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**Gifts & Hospitality Policy**

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| **Policy area:** | Finance & Operations |
| **Approved by:** | CEO |
| **Approval date:** | 26.09.2023 |
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| **VERSION CONTROL** | | | |
| **Version** | **Date** | **Author/Reviewer** | **Substantive changes since the previous version** |
| V1 | Sept 2023 | DD/JH/GB/JR | Updated policy for ONE Academy Trust. Based on the Willows Academy Trust and Believe Academy Trust policies. Reviewed by CFO |
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**Contents**

1. Introduction
2. Aims & scope
3. Definitions
4. Responsibilities
5. Dealing with offers of gifts and hospitality

# The provision of gifts and hospitality

1. Declining gifts and hospitality
2. Non-compliance
3. Monitoring and review

**Appendices**

Appendix 1 - FORM ONE68-01 -Gifts & Hospitality Register

1. **Introduction**
   1. The ONE Academy Trust Gifts & Hospitality Policy aims to ensure that members, trustees, governors and staff are aware of what constitutes acceptable gifts and hospitality, the process that must be followed if they are offered gifts or hospitality and the rules for providing gifts or hospitality from school/trust budgets.
   2. The principle of integrity requires that trustees, governors and staff should not place themselves under an obligation that might influence, or be perceived to influence, the conduct of their duties. This means that the receipt of hospitality and gifts must be subject to clear restrictions and that any that are accepted must be declared and recorded. In order to protect all individuals associated with the trust, and the reputation of the trust and its academies from accusations of bribery or corruption, members, trustees, governors and staff must take extreme care that none of their dealings, directly or indirectly, could be deemed as a reward or benefit, in line with the Bribery Act 2010. Under this Act, a bribe is ‘a financial or other advantage’ offered, promised or given to induce a person to perform a relevant function or activity improperly, or reward them for doing so.
   3. This Act makes it a criminal offence to:

* offer, promise or give a bribe
* request, agree to or accept a bribe
* (by an organisation) fail to prevent bribery by those acting on its behalf (associated persons) to obtain or retain business or a business advantage for the organisation.
  1. This policy is based on the [Academy Trust Handbook](https://www.gov.uk/guidance/academies-financial-handbook), which states that academy trusts should have a policy and register on the acceptance of gifts, hospitality, awards, prizes or any other benefit which might be seen to compromise the personal judgement or integrity of members, trustees, governors, staff and/or any other representative of the trust.
  2. Our policy on gifts and hospitality also complies with our funding agreement and articles of association. It should be read in association with our:
* Pecuniary Interests Policy
* Code of Conduct for staff
* Code of Conduct for Trustees & Governors
* Financial Management Policy
* Fraud, bribery and corruption Policy
* Staff disciplinary procedures

**Gifts and Hospitality Register**

* 1. The trust central team and each school within the trust will hold a Gifts and Hospitality Register. All gifts/hospitality over the value of £30 must be recorded in the Gifts and Hospitality Register.

1. **Aims & scope** 
   1. This policy aims to ensure that

* The academy trust’s funds are used only in accordance with the law, its articles of association, its funding agreement and the latest Academy Trust Handbook
* The trust and those associated with it operate in a way that commands broad public support
* The trust has due regard to propriety and regularity, and ensures value for money, in the use of public funds
* Trustees fulfil their fiduciary duties and wider responsibilities as charitable trustees and company trustees
* Members, trustees and staff are aware of what constitutes acceptable gifts and hospitality, and the process that must be followed if they are presented with any of the same

1. **Definitions** 
   1. Gifts are any items, cash, awards, prizes, goods or services, offered without expectation of payment or benefit. Gifts also include goods or services offered at a discounted rate, or on terms not available to the general public.
   2. Hospitality is defined as food, drink, accommodation or entertainment (such as cultural or sporting events) provided free of charge, heavily discounted or on terms not generally available to the general public
2. **Responsibilities** 
   1. The trustees and local governors are responsible for ensuring that the trust’s funds are used in a way that commands broad public support, pays due regard to propriety and regularity, and provides value for money.
   2. The CFO and CEO are responsible for ensuring that the members, trustees, governors, headteachers and staff are aware of and understand this policy.
   3. The headteacher in each school is responsible for ensuring that school staff are aware of and understand this policy and that it is implemented consistently.
   4. The CEO, CFO and headteachers will ensure that decisions on whether individuals, a school or the trust can accept or offer gifts or hospitality with a value of over £30 are in line with this policy.
   5. The Chief Financial Officer (CFO) will ensure that:

