



Gifts and Hospitality Policy

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1 Purpose and Scope

- 1.1 Steel River Academy Trust is committed to the highest level of integrity, honesty and accountability in all its business dealings. All trustees, staff and governors are expected to maintain high standards of propriety and professionalism in all their dealings, ensuring they are free from any conflict of interest through their business in the name of the Academy Trust. The purpose of this policy is to protect both the company and the individuals involved from any appearance of impropriety.
- 1.2 This document sets out the principles for managing acceptance and registration of gifts and hospitality. It should be read in conjunction with the company's articles of association (articles) and academies handbook to ensure the open and proper management of gifts/hospitality.
- 1.3 Reference to Trustees and Governors reflects the combination of legal duties, responsibilities and obligations as a trustee under charity law; as a governor under education legislation.

2 Background and Legal Context

- 2.1 In accordance with the requirements of the academies handbook the academy trust should have a policy and register on the acceptance of gifts, hospitality, awards, prizes or any other benefit which might be seen to compromise their personal judgment or integrity; and should ensure that all members of staff are made aware of this. When giving gifts, the trust must ensure that the value of the gift is reasonable, is within the trust's scheme of delegation of financial powers, the decision is fully documented, and has due regard to propriety and regularity in the use of public funds
- 2.2 The Prevention of Fraud and Bribery Act 2010 makes it a criminal offence to:
- offer, promise or give a bribe,
 - request, agree to or accept a bribe,
 - fail to prevent bribery by those acting on its behalf ('associated persons') to obtain or retain business or a business advantage for the organisation.
- 2.3 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. It is the responsibility of directors/trustees/governors to avoid putting themselves in a position where their duty to act only in the best interests of the academy trust could conflict with any personal interest.

3. Identifying Gifts and Hospitality

- 3.1 In order to protect all adults involved with the academy trust and the reputation of its schools from accusations of bribery or corruption, 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. Essentially, the following definitions can be applied to identify gifts and hospitality:
- A Gift is any item or service which is received free of charge; or personally offered at a discounted rate or on terms not available to the general public.
 - 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.
- 3.2 Trustees, governors and staff are expected to exercise common sense. If they are in any

doubt they must consult the Accounting Officer and/or Chair of the Trust Board. The general principles set out in the following paragraphs which govern the acceptance of gifts and hospitality should safeguard trustees, governors and staff from any misunderstanding or criticism.

- 3.3 Trustees, governors and staff should ask themselves whether members of the public, knowing the facts of the situation, could reasonably think that they might be influenced by the hospitality offered. If the answer is yes, the hospitality should be declined. In making judgements, 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 academy or academy trust.
- 3.4 Care should be taken to avoid situations in which an individual governor, trustee 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.
- 3.5 Examples of when it may be proper to accept hospitality (always depending upon the particular circumstances) are as follows:-
 - attendance at conferences, events and demonstrations of equipment organised by outside bodies where there is a service interest.
 - attendance at events or functions where there is a demonstrable need for the academy or academy trust to be represented to either give or to receive information or to participate to promote corporate image.
 - attendance at events or functions which are part of the civic, cultural or sporting life of the academy or academy trust.
 - working lunches where this is an appropriate and effective way of conducting business and the refreshments provided are on a reasonable level.
- 3.6 Overnight hospitality linked to any of the above should be declared to either the Head Teacher, Local Chair of Governors or Chair of the Trust Board (as appropriate) before being accepted.
- 3.7 If a member of staff 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 school other than light refreshments, it is their responsibility to discuss this with the Head Teacher before accepting such benefit within 5 days. If acceptable, this would need adding to the register.
- 3.8 If not accepting a gift would be regarded as causing offence, (such as a sudden and unexpected gift, or one where it would cause cultural offence) the item should be accepted. The matter should then be brought to the attention of the Head Teacher, Local Chair of Governors or Chair of the Trust Board as soon as possible who may decide to return the gift or donate it to a school raffle/ fair or a charitable cause.
- 3.9 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 tendered in the immediate period before tenders are invited or during the tender process.
- 3.10 Where a gift is received on behalf of the school or academy trust, the gift remains the property of the school/trust. All gifts/ hospitality over the value of £30 must be recorded in the Gift and Hospitality Register, whether accepted or not.

4 Recording Gifts and Hospitality

- 4.1 As stated above the academy's handbook requires that the academy trust maintain a register on the acceptance of gifts and hospitality. Each school must hold a register specific to the school, with a consolidated register across the academy trust to be maintained by the Chief Finance Officer.
- 4.2 The Chief Finance Officer will report annually the content of the register to the Finance, Audit and Risk Committee. Any concerns/issues identified should be noted and an action plan recommended to the Trust Board.
- 4.3 Trustees, governors and staff must, within 28 days of accepting any gift or hospitality, provide written notification using the 'Declaration of Gifts and Hospitality' form (appendix 1). All offers accepted should be recorded in case of any queries, in particular through Freedom of Information (FOI) requests.
- 4.4 The Declaration of Gifts and Hospitality forms must be completed in full, setting out full details of the offer or the gift and or hospitality received as well as:
- estimated or actual value;
 - an indication from the Head Teacher/Chair of the Trust Board as to why acceptance of the offer is authorised;
 - the employee's/governor's printed full name and signature; and
 - the Head Teacher's/Chair of the Trust Board's printed full name and signature.
- 4.5 Notwithstanding paragraph 4.3 above, all trustees, governors and staff must complete a declaration at least annually, with nil returns required.
- 4.6 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 and need not be added to the register.
- 4.7 Where a more valuable gift, benefit or service is offered which is to the good of the school, rather than an individual, then it must be referred to the Head Teacher and if in the case of the Head Teacher to the Chair of the Local Governing Committee for approval within their discretion. Such items, if acceptable, should be added to the register.
- 4.8 Hospitality in the form of working lunches, coffees etc. are perfectly acceptable, and it would be appropriate to offer this to gain cordial relationships in support of good relationships with visiting staff or business colleagues. These need not be added to the register.

5 Publishing information relating to Gifts and Hospitality

- 5.1 Any request by a member of the public to view the Register of Declarations or Gifts and Hospitality will be referred to the Chair of the Trust Board or Chief Finance Officer. In considering any request, they will balance the requirement for the academy trust to be open and transparent against the requirements of the General Data Protection Requirement 2018.
- 5.2 Steel River Academy Trust shall take advice from its auditors in respect of the disclosure of gifts and hospitality in the preparation of its annual report and accounts to ensure full compliance with legal and statutory requirements.

6. Managing Conflicts of Interest

6.1 In the case where it is believed a member of staff, trustees or governors has not declared a gift or hospitality then a formal investigation will be instigated by the Accounting Officer. The academy trust's disciplinary procedures may be applied where it is found that a breach has occurred.

7. Data Protection

7.1 Information gathered for the purposes of this policy, in order to comply with legal requirements, will be processed in accordance with data protection principles as set out in the General Data Protection Requirement 2018. Data will be processed only to ensure that relevant individuals act in the best interests of the academy trust and that the academy trust is fully compliant with legal requirements around declaring and publishing gifts and hospitality. It will not be used for any purpose other than those set out in this policy.

7.2 Once data collected for the purposes of this policy has expired it will be disposed of three years following the date of expiry.

8. Policy Circulation

8.1 This policy shall be circulated to all staff across the trust.

8.2 This policy will be published on the academy trust's website.

9. Policy Review

The Trust Board will review this policy in line with the policy calendar.

DECLARATION OF GIFTS/HOSPITALITY

APPENDIX 1

Details of employee receiving gift or hospitality

Full Name	
Job Title	
School/Establishment	
Date of Declaration	
Signature	

Description of gift or hospitality

Description of gift / hospitality	
Value/estimated value of gift or hospitality	
Purpose of the offer	
Person/organisation providing the gift or hospitality	
Relationship to the person/organisation offering the	
Acceptance of gift / hospitality	Yes / No
Reason for acceptance	

Nil Return – cannot be greater than 12 months

Period Covered	
Signature and Date	

Approved by

Signature	
Date	
Name	
Job Title/Position	