the responsibility will be assumed by the CEO, Chair Trustees and the Trust Board.

Commented [AK4]: This wording needs changing?
Suggestion OMAT Professional Services Office

The Headteacher will be responsible for:

- Approving the offering, giving or accepting of gifts and hospitality in the necessary circumstances, including where they are being offered to staff from pupils and/or parents.
- Approving the offering, giving or accepting of gifts and hospitality in the necessary circumstances, including where they are being offered to or accepted from government officials and representatives.
- Approving charitable donations offered or made in the school's name.

All staff will be responsible for:

- Following the procedures set out in this policy.
- Considering whether gifts and hospitality offered, given or received are appropriate to the circumstances, and reflecting on the intention behind them.
- Seeking approval from the Headteacher (or nominated employee), as appropriate, to offer, give or accept gifts or hospitality in the necessary circumstances.
- Reporting instances of known or suspected bribery to the Headteacher at the earliest opportunity.

3. The Bribery Act 2010

- 3.1. The Bribery Act 2010 came into force on 1 July 2011. It covers bribery and corruption in business activities in the UK and overseas. Under the Bribery Act 2010, a bribe is a financial or other type of advantage offered with the intention of inducing or rewarding improper performance of a function or activity, or knowledge or belief that accepting such a reward would constitute the improper performance of such a function or activity.
- 3.2. A criminal offence will be committed under the Act if:
- An employee or associated person acting for, or on behalf of, the Omega Multi-Academy Trust offers, promises, gives, requests, receives or agrees to receive bribes
 - An employee or associated person acting for, or on behalf of the Omega Multi-Academy Trust, offers, promises or gives a bribe to a public official with the intention of influencing that official in the performance of their duties
 - And, in either case, the Trust does not have the defence that it has adequate procedures in place to prevent bribery

4. Unacceptable Practice

- 4.1. It is not acceptable for employees to:
- Give, promise or offer a payment, gift or hospitality, with the expectation or hope that an advantage for the school will be received or to reward an advantage already received.
 - Give, promise or offer a payment, gift or hospitality to a government official, agent or representative to facilitate or expedite a routine procedure.
 - Accept payment from a third party if they know or suspect that it is offered with an expectation of a business advantage in return.
 - Threaten or retaliate against another worker who has refused to commit a bribery offence or who has raised concerns under this policy.
 - Engage in any activity that may lead to a breach of this policy.

5. Acceptable Practice

- 5.1. This policy does not prohibit normal and appropriate hospitality (both given or received) if the following requirements are met:
- It is not made with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage, or in exchange for favours or benefits.
 - It is given in the Omega Multi-Academy Trust's name, not in an individual's name.
 - It complies with local law

- It does not include cash. Cash equivalent, e.g. vouchers, gift certificates are permitted up to the value of £100
- It is appropriate in the circumstances, e.g. the giving of small gifts at Christmas time but this should not exceed a maximum value of £100
- The type and value of the gift is reasonable given the reason the gift is offered
- It is given openly, not secretly
- Gifts should not be offered to, or accepted from, government officials or representatives without the prior approval of the Headteacher and/or CEO

Commented [AK5]: It does not include cash is retained but cash equivalent now has a value limit of £100

Commented [AK6]: Maximum value of £100 now included

Commented [AK7]: This section should be deleted and state something along the lines of Gifts and Hospitality above the maximum of £100 require the prior approval of the Headteacher and/or CEO

- 5.2. The advice of the Omega Multi-Academy Trust is to, in all circumstances, consider whether the gift or hospitality is reasonable and justified and to consider the intention behind the gift.

6. Charitable Donations

- 6.1. Charitable donations are considered to be part of the Omega Multi-Academy Trust's wider purpose. The Omega Multi-Academy Trust supports a number of carefully selected charities.
- 6.2. The Omega Multi-Academy Trust may also support fundraising events involving employees. The Omega Multi-Academy Trust only makes charitable donations that are legal and ethical.
- 6.3. No donation must be offered or made in the Omega Multi-Academy Trust's name without the prior approval of the Chief Executive Officer/Headteacher.

7. Gifts and Hospitality from Parents and Pupils

- 7.1. It is permissible for staff to accept gifts from parents and pupils, for example, before Christmas and at the end of term/year.
- 7.2. Gifts of a value of £100 or less can be accepted from parents and pupils without approval from the Headteacher (providing that these gifts do not satisfy the conditions outlined in 4.1 and 5.1). These gifts do not need to be recorded in the Gifts and Hospitality Register.
- 7.3. Staff will not accept:
- Cash
 - Gifts or hospitality offered to their spouse, partner, family member or friend
 - Gifts or hospitality from a potential supplier or tenderer
 - Lavish or extravagant gifts or hospitality
- 7.4. Staff will consider the following before accepting gifts or hospitality:
- Whether there is any benefit to the Omega Multi-Academy Trust in them accepting the scale, amount, frequency and source of the offer

Commented [AK8]: Value changed from £25 to £100

Commented [AK9]: Keep the word Cash in but delete the remainder of the sentence.

- The timing of the offer in relation to forthcoming decisions
 - Whether accepting the offer could be misinterpreted as a sign of their, or the Omega Multi-Academy Trust's, support or favour
- 7.5. Where the gift or hospitality exceeds the values outlined above, staff will seek prior approval from the Headteacher before accepting the offer. Details of the offer will be recorded in line with Record Keeping (section 11) of this policy.
- 7.6. Staff will not accept any gifts that they believe to be excessive or more than simply a token gift of gratitude at an acceptable time of year, such as Christmas or end of term/year.
- 7.7. If a gift is received without warning, staff will politely decline the gift. Or, if they feel it would be inappropriate to do this, they will refer the matter to the Headteacher as soon as possible to allow the Headteacher to decide the course of action.
- 7.8. The Headteacher may decide to return the gift, ask the Chief Executive Officer/ for their view, or donate the gift to a charity/other local cause, if applicable.
- 7.9. If staff are unsure whether to accept a gift in any situation, they will speak to the Headteacher.
- 7.10. Parents and pupils will be informed of the Omega Multi-Academy Trust's policy regarding gifts and hospitality and will be encouraged to speak to the Headteacher if they want to give a staff member a gift which is of high value or may satisfy any of the conditions outlined above.

8. Gifts to Staff from the Omega Multi-Academy Trust

- 8.1. The Omega Multi-Academy Trust may, at the Chief Executive/Headteacher's discretion, provide staff with token gifts to reward efforts beyond their duties such as significant contributions towards extra-curricular activities. These gifts will be non-monetary, non-alcoholic and normally cost up to a maximum of £100. Rewards can be made under the Trust's staff reward scheme in cash or non-cash equivalent up to a value of £50. Rewards which exceed this amount must be authorised by the Trust Board
- 8.2. When giving gifts to staff, the Trust will ensure:
- The value of the gift is reasonable.
 - The gift is within its scheme of delegation.
 - The decision to give the gift is documented.
 - The gift achieves propriety and regularity in the use of public funds.
- 8.3. The purchasing of alcoholic gifts is not permitted.

Commented [AK10]: This paragraph has been rewritten to allow the CEO more flexibility. A value needs to be inserted for staff rewards and/or if not some form of alternative which determines what rewards need to be approved at Trust Board level

9. Reporting Suspected Bribery

- 9.1. Employees are encouraged to raise concerns about any suspicion of bribery or corruption at the earliest possible opportunity to the Headteacher. Issues that should be reported include:
- Any suspected or actual attempts at bribery
 - Any concerns that an employee may be in receipt of bribes
 - Any concerns that an employee may be offering or delivering bribes
- 9.2. All concerns should be reported following the procedure set out in the Omega Multi-Academy Trust's Whistleblowing Policy.
- 9.3. All reports of bribery will be investigated thoroughly and in a timely manner by the appropriate member of the Trust's Executive Team and in the strictest confidence.
- 9.4. Employees who raise concerns in good faith will be supported by the Omega Multi-Academy Trust and they will not be subjected to any detrimental treatment as a consequence of their report. Any instances of detrimental treatment against an employee for reporting a suspicion will be treated as a disciplinary offence.

10. Following Investigation

- 10.1. The Omega Multi-Academy Trust will invoke disciplinary procedures where any employee is found guilty of bribery and this may result in a finding of gross misconduct and immediate dismissal. The Omega Multi-Academy Trust may terminate the contracts of any associated persons, including consultants or other workers acting for, or on behalf of the Omega Multi-Academy Trust, who are found to have breached this policy.

11. Record Keeping

- 11.1. The Omega Multi-Academy Trust keeps financial records and has appropriate internal controls to provide evidence for the business reasons for making payments to third parties.
- 11.2. The Gifts and Hospitality Register (appendix 1) is used to record gifts or hospitality in excess of £100. The following information will be recorded:
- The nature of the gift/hospitality
 - The date the gift/hospitality was offered
 - Who the gift/hospitality was offered by
 - Name of staff member the gift/hospitality was offered to
 - Value of the gift/hospitality
 - Action taken – for example, whether the offer was refused or accepted
- 11.3. Employees' expenses claims relating to hospitality, gifts or expenses incurred to third parties are to be submitted.

Commented [DA11]: Add 'in excess of £100' and delete that needs to be recorded.

11.4. All invoices, accounts and related documents should be prepared and maintained with the highest accuracy and completeness.

11.5. No accounts may be kept “off-book”.

11.6. In line with its duties under the ‘Academy trust handbook’, and irrespective of whether ESFA approval is required, the trust will disclose aggregate figures for transactions of any amount, and separate disclosure for individual transactions above £5,000, in its audited accounts for gifts from the Trust.

12. Policy Review

12.1. This policy will be reviewed on a biennial basis.

Commented [AK12]: Changed from annual to biennial basis

12.2. Any changes made to this policy will be communicated to all employees and third parties that work with the Trust, where applicable.

APPENDIX 1 – GIFTS & HOSPITALITY REGISTER

Name of gift/hospitality	Description	Date gift/hospitality received	Date of hospitality (if applicable)	Who offered the gift/hospitality?	Recipient	Value of gift/hospitality	Was the gift/hospitality accepted? Why?
<i>Gift voucher</i>	<i>Gift voucher for department store</i>	<i>01.02.2019</i>	<i>NA</i>	<i>Parent</i>	<i>Mr Jones</i>	<i>£100</i>	<i>Rejected in line with the Gifts, Hospitality and Anti-bribery Policy.</i>