



GIFTS AND HOSPITALITY POLICY

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MEMBER OF STAFF WITH RESPONSIBILITY FOR REVIEW:	DIRECTOR OF FINANCE
THIS POLICY WAS CONSULTED WITH:	
THIS POLICY WAS DISTRIBUTED TO:	HEADTEACHERS, FINANCE MANAGERS

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1 Introduction

Anglian Learning is responsible for the purchase and procurement of high value services and resources, from a wide range of providers and using substantial amounts of public money to do so. With this in mind, leaders and staff must conduct themselves at all times with integrity, impartiality and honesty. Those leading, working for and representing the Trust must maintain high standards of propriety and professionalism, including avoiding laying themselves open to suspicion of dishonesty and not putting themselves in a potential position of conflict or even the perception that their judgment may have been influenced by the receipt of gifts and hospitality.

Some staff may, out of necessity, spend time with representatives of institutions and other organisations where it is normal business practice or social convention to offer gifts, hospitality or rewards. Offers of this kind can place staff in a difficult position, as refusal may cause misunderstanding or offence. However, to accept may give rise to questions of impropriety, suspicion or conflict of interest, disciplinary action or criminal liability.

Furthermore, the Academies Financial Handbook 2019 states 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 judgment 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’. It is within this context that Anglian Learning has developed the policy on the acceptance of gifts and hospitality.

2 Aims of the Policy

One of the core aims of Anglian Learning is to always act with:

Integrity, probity and honesty within Anglian Learning and as part of the wider educational system

The aim of this policy is to demonstrate how this is applied to the acceptance of gifts and hospitality, specifically:

- Establishing what is and what is not acceptable
- The process of recording and reporting offers of gifts and hospitality
- The monitoring of gifts and hospitality that has been received/offered by the Trust and its constituent academies

3 Scope of the Policy

This policy applies to all staff, Trustees, Members and Governors in the Trust. It also applies to those who have been contracted to undertake work on behalf of the Trust and who may engage third parties as part of their work. The CEO and Headteachers **must** ensure that the intent and principles of this policy are shared with all staff and those holding a position of governance and that there is adherence to the process of recording and reporting as set out below.

Where staff are referenced in the following sections, it is taken to include Trust Members, Trustees and Governors.

4 Principles – Receipt of Gifts

- 4.1. Gifts of any type (defined as items given without the expectation of receiving anything in return) should not be accepted where they may appear to be disproportionately generous or could reasonably be construed as an inducement to affect a business or educationally focussed professional decision. For example, an educationally focussed professional decision could include the choice of curriculum programme or academic outcomes for individual or groups of pupils. .
- 4.2. Staff must not accept any gifts, rewards or hospitality from any organisation or individual with whom they have contact in the course of their work, as an inducement either for doing something or not doing something in their official capacity
- 4.3. Particular care should be taken about any gift from a person or organisation which has, or is hoping to have, a contract with the Trust or its academies or a gift from a pupil, parent or carer which could be perceived as seeking to influence outcome professional outcome
- 4.4. Gifts of a trivial, inexpensive nature such as diaries and calendars may be accepted, but more substantial offerings and expensive hospitality, should be declined.
- 4.5. A gift will be considered trivial if by virtue of its nature or branding it has no material commercial value, that is to say, no unrelated third party would reasonably be expected to purchase the item for a sum in excess of £25. Gifts of this kind are acceptable provided the donor is aware that these can only be accepted on the basis that the gift will either be shared amongst all staff (at that site, or within that team) or used for fundraising purposes (e.g. in a raffle). Gifts under £25 given to teachers and other staff as presents at the end of the term or in response to specific activity (e.g. organising a school trip) are exempt.
- 4.6. Any gifts falling outside the definition of trivial or exceeding the £25 limit should not be accepted by an individual. This includes gifts to teachers from parents, unless approved by the Headteacher and then only in exceptional circumstances (e.g. retirement of a long serving teacher).
- 4.7. Under no circumstances must staff accept personal gifts of cash, even below the £25 limit. Vouchers received must be declared to the Headteacher; must only be in recognition of services given at the end of a year or course, and with no inducement or expectation around professional judgements that should have already been made prior to the year or course end..

- 4.8. If unsolicited gifts of a substantial nature arrive from contractors (e.g. large hampers) they should be returned with a polite explanation that the Trust rules do not allow their acceptance. There may be occasions when to refuse a gift may cause offence. In these circumstances, and in those where a gift cannot be returned or refused, the gift should be accepted and then surrendered to the CEO or Headteacher to be raffled, with the proceeds going to a nominated charity of choice; or, in the case of the Trust centrally receiving a gift e.g. vouchers, it is to be allocated to one of the primary schools and where the receiving school leadership has no decision making powers in relation to the services offered by the contractor. However, this should still be recorded and declared to the Audit Committee and/or excessive gifts or donations rejected.
- 4.9. If staff have doubts about whether an offer of a gift should be refused, they should consult the Headteacher, who in turn should discuss the matter with the Chief Executive Officer or Director of Finance before the gift is accepted.
- 4.10. The Director of Finance is the final arbiter on the advisability of acceptance or refusal of gifts. If the Director of Finance considers that a gift can legitimately be accepted but that it cannot be used to support the Academy business, he / she may authorise retention of the gift by the individual. Alternatively, if the individual does not wish to retain the gift, arrangement may be made for the gift to be stored until disposal, for example through a local charity.
- 4.11. Any gifts of a non-trivial nature, whether to individuals or to academies or the Trust as a whole and whether accepted or not, should be notified to the Trust Director of Finance. Where the Director of Finance is in receipt of a gift, this should be reported to the CEO.
- 4.12. In summary, trivial gifts are those defined as being under £25 and are acceptable if occasional and not in cash. Non-trivial gifts are over £25 and should not be accepted by an individual. These should be declined or where this is not possible, surrendered to the CEO/Headteacher for appropriate disposal. They must also be recorded.
- 4.13. The above is not an exhaustive list of gifts that may be offered to staff. If in doubt, staff should always inform their Headteacher.

