



# **Gifts, Hospitality and Bribery Policy**

**Ref: F004**

## **Contents:**

- 1. Introduction**
- 2. Aims and Scope of the Policy**
- 3. Definitions**
- 4. Gifts and Hospitality Rules**
- 5. Links with other Policies**

<b>Document Control</b>	
Title	F004 Gifts, Hospitality and Bribery Policy
Date	March 2018
Supersedes	Previous predecessor trust policies
Amendments	N/A
Related Policies/Guidance	<ul style="list-style-type: none"> <li>• Anti Fraud and Corruption Policy</li> <li>• Staff Code of Conduct</li> <li>• Whistle blowing</li> <li>• School Financial Procedures and Scheme of Financial Delegation</li> <li>• Disciplinary, Grievance and Capability Policies</li> <li>• Equal Opportunities Policy</li> </ul>
Review	2 year
Author	K. Moulder
Date consultation completed	
Date adopted by Trust Board	16 <sup>th</sup> March 2018

Prosper Learning Trust is a Multi Academy Trust  
 Registered in England and Wales number 10872612  
 Registered Office: Firbank Road, Manchester, M23 2YS

The Prosper Learning Trust has a number of Trust-wide policies which are adopted by all schools/academies in the Trust to ensure an equitable and consistent delivery of provision.

The Trust Board has responsibility for the operational of all schools/academies and the outcomes of all students however responsibility is delegated to the Local Governing Body of each school via the Scheme of Delegation.

Within our policies reference to:

- Governing Body / Governors relates to the members of the Local Governing Body representing the Trust Board.
- School includes a reference to school, academy or free school unless otherwise stated
- Headteacher includes a reference to Headteacher, Principal or Head of School of a school, academy or free school.

## **1. Introduction:**

**1.1** 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.

**1.2** Anyone representing the Trust is expected to:

- ensure that the interests of the Trust 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 Trust, always ensuring value for money.

**1.3** 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.

## **2. Aims/Scope of the Policy**

**2.1** The aim of this policy is to set out our rules on the giving and receiving of gifts and hospitality in order to protect our reputation and ensure that we operate both lawfully and ethically.

**2.2** Any investigation carried out in relation to alleged irregularities is governed by the Trust's Disciplinary & Dismissals procedure.

**2.3** The scope of this procedure extends to all Trust employees, permanent, voluntary and fixed term and all Governors / Trustees.

## **3. Definitions:**

### **3.1 Gifts and Hospitality:**

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.

### **3.2 Bribery and corruption:**

Involves the offering or the acceptance of a reward, for performing an act, or for failing to perform an act, which leads to gain for the person offering the inducement.

## **4. Gifts & Hospitality Rules:**

**4.1** Guidelines 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 locally from the School Business Manager in the first instance, who will seek further guidance from the Director of Finance and Operations as required.

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

- 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. These do not have to be pre-approved or recorded on the gifts and hospitality register.
- You must notify the trust of any gift or hospitality offered with a value of over £25 (whether accepted or not) via the Gifts and Hospitality form which is located on the staff splash page within the internet browser (CHS and NGH) or via the form appended to this policy (Pioneer House and Piper Hill).
- 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 Trust, seeking employment with the Trust or is in dispute with the Trust, even if you are not directly involved in that service area.

**4.3** 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.

**4.4** 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 Trust 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.

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

**4.6** Where items purchased for the Trust 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 Trust use.

**4.7** 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.

**4.8** 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 3.1 above.

**4.9** 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.

**4.10** A gauge of what is acceptable in terms of hospitality is whether the Trust would offer a similar level of hospitality in similar circumstances.

**4.11** 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.

**4.12** 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 Trust;
- 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.

**4.13** 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.

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

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

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

**4.17** 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 Trust 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.

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

**4.19** Failure to declare any offer of gifts or hospitality on the register in line with this policy will be treated as a staff disciplinary matter.

**5. Monitoring arrangements:**

The gifts and hospitality register is monitored regularly by the Director of Finance and Operations.

**6. Links with other Policies:**

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

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

**APPENDIX A**

**RECORD OF GIFTS & HOSPITALITY (accepted\*/refused\*)**

\*Delete as appropriate

<p>This form must be completed by any member of staff or governor receiving or declining a gift or hospitality, which relates to their position in the School and has a value of more than £30. If the individual is concerned about the likely “level” of any gift or hospitality that he or she may receive, agreement from the Headteacher or Chair of the Trust must be obtained in accordance with the school’s guidance.</p>	
Name of staff/Governor	Position held
Individual, company or organisation offering gift or hospitality	
Date, time and venue	Gift/Hospitality Accepted*/Declined*
Nature and approximate value of hospitality/gift.	
If accepted, has the gift been retained for personal use or for School use?	
If accepted, reason for accepting hospitality/gift	
Signed:	Date
Approved By: (Headteacher / Chair of the Trust signature)	

**PLEASE RETURN COMPLETED FORM TO THE SCHOOL OFFICE FOR RETENTION ON THE GIFTS &HOSPITALITY REGISTER**