



GIFTS AND HOSPITALITY POLICY

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1. INTRODUCTION

This policy is based on the 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, staff and/or any other representative of the trust.

Within the terms of the policy, directors, staff and governors are expected to exercise common sense. If there is any doubt they must initially consult the Headteacher. The Headteacher may then choose to consult the Finance Director (FD) or Chief Education Officer for further guidance.

In every case where a gift meets the specified criteria outlined in the policy the offer or acceptance of a gift should be declared using the BLP 'Declaration of Gifts and Hospitality' form.

The process set out is designed to safeguard directors, governors and staff from any misunderstanding or criticism.

This policy also complies with our funding agreement and articles of association.

2. Aims

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 Academies Financial 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 directors
- 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

3. DEFINITIONS

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.

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.

4. RECEIVING HOSPITALITY

The following principles should be followed when deciding whether to accept hospitality:

- Whether members of the public, knowing the facts of the situation, could reasonably think that decisions might be influenced by the hospitality offered. If the answer is yes, the hospitality should be declined.
- In making judgments, relevant facts to take into account include the person or organisation offering the hospitality, its scale and nature, and its timing in relation to decisions to be made by the BLP or individual school.

- Care should be taken to avoid situations in which an individual director, governor or member of staff is the sole person invited to partake of hospitality or where it creates a pattern of receiving hospitality from that organisation.

Examples of when hospitality may be accepted (always depending upon the particular circumstances) include:

- Attendance at conferences, events and demonstrations of equipment organised by outside bodies where there is a demonstrable interest or business case for the BLP or school
- Attendance at events or functions where there is a demonstrable need for the BLP or school to be represented to either give or to receive information or to participate as part of our partnership development and promotion work
- Attendance at events or functions which are part of the civic, cultural or sporting life of the BLP
- Working lunches where this is an appropriate and effective way of conducting business and the refreshments provided are not disproportionate.

Overnight hospitality linked to any of the above should be declared to the FD or Headteacher before being accepted.

5. RECEIVING GIFTS

All personal gifts should be refused, or donated to charity, unless they meet the criteria below. The gifts listed below do not need approval or recording in the Gifts and Hospitality register:

- Modest gifts of a promotional character, e.g. calendars, diaries and other similar articles.
- Gifts on the conclusion of any courtesy visit to or from an outside organisation, providing these are of a sort normally given by that organisation
- Gifts to teachers from parents of pupils up to £30.
- Gifts up to £10 in value from suppliers

Gifts which are intended for The Brigshaw Learning Partnership, or any of its schools, may be accepted but must not be retained by the individual who receives them on behalf of these bodies. Such gifts should be forwarded as appropriate.

6. LINK TO PROCUREMENT

The BLP's Financial Regulations define the required approach to procurement. It is vitally important that procurement decisions are made purely on the basis of a robust process.

Gifts or hospitality should never be accepted or offered from a potential supplier or tenderer in the immediate period before tenders are invited or during the tendering process.

7. DECLINING GIFTS AND HOSPITALITY

Any directors, staff or governors who are offered gifts / hospitality which, are deemed to be unacceptable based on the principles and categories outlined in Section Three and Four of this policy, should politely decline the offer.

If the recipient feels it would not be appropriate to decline a gift / hospitality, the matter should be referred to the Headteacher or FD. The Headteacher or FD may decline the offer, or donate the gift / hospitality to a worthy cause. This decision must always be recorded on the Gifts and Hospitality Register.

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.

8. REGISTRATION OF GIFTS AND HOSPITALITY

Where a gift / hospitality does not meet the principles and categories outlined in sections three and four of this policy, the following actions should be taken:

- Speak to the Headteacher / FD (as outlined in section six) to determine whether the gift should be accepted or declined
- Provide written notification to the FD (for Directors, 'central' BLP staff or Headteachers) or the Headteacher (for individual school staff and governors), using the 'Gifts and Hospitality' form (**Appendix 1**). The notification must be received within 14 days of accepting/declining the gift / hospitality.

The Gifts and Hospitality form must be completed in full, setting out full details of the offer or the gift / hospitality offered or received.

All offers should be recorded, whether accepted or not. The completed forms will be sent to the Finance Director.

9. GIVING GIFTS

The BLP and its schools 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 (**Appendix 2**) and has regard to the propriety and regularity of the use of public funds. Receipts must always be attached.

Alcohol must never be purchased through academy funds.

The giving gifts criteria above does not apply to:

- the award of gifts, prizes, etc related to the achievement of pupils e.g. attainment or merit awards, nor BLP-wide staff recognition events or activities.
- recognition awards/gifts to staff for specific areas of work or activity.

Where appropriate, expenditure on staff wellbeing should be recorded in the template at Appendix 2 and posted as staff hospitality or staff wellbeing in the accounting system. Charitable donations e.g. instead of flowers for a funeral or matching amounts raised by students, should be of a de minimis level in order to comply with the Trust's objects.

10. PROVIDING HOSPITALITY

Where hospitality is provided by the BLP this should be approved in advance by the FD or Headteacher. In approving hospitality the FD or Headteacher 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, catering on training courses 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 but would be approved by the FD or Headteacher

to ensure they are of a reasonable level. Hospitality provided above this level should be recorded in the register.

11. STAFF MEALS AND OTHER REFRESHMENTS

Working lunches for directors, staff and governors are perfectly acceptable. In exceptional circumstances it may be appropriate for the BLP or its schools to provide a celebratory meal or event. Such expenditure would need to be funded via donations to the BLP and would be sanctioned by the FD. Where the FD is a beneficiary of such an event approval would be required from the Chair of the Audit and Risk Committee.

In approving such an event consideration will be given to both rules on personal taxation from HMRC and the requirement to properly utilise public funds.

Expenditure of this type will be separately reported to the Audit and Risk Committee within the annual report (see “Monitoring”, below).

12. MONITORING

The FD shall maintain a Trust-wide register of all gifts and hospitality and this will be available for inspection by the Trust Audit and Risk Committee and reported to the Committee on an annual basis.

13. COMPLIANCE WITH THIS POLICY

All appropriate disciplinary procedures may be applied where it is found, or reasonably suspected, that a breach of this policy has been committed by any director, governor or member of staff within the BLP. Any such breaches shall be notified promptly to the FD or Headteacher.

If it is found, or reasonably supposed, that a criminal offence has been committed the matter will be reported to the appropriate authorities by the BLP, in addition to any relevant internal procedures.

14. LINK TO OTHER POLICIES

This Gifts and Hospitality policy is linked to the:

- BLP Staff code of conduct
- Staff disciplinary procedures
- BLP Procurement policy
- BLP Finance Procedures Manual
- BLP Accounting Policy

15. REVIEW

This policy will be reviewed at least every three years.

APPENDIX 1

Declaration of Gifts and Hospitality - receipt

Name:

Place of work:

Job title:

Description of item	Offered by (name and/or organisation)	Date of receipt	Did you accept the item? (Y/N)	Approximate value (£)

I certify that I have listed above all gifts and hospitality which need to be declared under the terms of the BLP Gifts & Hospitality Policy.

Signed:

Date:

APPENDIX 2

Declaration of Gifts and Hospitality – given by the BLP

Name:

Place of work:

Job title:

Description of item	Offered to (name and/or organisation)	Approved – Trust FD, principal, head teacher	Date	Was the item accepted? (Y/N)	Approximate value (£)

I certify that I have listed above all gifts and hospitality which need to be declared under the terms of the BLP Gifts & Hospitality Policy.

Signed:

Date: