



Huxlow Science College

Policy Owner	Department	Effective Date	Approval Date	Review Cycle	Revision Due Date
Sue Beresford	SLT	February 2020	11 February 2020	Bi-annual	February 2022

Gifts, Hospitality and Bribery Policy

Policy Approver: Finance, Personnel & Premises Committee

Version Control

Version Number	Date of Change	Changes Made
0.1	30.01.2020	Rewrite of policy in new format. Clarity provided on the provision of hospitality and roles.



Huxlow

Science College

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1. Policy Name

This document sets out the Gifts, Hospitality and Bribery Policy for Huxlow Science College.

2. Scope

This Policy applies to all Huxlow Science College staff and trustees.

3. Policy 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 Academies Financial Handbook;
- The trust's funds are used 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

4. Legislation and Guidance

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.

5. 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.
- Bribery** is offering, promising, giving or accepting any financial or other advantage, to induce the recipient or any other person to act improperly in the performance of their functions, or to reward them for acting improperly by accepting the advantage. An advantage includes money, gifts, loans, fees, hospitality, services, discounts and the award of a contract or anything else of value.

6. Roles and Responsibilities

i. **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 College with a value of over £25 on the gifts and hospitality register (via the clerk to Governors) within 7 working days, even if declined.

- Must consult the Strategic Business Manager or Headteacher before accepting or offering any gifts or hospitality with a value of over £25.

ii. **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 Strategic Business Manager, that decisions on whether individuals or the trust can accept or offer gifts or hospitality with a value of over £25 are in line with this policy.

iii. **Strategic Business Manager**

The Strategic Business Manager will ensure that:

- The trust maintains a gifts and hospitality register. The register will be held by the Clerk to Governors;
- Figures for transactions relating to gifts made by the trust are disclosed in the trust's audited accounts, in accordance with the Academies Financial Handbook;
- The academy trustees 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 £25 are in line with this policy.

iv. **Clerk to Governors**

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

The Register will be formally presented and reviewed by the Finance, Personnel and Premises Committee at least annually.

7. Acceptable Gifts and Hospitality

i. **Offers of Gifts and Hospitality Received**

Members, trustees and staff can accept gifts and hospitality that have a value of up to £25 (subject to the restrictions below). These do not have to be pre-approved or recorded on the gifts and hospitality register. These may include (but are not restricted to) items such as promotional calendars, pens, diaries.

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 Strategic Business Manager 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 Strategic Business Manager or Headteacher.

Any gifts or hospitality offered with a value of over £25 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 Strategic Business Manager or Headteacher before accepting.

If the Headteacher or the Strategic Business Manager is the recipient, or intended recipient, of any offer of gifts or hospitality, they must inform the Chair of Trustees and record the offer on the gifts and hospitality register.

Gifts which are intended for Huxlow Science College as an academic body can be accepted but must not be retained by the individual who receives them. Such gifts should be deposited with the Clerk to Governors for recording onto the Gifts and Hospitality register. The use of such gifts will be determined by the Headteacher.

Gifts are sometimes offered by suppliers with the purchase of items. All special offer gifts are the property of Huxlow Science College and must be passed to the Clerk to Governors for use by the College.

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.

ii. **Offers of Gifts and Hospitality Given**

Any gifts or hospitality provided by the trust, such as a working lunch for visitors, must not be extravagant. A maximum value of £15 per head should be used as a guideline.

Alcohol must not be purchased out of the school budget under any circumstances.

Expense claims should be made to the finance team and receipts must always be enclosed.

The Strategic Business Manager or Headteacher must be consulted about any proposal to provide gifts or hospitality with a value of over £50.

8. Unacceptable Gifts and Hospitality

The following must never be offered or accepted (of any amount), under any circumstances;

- i. Monetary gifts;
- ii. Cash or cash equivalents;
- iii. Vouchers or subscriptions;
- iv. Alcohol;
- v. Tobacco;
- vi. Travel, holidays or accommodation;
- vii. Gifts or hospitality offered to family members, partners or close friends of members, trustees or staff;
- viii. Gifts or hospitality from a potential supplier or tenderer in the immediate period before tenders are invited or during the tendering process;
- ix. Personal gifts and discounts;
- x. Lavish or extravagant gifts or hospitality, even if they relate to activities the recipient undertakes in their own time.

The list above is not intended to be exhaustive.

Staff declining gifts should be courteous but firm, and draw the attention of the person making the offer to the existence of this policy.

9. Bribery

The Bribery Act 2010 defines four key offences;

- bribery of another person

- accepting a bribe
- bribing a foreign official
- failing to prevent bribery

Bribery is not tolerated. It is unacceptable to:

- xi. give, promise to give, or offer a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given
- xii. give, promise to give, or offer a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure;
- xiii. accept payment from a third party that you know or suspect is offered with the expectation that it will obtain a business advantage for them;
- xiv. accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided by us in return;
- xv. retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy.

10. Contracts

Under no circumstances can staff and trustees receive and personal benefit from the award of a contract.

Staff and trustees must make a declaration of interest if there is a known conflict of interest in any contract.

Contracts should only be awarded on merit and value for money in accordance with financial procedures.

New suppliers – staff and trustees should declare if they personally know, or, are related to any employees or directors of the company via the new supplier form.

11. Related Policies

- i. Code of Conduct
- ii. Disciplinary Policy
- iii. Financial procedures

Signed:
Chair of Finance, Premises and Personnel

Date: