

# Gifts & Hospitality Policy

KTS Academy



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## 1. Aims

In order to protect all individuals associated with the Academy, and its reputation, from accusations of bribery or corruption staff, trustees, and Governors must take extreme care that none of their dealings, directly or indirectly, could be deemed as a reward or benefit, in line with the Prevention of Fraud and Bribery Act 2010. 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.

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.

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 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

## 2. Legislation and guidance

This policy is based on the Academy Trust 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 compromise their personal judgement or integrity. This should include members, trustees, staff and/or any other representative of the trust. The handbook states that the trust should ensure that all staff are aware of this policy.

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

## 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. Roles and responsibilities**

### **4.1 Members, trustees and staff**

Members, trustees and staff:

- Must not give or accept gifts or hospitality to or from a third party where it might be perceived that their personal integrity has the potential to be compromised, or that the trust might be placed under any obligation as a result of acceptance
- Must not use their official position to further their private interests or the interests of others
- Must not solicit gifts or hospitality
- Must record any gifts or hospitality offered to them or the trust with a value of over £30 on the gifts and hospitality register (see appendix 1) within 7 working days, even if declined
- Must consult the academy finance leader or headteacher before accepting or offering any gifts or hospitality with a value of over £30

### **4.2 Academy trustees**

Academy trustees will ensure 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.

### **4.3 The Headteacher**

The headteacher is responsible for ensuring that staff are aware of and understand this policy, and that it is being implemented consistently.

The headteacher will act with the utmost integrity on all matters relating to gifts and hospitality, ensuring that they set a good example to the rest of the school and trust and to those outside the organisation.

They will also ensure, alongside the Finance Leader that decisions on whether individuals or the trust can accept or offer gifts or hospitality with a value of over £30 are in line with this policy.

The headteacher is responsible for communicating the school/trust's rules and expectations about gift-giving to parents.

### **4.4 The Finance Leader**

The finance leader will ensure that:

- The trust maintains a gifts and hospitality register
- 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
- The academy governors and headteacher are provided with information on gifts and hospitality received and given, as appropriate

They will also ensure, alongside the headteacher, that decisions on whether individuals or the trust can accept or offer gifts or hospitality with a value of over £30 are in line with this policy.

## 4.5 The Finance Leader

The finance leader is responsible for maintaining the gifts and hospitality register on a day-to-day basis.

## 4.5 Parents

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. Whilst we do not wish to discourage all gift-giving, and that small tokens of gratitude are always appreciated, gift-giving is not a requirement, and parents are not expected to buy gifts for class teachers or other school staff. The trust prevents teachers and other staff from accepting gifts worth over £30.

## 5. Acceptable gifts and hospitality

### 5.1 Offer of gifts and hospitality received

Members, trustees and staff can accept gifts and hospitality that have a value of up to £30. These do not have to be pre-approved or recorded on the gifts and hospitality register.

Generally, gifts of nominal value, such as small tokens of appreciation, may be accepted. If in any doubt, members, trustees and staff must consult the finance leader or headteacher.

Similarly, hospitality such as working lunches may be accepted in order to maintain good relationships with key contacts, provided the hospitality is reasonable in the circumstances. If in doubt, guidance must be sought from the finance leader or headteacher.

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 or member of staff who is offered such gifts or hospitality must consult the finance leader or headteacher before accepting.

If the headteacher is the recipient, or intended recipient, of **any** offer of gifts or hospitality, they must inform the chair of governors and record the offer on the gifts and hospitality register.

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.

### 5.2 Offer of gifts and hospitality given

The Academy 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 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. bronze, silver and gold awards.

Where hospitality is provided by the Academy or its academies this should be approved in advance by the Finance Leader. In approving hospitality, the Finance Leader 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.

## **6. Unacceptable gifts and hospitality**

The following must never be offered or accepted:

- Monetary gifts
- Gifts or hospitality offered to family members, partners or close friends of members, trustees 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.

## **7. Declining gifts and hospitality**

Any members, trustee or staff member who is offered any of the unacceptable gifts or hospitality outlined in section 6 above should politely decline the offer.

If they feel it would not be appropriate for them to decline, they should refer the matter to the finance leader or headteacher. The finance leader or headteacher 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.

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. Monitoring arrangements**

The gifts and hospitality register is monitored regularly by the finance leader and headteacher.

This policy will be reviewed annually by the headteacher and approved by board of governors.

## **9. Links with other policies**

This gifts and hospitality policy is linked to the:

- Staff code of conduct
- Staff disciplinary procedures
- Accounting policy

**Appendix 1: gifts and hospitality register**

DATE	NAME	DESCRIPTION OF GIFT/HOSPITALITY AND APPROXIMATE VALUE	PARTY OFFERING GIFT/HOSPITALITY	ACCEPTED /REJECTED	APPROVED BY