* A gifts and hospitality register is maintained in each school and for the central team (seeAppendix 1)
* The gifts and hospitality register for the previous academic year is reported to the CEO and trustees annually in the Autumn term.
* Figures for transactions relating to gifts made by the trust are disclosed in the trust’s audited accounts, in accordance with the Academy Trust Handbook
  1. The office/business manager in each school is responsible for:
* Maintaining a school gifts and hospitality register on a day-to-day basis
* Co-ordinating the submission of gifts and hospitality information to the CFO.
  1. The Governance Coordinator is responsible for maintaining a gifts and hospitality register for the trust central team, trustees and members.
  2. The CFO is responsible for oversight of all the gifts and hospitality records

1. **Dealing with offers of gifts and hospitality** 
   1. ONE Academy Trust expects staff, trustees, and governors to exercise the utmost discretion in giving and accepting gifts and hospitality when on trust or school 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 CFO or CEO. The CEO must make trustees aware in all such cases.
   2. Staff, trustees and governors must not make use of their official position to further their private interests or those of others. They must not solicit gifts or hospitality.
   3. Staff, trustees 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 or school might be placed under an obligation.
   4. Staff, trustees and governors must:

* notify the Chief Financial Officer, CEO or the headteacher as appropriate of any gifts or hospitality offered to them or the school or trust with a value of over **£30** for inclusion on the ONE gifts and hospitality register (see Appendix 1) within 7 working days, even if declined
* consult the headteacher, CEO or Chief Financial Officer before accepting or offering any gifts or hospitality with a value of over **£30**
  1. It is not the intention of this policy to discourage all gift-giving, for example from parents to teachers and small tokens of gratitude are always appreciated. We ask parents that these are of nominal value and are not in the form of cash gifts.
  2. Generally, gifts of nominal value, such as small tokens of appreciation or free promotional pens, calendars, diaries and similar items, may be accepted. If in any doubt, the headteacher or CFO should be consulted. If these are valued at less than £30, these are acceptable without prior approval. These will not need to be recorded in the register.
  3. Any gifts or hospitality offered with a value of over £30 must be recorded on the Gifts and Hospitality register within 7 working days, even if declined. Any member, trustee, governor or member of staff who is offered such gifts or hospitality must consult the CFO or headteacher before accepting.
  4. Recipients should also consider the cumulative value of gifts. If a number of gifts are offered and received from the same person/organisation which cumulatively add up to over £60 in an academic year, prior approval must be sought before accepting any further gifts and all the gifts must be recorded in the Gifts & Hospitality Register.
  5. Hospitality such as working lunches, coffee etc. are perfectly acceptable where it is appropriate to offer or receive these in support of good relationships with visitors such as staff, business colleagues and key contacts, provided the hospitality is reasonable in the circumstances. These do not need to be added to the Register. Hospitality received above this level should be recorded in the Register. Other hospitality may be accepted for instance where:
* There is a genuine need to impart information or represent ONE Academy Trust in the community
* The hospitality concerns attendance at a relevant conference or course where it is clear the hospitality is corporate rather than personal
  1. If in doubt on whether to accept and/or record gifts or hospitality, guidance must be sought from the headteacher or CFO.
  2. Examples of gifts or hospitality that should not be accepted are:
* Monetary gifts
* Gifts or hospitality offered to family members, partners or close friends of members, trustees, governors or staff
* Gifts or hospitality from a potential supplier or tenderer in the immediate period before tenders are invited or during the tendering process
* Lavish or extravagant gifts or hospitality, even if they relate to activities the recipient undertakes in their own time.

This list is not intended to be exhaustive and members, trustees, governors and staff are expected to abide by the principles of the relevant code of conduct and the pecuniary interests policy

* 1. If the headteacher is the recipient, or intended recipient, of **any** offer of gifts or hospitality, they must inform the chair of the board of trustees and record the offer on the Register.
  2. Where a gift is received on behalf of the school, the gift remains the property of the school.
  3. 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.

1. The provision of gifts and/or hospitality
   1. The trust and its schools will not normally give gifts to other individuals or organisations. If gifts are given, staff must ensure that the decision is pre-approved by the CFO and 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 the award of gifts, prizes etc. related to the achievement of pupils e.g. attainment or merit awards.
   2. The trust’s funds should not be used to purchase gifts for employees for the trust unless:

* Gifts are purchased in accordance with the long service award policy (see below)
* Exceptional circumstances such as staff member bereavement with prior approval
  1. Where hospitality is provided by the trust or a school within the trust this should be approved in advance by the CFO.
  2. Any gifts or hospitality provided by the trust, such as the provision of refreshments and/or a working lunch for visitors, must not be extravagant. A maximum value of **£15** per head for working lunches should be used as a guideline. These would not be added to the register. Hospitality provided above this level should be recorded in the Register.
  3. Alcohol must **not** be purchased out of the school or trust budget.

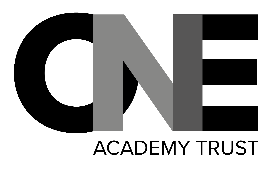
**Expenses**

* 1. Staff may claim reasonable expenses when working off-site (e.g. when on a training course if meals/accommodation are not provided.). Entitlement to expenses must be pre-approved by the headteacher or CFO.in accordance with the Financial Management Policy. Expense claims should be submitted to the school admin team or CFO as appropriate who will ensure they are authorised appropriately. Receipts must always be enclosed and will be retained for audit purposes.

**Long Service Award**

* 1. Staff who have worked for the trust, or trust schools, for 25 years will be eligible for a Long Service Award.
  2. The award for 25 years of service is a letter of recognition and thanks from the Chair of the Board of Trustees and a gift card with a value of £100.
  3. The Long Service Award does not require recording in the Gifts & Hospitality Register.
  4. Details of the policy and procedure for awarding Long Service Awards are set out in the ONE Academy Trust Long Service Awards Policy.

1. **Declining gifts and hospitality** 
   1. Any member, trustee, governor or staff member who is offered any of the unacceptable gifts or hospitality outlined above should politely decline the offer.
   2. If they feel it would not be appropriate for them to decline, they should refer the matter to the headteacher or CFO. The headteacher or CFO may decline the offer, or donate the gift or hospitality to a worthy cause, and must also record the offer on the gifts and hospitality register.
2. **Non-compliance** 
   1. In the case where it is believed a member of staff, trustees, or governors has not complied with this policy, then a formal investigation will be instigated by the trust/school.
   2. If misconduct is indicated, disciplinary action will be taken in accordance with the relevant disciplinary procedures in the case of employees.
   * Disciplinary action will be taken against anyone who fails to decline gifts or hospitality the trust has deemed unacceptable.
   * Failure to declare any gifts or hospitality offered on the gifts and hospitality register, in line with this policy, will be dealt with as a staff disciplinary matter.
3. **Monitoring and review** 
   1. The gifts and hospitality registers are monitored regularly by the CFO.
   2. This policy will be reviewed every 3 years as a minimum by the CFO and CEO and approved by the CEO.

**FORM ONE68-01**

**Gifts & Hospitality Register**

**Name of school/central trust team:**

| **Date of offer/receipt** | **Recipient** | **Nature of gift/hospitality & estimated value** | **Person/organisation offering the gift/hospitality** | **Accepted or rejected**  **(reasons for accepting[[1]](#footnote-1))** | **Action approved by[[2]](#footnote-2):**  **(signature)** |
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1. Comments should include the reason the offer was accepted and the use to which any gifts were put e.g. donated to school raffle etc. [↑](#footnote-ref-1)
2. Signature of headteacher, CEO or CFO as appropriate [↑](#footnote-ref-2)