



# Gifts and Hospitality Policy

## Castle Hall Academy

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In this policy the following roles and responsibilities are held by the people named below:

Role / Responsibility	Name	In post since

## 1. About this policy

- 1.1. This policy gives clear guidance for all staff, trustees, temporary staff, volunteers and consultants on the appropriate action to take when offered a gift, hospitality, prize or reward from a client or when offering a gift, hospitality, prize or reward to a client.
- 1.2. The Trust has overall responsibility for this policy, including keeping it under review.
- 1.3. This policy covers all employees, officers, consultants, contractors, casual workers and agency workers.
- 1.4. This policy does not form part of any employee's contract of employment.

## 2. Scope

- 2.1. This policy focuses on the expected procedures to follow if offered a gift, hospitality or reward.
- 2.2. Guidelines are also given for occasions when Academies wish to offer hospitality to clients. This policy does not cover the action which will be taken if these guidelines are not adhered to. Please refer to the Disciplinary Procedure.
- 2.3. This policy should be read in conjunction with the following policies within this handbook:-
  - 2.3.1. Anti-corruption and Bribery Policy.
  - 2.3.2. Disciplinary procedure.
  - 2.3.3. Expenses policy.

## 3. Responsibilities

- 3.1. The Trust is responsible for the development, approval and dissemination of this policy. Headteachers are responsible for ensuring all new staff (including volunteers, consultants working for the academy and temporary staff) are made aware of the policy. All academy staff, including temporary staff, consultants and volunteers are responsible for adherence to the policy.

## 4. Background

- 4.1. Our Academies are responsible for the expenditure of significant sums of money from a variety of public funding bodies. With this in mind, staff must conduct themselves with integrity, impartiality and honesty. Academy staff must maintain high standards of propriety and professionalism, including avoiding laying themselves open to suspicion of dishonesty and not putting themselves in a position of conflict between their official duty and private interest.
- 4.2. 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.
- 4.3. It is a disciplinary offence for staff to accept any benefits as an inducement or reward for:

- 4.3.1. taking any action (or specifically not taking action) in his or her official capacity;
- 4.3.2. showing favour (or disfavour) to anyone in his or her official capacity.
- 4.4. The conduct of individuals must not create suspicion of any conflict between their official duty and their private interest. Individuals acting in an official capacity must not give the impression (to any member of the public, to any organisation with whom they deal, or to their colleagues) that they have been (or may have been) influenced by a benefit to show favour or disfavour to any person or organisation.

## **5. Gifts**

- 5.1. Gifts (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 decision.
- 5.2. 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. Particular care should be taken about any gift from a person or organisation which has, or is hoping to have, a contract with the Academies.

## **6. Personal gifts**

- 6.1. All personal gifts should be refused, or donated to charity, unless they come within one of the following categories:
  - 6.1.1. Modest gifts of a promotional character, e.g. calendars, diaries and other similar articles.
  - 6.1.2. 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
  - 6.1.3. Gifts to teachers from parents of pupils up to £10;
  - 6.1.4. Gifts up to £10 in value;

## **7. Gifts to an individual setting or the Trust as a whole**

- 7.1. Gifts which are intended for the Trust, or any of its academies, 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.
- 7.2. 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 £10. 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).
- 7.3. Any gifts falling outside the definition of trivial should not be accepted by an individual. This includes gifts to teachers from parents. Alcoholic drinks will not be deemed trivial and they should not, under any circumstances, be accepted. Under no circumstances must staff accept personal gifts of cash.

- 7.4. Any employee who has received two gifts from any external organisation within a single financial year (September to August) should not accept any further gifts during that financial year from the same organisation.
- 7.5. If unsolicited gifts of a substantial nature arrive from contractors (e.g. large hampers) they should be returned with a polite explanation that the Academy 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 Headteacher to be raffled, with the proceeds going to a nominated charity of choice.
- 7.6. 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 Chief Finance Officer before the gift is accepted.
- 7.7. The Headteacher is the final arbiter on the advisability of acceptance or refusal of gifts within individual academies. If the Headteacher 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. With regard to gifts to the Trust as a whole, the Chief Executive Officer is the final arbiter having taken advice from the Chair of Trustees
- 7.8. Any gifts, whether accepted or not, should be notified to the Clerk of the Trust Board (for Directors and 'central' staff) and Headteachers (for academy staff and governors) using the form in Appendix A. This will then be entered on to the Trust's gifts and hospitality register. This requirement is to protect employees by providing a record of which organisations or individuals are offering gifts to IMPACT Education MAT and where the gift has gone.

## **8. Hospitality**

- 8.1. 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 IMPACT Education MAT's Gifts and Hospitality Register and the timing of the hospitality is not inappropriate.
- 8.2. The following hospitality should be declined:
  - 8.2.1. hospitality offered in substitution for fees for broadcasts, speeches, lectures, or other work done;
  - 8.2.2. inducements which could lead to a contractual position between the Academies and a supplier or consultant.
- 8.3. 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.
- 8.4. If staff have any doubts whether to accept hospitality offered, they should refer the matter to the Headteacher or Head of Academy, who in turn may discuss it with the Chief Executive Officer and or the Chief Finance Officer.
- 8.5. Any hospitality, accepted or declined should be recorded in the central register kept by the Trust. All academy staff should complete the form in Appendix A and submit to the Clerk of the Trust Board for inclusion in the register.

## 9. Fees, Awards and Prizes

- 9.1. 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.
  - 9.2. Staff must consult the Headteacher or Head of Academy if they are approached by an outside organisation offering an award or prize which is in any way connected with their official duty. Retention of the award or prize will normally be allowed, provided that:
    - 9.2.1. it is offered in recognition of personal achievement;
    - 9.2.2. it is not a gift (see above).
  - 9.3. 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:
    - 9.3.1. the status of the awarding body; for example, whether it is a registered charity;
    - 9.3.2. the range of people to whom the award is given;
    - 9.3.3. the method of selection;
    - 9.3.4. the standing of the selectors;
    - 9.3.5. any Academies dealing with the awarding body.
10. **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

## 11. Offering Hospitality

- 11.1. Subject to the agreement of the Headteacher or Head of Academy, 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.
- 11.2. The cost of lunches or dinners in these circumstances should not exceed £20 per head and should be afforded within the academy's budget.
- 11.3. Permission should be sought from the Headteacher or Head of Academy before any such offers of hospitality are made to any clients and all instances should be recorded on the academy's central register by the Clerk to Trust Board.
- 11.4. To support the Clerk in their role, appendix B should be completed, signed by the Headteacher / CEO and submitted to the Clerk by email each time hospitality (including gifts or a prize) is offered to a client.

## 12. Whistleblowing

- 12.1. 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. In the first instance, staff should report any concerns of this nature to the Headteacher of their setting.
- 12.2. If the concern is related to the Headteacher, the member of staff should report this to the Chief Finance Officer or Chief Executive Officer of the Trust. If the concern is related to the CFO or CEO the member of staff should report this to the Chair of the Trust Board.
- 12.3. 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.

**GIFTS AND HOSPITALITY**

APPENDIX A – 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 Trust's Gifts & Hospitality Policy (with an estimated value in excess of £10).

Signed:

Date:

**GIFTS AND HOSPITALITY**

APPENDIX B – Declaration of Gifts and Hospitality – given by the Trust

Name:

Place of work:

Job title:

Description of item	Offered to (name and/or organisation)	Approved by	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 Trust's Gifts & Hospitality Policy that I have offered on behalf of the Trust in connection with my role (with an estimated value in excess of £10).

Signed:

Date: