



EDUCATION
and
LEADERSHIP
Trust



TRUST GIFTS, HOSPITALITY AND BRIBERY POLICY

V1.5

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| Date review and approved by Policy committee | 11.11.19 |
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| Responsible for this policy: | Trust Finance Officer |
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Approval History

| Approved By: | Date of Approval | Version Approved | Comments |
|----------------------------|------------------|------------------|--|
| Governors Policy Committee | 02.04.15 | V1.1 | Number contents page and reflect this in the rest of the document. This policy was academised. |
| ELT Trust Finance Cttee | 01.11.16 | V1.4 | |
| Policy committee | 11.11.19 | V1.5 | |
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Revision History

| Revision Date | Previous Revision Date | Rev | Summary of Changes | Changes Marked | Owner/Editor |
|---------------|------------------------|------|--|----------------|--------------|
| 23.04.15 | New Policy | | Governors discussed this new policy, on the 02.04.15 it was then formatted to acadamise. | Yes | PKA/WBE |
| 06.05.15 | 23.04.15 | | Appendix 1 numbered | Yes | WBE |
| 25.10.16 | 06.05.15 | | TEMA Logo Inserted | | DCO/SME |
| 24.10.19 | 01.11.16 | V1.5 | 'Academy' references changed to 'Trust'. Updated links to other ELT policies | Yes | DCO/CTE |
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1.0 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 Education and Leadership 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.

2.0 PURPOSE OF THE POLICY

2.1 The purpose 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 Trust Governors and Directors.

3.0 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.

4.0 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 from the Trust Finance Officer.

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

- 4.3** 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. You should notify the School's Business Manager of any gift or hospitality received for entry in the Register of Business Interests. See Appendix 1.
- 4.4** 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.
- 4.5** 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.
- 4.6** 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 Trust 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.

- 4.7** 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 the School's Business 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.
- 4.8** Where items purchased for the Trust include a 'free gift', such a gift should either be used for school Trust business or handed to the School's Business Manager to be used for charity raffles.
- 4.9** Where items purchased for the Trust include loyalty rewards e.g. discount vouchers, air miles, points (e.g. Boots advantage points) these must not be claimed by the individual and where collected should be handed to the School's Business Manager to be used for school/Trust use.
- 4.10** If you are in doubt about the acceptability of any gift or offer of hospitality it is your responsibility to consult the school's Business Manager.
- 4.11** 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 revised Guidance for Safer Working Practice for Adults who Work with Children and Young People in Education. All such gifts should be declared.
- 4.12** 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.

- 4.13** A gauge of what is acceptable in terms of hospitality is whether the Trust would offer a similar level of hospitality in similar circumstances.
- 4.14** 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.
- 4.15** 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 school or 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.
- 4.16** 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 school's Headteacher must be consulted.
- 4.17** Paid holidays or concessionary travel rates are not acceptable. Neither are offers of hotel accommodation nor the use of company villas/apartments.
- 4.18** 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.
- 4.19** Acceptance of sponsored hospitality that is built into the official programme of conferences and seminars related to your work are acceptable.
- 4.20** 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 school's 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.
- 4.21** Any invitation you accept should be made to you in your professional/working capacity as a representative of the school or Trust.

5.0 LINKS WITH OTHER POLICIES

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

- Anti Fraud and Corruption Policy
- Staff Code of Conduct
- Whistle Blowing Policy
- Disciplinary, Grievance and Capability Policies
- Equality Policy
- Trust Financial Procedures and Scheme of Financial Delegation

6.0 REGISTER OF GIFTS & HOSPITALITY –School/Trust

6.1 The Register of Gifts and Hospitality will be reviewed annually by the Education and Leadership Trust Finance Committee.

6.2

| REGISTER OF GIFTS & HOSPITALITY –School/Trust | | | | |
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| Academic Year September to August | | | | |
| Name and Position: | Date Advised: | Nature of Benefit offered: | Action: | Reason: |
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Please return to the Trust Finance Officer for recording.