5 Principles – Receipt of Hospitality

- 5.1. It is recognised that attendance at receptions, luncheons and dinners or other social events (e.g. celebratory, promotional or cultural events) form a necessary part of some employees', governors' or board members' roles. This policy is not intended to stop such employees from receiving hospitality of this nature, so long as it is declared in the Gifts and Hospitality Register, with the exception of the situations described below. The following hospitality should be declined:

- hospitality offered in substitution for fees for broadcasts, speeches, lectures, or other work done;
- inducements which could lead to a contractual position between the Academies and a supplier or consultant.

Particular care should be taken when offered any form of hospitality or gifts from a person or organisation which has, or is hoping to have, a contractual relationship with the Academies or the Trust. For example in respect of potential or ongoing procurement processes.

If staff have any doubts whether to accept hospitality offered, they should refer the matter to the Headteacher, who in turn may discuss it with the Chief Executive Officer and or the Director of Finance.

Any exceptional levels of hospitality, accepted or declined, should be recorded in the central register kept by the Trust.

The above is not an exhaustive list of the types of hospitality that may be offered to staff. If in doubt, staff should always inform their Headteacher.

6 Principles – Receipts of Fees, Awards and Prizes

- 6.1. If an organisation offers a fee to a member of staff for an occasional service such as a speech which is in a way connected with their official duty, the sum involved may be retained only on condition that it is paid into the Academy bank account.
- 6.2. Staff must consult the Headteacher if they are approached by an outside organisation offering an award or prize which is in any way connected with their official duty.
- 6.3. Retention of the award or prize will normally be allowed, provided that:
 - it is offered in recognition of personal achievement;
 - it is not a gift (see above).

Awards or prizes should be declined if they are likely to give rise to public criticism. In deciding whether the award would give rise to public criticism, staff are advised to consider:

- the status of the awarding body; for example, whether it is a registered charity;
- the range of people to whom the award is given;
- the method of selection;
- the standing of the selectors;
- any Academies dealing with the awarding body.

Criticism, however unfounded, might be made if it appears that the award might have been given with a view to future benefit to the person concerned.

7 Principles - Offering Hospitality, Gifts or Prizes

- 7.1. Subject to the agreement of the Principal or Head of School, the cost of lunches or dinners taken outside of the office may be met when it is considered necessary for the furtherance of business which cannot effectively be dealt with in the normal working environment e.g. in the case of important overseas visitors, failing to provide some modest hospitality would be discourteous or embarrassing.
- 7.2. The cost of lunches or dinners in these circumstances should not exceed £25 per head and should be afforded within the academy's budget. Alcohol may not be purchased using any funds which pass through the Trust or schools' accounts.
- 7.3. Permission should be sought from the Headteacher before any such offers of hospitality are made to any clients and all instances should be recorded on the Trusts Gifts and Hospitality register.
- 7.4. Academies, may on occasion, wish to purchase gifts as a token of appreciation. Such gifts must be of a modest value (no more than £40) and only made in exceptional circumstances. They must be approved by the Headteacher/Principal and consider whether the gift could be construed as being made in return for something. The ESFA as regulator considers excessive gifts as 'irregular', however they are funded. Collections from staff fall outside these requirements. Student or other prizes may be awarded up to the value of £25. They must be approved by the Headteacher/Principal.
- 7.5. The Director of Finance will maintain a register of gifts and hospitality given for the Trust.

8 Whistleblowing

- 8.1. Staff are required, under the Trust's Whistleblowing Procedure, to report any circumstances where they believe a member of staff has not followed this policy.
- 8.2. In the first instance, staff should report any concerns of this nature to the Headteacher.
- 8.3. If the concern is related to the Headteacher, the member of staff should report this to the Chief Executive Officer of the Trust or Director of Finance.
- 8.4. If the concern is related to the CEO or Director of Finance, the member of staff should report this to the Chair of the Trust Board.
- 8.5. If the concern is related to the Chair of Trust Board, the member of staff or trustee should report this to a Member of the Trust.

9 Monitoring

Gifts and hospitality of a non-trivial nature (as defined above) must be recorded and reported to the Director of Finance, who will maintain a Gifts and Hospitality Register. This register will be subject to review by the Audit Committee termly and made available to auditors as part of internal and external processes as appropriate.