



Gifts & Hospitality Policy

Finance

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Appendix 1 – Gifts and Hospitality Register

1. Policy Statement

- 1.1 The intention of the policy is to ensure that the Trust can demonstrate that no undue influence has been applied or could be said to have been applied by any supplier or anyone else dealing with the Trust. The Trust should be able to show that all decisions are reached on the basis of value for money and for no other reason. Any consideration of whether or not the principles of this policy have been breached will be determined by reference to this provision. The policy also aims to comply with the Academies Trust Handbook

2. Aims

- 2.1 This Policy seeks to protect Trustees and staff from suspicion of dishonesty and ensure that they are free from any conflict of interest with respect to the acceptance or provision of gifts, hospitality, or any other inducement.
- 2.2 The Trust expects Trustees and staff to exercise the upmost discretion in giving and accepting gifts and hospitality when on Trust business. Particular care should be taken with regard to a person or organisation that has, or is hoping to have, a contract with the Trust.
- 2.3 Gifts, hospitality or benefits in kind from a third party must not be accepted where it might be perceived that their personal integrity is being compromised or that the Trust might be placed under an obligation.
- 2.4 Trustees and staff must not use their official position to further private interests or those of others.

3. Definition & Scope

- 3.1 This policy applies to all Staff of the Trust, Trustees and School Advocates.
- 3.2 It is a serious criminal offence for any individual to corruptly receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour or disfavour, to any person in their official capacity.
- 3.3 Unlawful giving or accepting of gifts or hospitality that would amount to a criminal offence results from a motive to influence the other party or to create an obligation on the other party to reciprocate the favour.
- 3.4 A gift or form of hospitality may be considered inappropriate where the Trust or individual would be embarrassed should the proposed action become public knowledge.
- 3.5 Examples of inappropriate gifts, rewards, fees or loans include:
 - a. Cash or cash equivalents of any amount
 - b. Vouchers or subscriptions
 - c. Alcohol
 - d. Tobacco
- 3.6 Acceptable gifts, rewards, fees or loans include:

- a. Items of a promotional nature
 - b. Modest consumables which can be shared in the office e.g., biscuits.
 - c. Modest articles which can be used in the office or job role e.g., calendars or diaries.
- 3.7 Examples of inappropriate hospitality, entertainment or preferential treatment include:
- a. Hospitality or entertainment of a value of more than £25.
 - b. Any form of hospitality or entertainment which raises a suspicion of granting undue preference in the conduct of the Trust's business to the provider e.g., an invitation to attend a function or event.
 - c. Anything not based on the subsistence allowances for staff and Trustees which are in force at the time.
- 3.8 Acceptable forms of treatment, hospitality and entertainment include:
- a. Hospitality or entertainment valued above £25 which has been specifically authorised by the Trust Finance, Audit and Risk Committee (FARC) and recorded in the Gifts & Hospitality Register.
 - b. Lunches and refreshments in the course of the Trust's business.
 - c. Invitations to attend charity or fund-raising events as a guest, if considered to be for a good cause and of reciprocal benefit to the Trust.
- 3.9 Other hospitality may be accepted where:
- a. You are representing the School in the community or are imparting information about the School to the public.
 - b. An event is clearly part of the life of the community or where the School should be seen to be represented.
 - c. The hospitality concerns attendance at a relevant conference or course where it is clear the hospitality is corporate rather than personal.

4. Gifts & Rewards – Pupils, Parents & Carers

- 4.1 Care needs to be taken that gifts or hospitality is not accepted, that might be construed as a bribe by others, or lead the giver to expect preferential treatment.
- 4.2 There are occasions when pupils or parents wish to pass small tokens of appreciation e.g. at Christmas or as a thank-you and this is usually acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value.
- 4.3 Similarly, personal gifts to pupils or their families should not be given. This could be interpreted as a gesture either to bribe or groom. It might also be perceived that a 'favour' of some kind is expected in return.
- 4.4 Any reward given to a pupil should be in accordance with agreed practice within the School setting, consistent with the School Behaviour Policy, recorded and not based on favouritism.
- 4.5 Personal gifts may not be solicited under any circumstances.

5. Gifts & Rewards – External Organisations or Individuals

- 5.1 The Trust is committed to raising awareness to be honest and act in good faith by not accepting or commissioning an advantage of any kind from those who do business with the Trust.
- 5.2 Trustees and staff dealing with external organisations or individuals are encouraged to do so sympathetically, efficiently, promptly and without bias to avoid committing a criminal offence.
- 5.3 As part of the Trust commitment to openness and transparency, a Gifts & Hospitality Register is to be maintained and made available for public inspection. The Register is designed to protect both the Trust from damaging allegations of corruption and possible punitive actions. See Appendix 1: Gifts and Hospitality Register.
- 5.4 It will be a serious disciplinary offence for any individual to receive or give any gift, loan, fee, reward, hospitality or other advantage in their capacity as an employee or Trustee, which might reasonably be seen to compromise their personal judgment and integrity.
- 5.5 If an allegation is made it is for the individual to demonstrate that any such rewards have not been corruptly obtained.

6. Giving & Accepting Gifts & Favours

- 6.1 Trustees and staff must never solicit gifts from another individual, school or organisation.
- 6.2 Gifts of a trivial nature or small gifts may be accepted where refusal might offend the person offering the gift. All other gifts as outlined above must be refused.
- 6.3 Where refusal would cause offence, an acceptable alternative is to suggest a donation to the association or to a charity nominated by the Trust.
- 6.4 Gifts are sometimes offered by suppliers with the purchase of items. All special offer gifts are the property of the School and must be handed to the School Office for use by the School.
- 6.5 Trivial or small gifts accepted and not of a personal nature should be pooled and distributed at the Trust Finance, Audit and Risk Committee discretion.
- 6.6 Where a Trustee or staff member receives an unsolicited gift of more than token, which it is impractical to refuse, they must immediately donate it to the Trust. The Executive Committee will decide, depending on the nature of the gift, whether it is most appropriately used for Trust purposes or donated to a charity.
- 6.7 All gifts and what is done with them must be recorded in the Gifts & Hospitality Register even if it has been refused.
- 6.8 Gifts to another individual or school should be made only in exceptional circumstances and with the approval of the Chair or Headteacher as appropriate.

7. Giving & Accepting Hospitality & Entertainment

- 7.1 Trustees and staff must never solicit hospitality from another individual, school or organisation. They should never accept lavish hospitality that could be interpreted as a way of exerting an improper influence over the way you carry out your duties.
- 7.2 Trustees and staff must never offer such hospitality to others on behalf of the School. The timing of hospitality in relation to procurement or purchasing decision that the School may be taking is especially sensitive. As a general rule, they should not accept hospitality that the School would not reciprocate in similar circumstances.
- 7.3 Any hospitality given or received must be recorded in the Gifts & Hospitality Register even if it has been refused. Gifts & Hospitality Policy.
- 7.4 The cost and the reason why acceptance is considered to be in the Trust interests should be noted in the Register where extravagant hospitality or entertainment above the token value, whether given or received.
- 7.5 Entertainment or substantial hospitality may be given from time to time as a courtesy to outside organisations with whom the Trust works; however, this should not be a common practice.
- 7.6 Expenditure entitled to staff will be limited to working lunches, refreshments for visitors and business contacts.

8. Expenses

- 8.1 You are representing the School in the community or are imparting information about the School to the public.
- 8.2 An event is clearly part of the life of the community or where the School should be seen to be represented.
- 8.3 The hospitality concerns attendance at a relevant conference or course where it is clear the hospitality is corporate rather than personal.

9. UK Bribery Act (2010)

- 9.1 The following sections of the UK Bribery Act apply to this policy:
 - a. It is an offence under Section 7, which can be committed by a commercial organisation which fails to prevent persons associated with them from bribing another person on their behalf.
 - b. Facilitation Payments, payments to induce officials to perform routine functions they are otherwise obligated to perform, are bribery under the Act.
 - c. Trustees/Advocates and Senior Leadership do not tolerate Bribery in any form.
 - d. Senior Leadership considers all organisations which the Trust/School does business with, in order to consider the risk.
 - e. Senior Leadership considers all persons or organisations which act on behalf of the Trust/School or provide services for the School, in order to consider the risk.
 - f. Actions of suppliers of goods do not create a risk for the Trust/School under the UK Bribery Act 2010.

- g. As risk of bribery can often be greater in overseas transactions, all overseas transactions must be approved in writing on the purchase order by the Chief Finance Officer (CFO) and Chair of Finance, Audit and Risk Committee, regardless of the value of the transaction.

10. Review

- 10.1 This policy has been adopted by the Trust and will be reviewed by the Strategic Board annually.

11. Links with Other Policies

- 11.1 Links to other policies include:

- a. Financial Regulations Policy.

