

## **GIFTS AND HOSPITALITY PROCEDURE**

Status:	APPROVED
Date of Next Review:	Autumn 21
Responsibility:	ELT Trustees
Date of Approval:	7 October 2020

### **1. Introduction and Purpose of Procedure**

The Bribery Act 2010 created several new corporate criminal offences. It is an offence to request or accept a financial or other advantage which has been offered, promised or given to induce a person to perform a function or activity improperly. It is also an offence to offer a bribe to another party. This does not mean that the acceptance of gifts or of hospitality is prohibited. It is, however, important that no member of staff acts in a way which might compromise the Trust's integrity by accepting a gift or hospitality in circumstances where it could influence, or be seen to influence, that person's actions or decisions.

The purpose of this policy is to assist members of staff to identify what is and is not appropriate. Although the term 'member of staff' is used throughout, Trustees, Members, governors, volunteers and any other individual acting on behalf of the school are also expected to adhere to these guidelines.

### **2. Definitions**

**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. Receiving gifts and hospitality**

All gifts / hospitality over the value of £30 must be recorded in the Trust's Gift and Hospitality Register held by the Finance Officer at Esher High School whether accepted or not.

#### **3.1 Acceptable**

As a general rule, you may accept gifts or hospitality which constitute a token gesture and which have an equivalent value of £30 or less. You do not need prior approval in these circumstances and the items will not need to be recorded in the Trust's Gifts and Hospitality Register.

Examples of these are:

- courtesy hospitality at business lunches/dinners or attendance in an official capacity at a public function;
- incidental promotional gifts such as calendars, diaries or pens;
- receipt of small items from suppliers or contractors as expressions of gratitude such as boxes of chocolate or individual bottles of drink.

When accepting a personal gift consider whether your acceptance could be interpreted as a sign of support or favour because of the circumstances in which it is offered. If acceptance makes you feel uncomfortable in any way then do not accept. If in any doubt, always speak to a member of the Senior Leadership Team.

Gifts which are intended for the School, rather than as a personal gift, may be accepted but must not be retained by the individual who received them. Such items must be passed on to the school Bursar/SBM/Academy Business Leader who will determine whether it is appropriate to accept.

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 would not be added to the register.

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 school Bursar/SBM/Academy Business Leader as soon as possible who may decide to return the gift, discuss it with the Headteacher or Executive Headteacher, or/and may donate it to a school raffle/ fair or a charitable cause.

### 3.2 Not acceptable

Any gift or hospitality which is more than a token gesture (more than £30 in value) should be politely refused or returned. If you feel unable to refuse the gift or if you were not present when it was given, it should be passed on to the Academy Business Leader who will determine the appropriate course of action. Only in exceptional circumstances, and with the prior written authorisation of the Executive Headteacher, can a gift or hospitality in this category be accepted. All offers of gifts over £30 in value must be recorded in the Trust's Gifts and Hospitality Register, which is located in / held by the Finance Team at Esher High School, even if the gift was declined or returned. The Academy Business Leader will refer the matter to the Executive Headteacher if there is any doubt attached to accepting the offer.

You must never accept:

- Cash or monetary gifts;
- Gifts or hospitality offered to a person close to you (e.g. friend or relative);
- Gifts or hospitality from a potential supplier or tenderer in the period prior to, or during, the tender process;
- Lavish or extravagant gifts or hospitality.

## 4. **Offering hospitality**

The Trust and schools within the Trust may occasionally provide hospitality as part of its day-to-day business, to the Board of Trustees, Members, Local Governing Body, staff, representatives from other organisations or other visitors connected with the School. Such hospitality will generally not exceed the provision of basic refreshments. Hospitality offered by a member of staff acting on behalf of the Trust outside the School's premises will require the authorisation of the Executive Headteacher.

## 5. **Failure to follow guidelines**

A failure to follow these guidelines could result in disciplinary action being taken against you. If the acceptance of a gift or hospitality could be deemed to amount to receiving a bribe it will constitute a criminal offence for which you could be prosecuted.

If in any doubt about whether to accept or declare gifts or hospitality, speak to the Academy Business Leader, Headteacher or the Executive Headteacher for advice.

## Appendix A

### Declaration of a Gift or Hospitality

Name:	Position:
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- I have been offered a gift/hospitality which I have declined
- I have been offered a gift/hospitality which I have accepted

Date and time of offer:
Place where offered:

Name of organisation/ person making the offer and their relationship with the school	Nature of interest /gift/hospitality	Estimated value if applicable

Reason for accepting / declining gift / hospitality:
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Signed: \_\_\_\_\_

Date: \_\_\_\_\_

Approved by: \_\_\_\_\_

Date: \_\_\_\_\_

*Executive Headteacher*

On completion, please return this form to the Academy Business Leader who will keep this and record in the Register in date order.