



Title	Reviewer	Reviewed and Approved		Review
Gifts & Hospitality Policy (Part of financial Regulations)	Pam Olbison	Trust Meeting:	16 th July 2019	July 2022

To be reviewed at least every 3 years or as required

GIFTS & HOSPITALITY POLICY

- 1 As specified in the Academies Financial Handbook 2019, Selby Educational Trust must ensure economy, efficiency and effectiveness in our use of public funds. Financial and other controls must be put in place and rigorously maintained to conform to the requirements of both propriety and good financial management.
- 2 The Academies Financial Handbook requires that:-
The academy trust should have a policy and register on the acceptance of gifts, hospitality, awards, prizes or other benefits that might compromise their judgement or integrity, and should ensure all staff are aware of it. When making gifts, the trust **must** ensure the value is reasonable, is within its scheme of delegation, the decision is documented, and achieves propriety and regularity in the use of public funds.
- 3 In addition, the Bribery Act 2010, makes it an offence:
 - To offer, promise or give a financial or other advantage to another person to bring about improper performance or reward;
 - To offer, promise or give a financial or other advantage to a foreign public official with the intention of influencing performance in official functions;
 - For a commercial organisation to fail to prevent a person associated with it bribing another person to obtain an advantage in the conduct of business.
- 4 This policy sets out the procedures for the prevention of bribery and the appropriate acknowledgement of gifts and hospitality.
- 5 All employees and associated persons are responsible for maintaining the highest standards of business conduct and are expected to behave honestly and with integrity. Any breach of this policy will constitute a serious disciplinary offence, which may lead to dismissal and may become a criminal matter for the individual.
- 6 The SET prohibits employees and associated persons from offering, giving, soliciting or accepting any bribe. The bribe might include cash, a gift or other inducement, to or from any person or organisation, wherever they are situated, and irrespective of whether or not they are a public official/body or private person or company, by any individual governor, employee, agent or other person or body acting on the SET's behalf. The bribe might be made in order to:
 - Gain any commercial, contractual or regulatory advantage for SET in a way which is unethical;
 - Gain any personal advantage, pecuniary, or otherwise, for the individual or anyone connected with the individual.

Each academy will hold a Gift & Hospitality Register (maintained by the Clerk to SET see Appendix B) and all gifts or hospitality exceeding a value of £30 must be recorded whether accepted or not (using Appendix A). It is common for appreciative parents and pupils to express their thanks for the work of staff in the form of a small personal gift. If the gift is valued at less



than £30, then it can be accepted without reference to senior staff and will not require recording in the register. Where a more valuable gift is offered, then it must be referred to the Academy Head Teacher for approval and recording in the register.

If not accepting a gift would cause offence (e.g. for cultural reasons) the item should be accepted and the matter brought to the attention of the Academy Head Teacher as soon as possible. If the gift is then deemed inappropriate, the Academy Head Teacher can decide to return it or donate it to a charitable cause.

7 This policy is not intended to prohibit appropriate hospitality undertaken in connection with SET's activities, provided the activity is customary under the circumstances, is proportionate, and is properly recorded.

8 Examples of gifts or hospitality that should not be accepted are:

- Cash or monetary gifts;
- Gifts or hospitality offered to a family member;
- Gifts or hospitality offered by a potential supplier.

9 **Definitions**

9.1 A gift is any item or service, award, prize or any other benefit which is received free of charge, 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.

9.2 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.

10 **Dealing with Gifts and Hospitality**

10.1 The Trust expects staff, directors and governors to exercise the utmost discretion in giving and accepting gifts and hospitality when on Trust 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 School Business Manager.

10.2 Staff, directors and governors must not make use of their official position to further their private interests or those of others.

10.3 Staff, directors 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 might be placed under an obligation.

10.4 Gifts of low intrinsic value such as promotional calendars or diaries, 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 School Business Manager.

10.5 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, these



should be recorded in the register.

- 10.6 Where a more valuable gift, benefit or service is offered which is to the good of the academy trust, rather than an individual, it must be referred to the School Business Manager or, if in the case of the School Business Manager, to the Headteacher for approval within their discretion; if acceptable, these items must be recorded in the register.
- 10.7 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.
- 10.8 If a member of staff, director 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 Trust (other than light refreshments) it is their responsibility to discuss this with the School Business Manager or, if in the case of the School Business Manager, the Head teacher, or in the case of the Head teacher, the Chair of the SET Board of Directors immediately.
- 10.9 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 School Business Manager as soon as possible who may decide to return the gift, or may donate it to a school raffle/ fair or a charitable cause.
- 10.10 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 projects/works are being considered i.e. business case stage or during the tender process; gifts or hospitality from a supplier prior to the renewal of a contract (6 months prior to a 3-5 year contract being renewed, 3 months prior to a 1-3 year contract being renewed) such as staff, director 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 in a member of staff, director or governor attending a sponsored event, the attendance must be formally approved and registered by the School Business Manager).
- 10.11 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 displays or it may, with the Headteacher'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.
- 10.12 Gifts are sometimes offered by suppliers with the purchase of items. All such special offer gifts are the property of the Trust and must be used accordingly.
- 10.13 Gifts that are offered over the value of £30 and acceptance is refused, these should also be recorded in the register.

11 Giving Gifts and Hospitality

- 11.1 The Trust 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 awards of gifts, prizes etc. related to the achievement of pupils e.g. attainment or merit awards.

- 11.2 Where hospitality is provided by the Trust this should be approved in advance by the School Business Manager. In approving hospitality, the School Business Manager should ensure it is not in breach of the UK Bribery Act 2010 and also that the costs are appropriate for a publicly 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.

- 11.3 The purchase of alcohol using Academy funds (and therefore public monies) goes against the primary purpose of the Academy. Therefore, any such expenditure should be limited to appropriate occasions and fall within the overall 'value for money' framework and conform to the '7 principles of public life'.

This applies to purchases either as a gift (wine on retirement for example) or for use on premises (for refreshments at a Parents Evening for example).

12 Compliance

- 12.1 In the case where it is believed a member of staff, directors and governors has not declared a gift or hospitality then a formal investigation will be instigated by the Chair of the SET Board. If misconduct is indicated, this may take the form of disciplinary procedures in the case of employees.

13 Equality and Diversity Statement

The SET welcomes and celebrates equality and diversity. We believe that everyone should be treated equally and fairly regardless of their age, disability, gender, gender identity, race, religion or belief, sexual orientation and socio-economic background. We seek to ensure that no member of the College community receives less favourable treatment on any of these grounds which cannot be shown to be justified.

This document is written with the above commitment, to ensure equality and diversity is at the centre of working life at Selby Educational Trust.



14 Safeguarding Policy

The SET recognises its moral and statutory responsibility to safeguard and promote the welfare of students. We work to provide a safe and welcoming environment where students are respected and valued. We are alert to the signs of abuse, neglect, radicalisation and extremism and follow our procedures to ensure our students receive effective support, protection and justice. Selby Educational Trust expects Governors, staff and volunteers working on behalf of the college to share this commitment.

15 Fraud, Bribery & Corruption

Selby Educational Trust follows good business practice and has robust controls in place to prevent fraud, corruption and bribery. Due consideration has been given to the Fraud Act 2006 and the Bribery Act 2010 in the development/review of this policy document and no specific risks were identified.

16 General Data Protection Regulation (GDPR)

Personal data held by Selby Educational Trust is subject to General Data Protection Regulation (GDPR).

For information about your rights under GDPR you can see our Privacy Notice - www.selby.ac.uk/privacy.

Declaration of a gift or hospitality

Employee name:

Employee position:

- I have accepted a gift or hospitality
- I have declined a gift or hospitality

Date and time of offer:	
Location offer took place:	
Offer made by:	
Relationship with academy:	
Nature of gift/hospitality:	
Estimated value:	
Reason for accepting/declining gift/hospitality:	

Signed:Date:
(Employee)

Approved by:Date:
(Academy Head Teacher)

On completion, please return this form to Trudy Searle, Clerk to SET for recording in the Gift & Hospitality Register.

Date entered in register:

Reference:

Date of entry	Name	Estimated value	Nature of gift/hospitality	Supplier of gift/hospitality	Accepted/ Declined	Reason	Declaration Form Ref