

GIFTS AND HOSPITALITY POLICY

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Owner	Director of Finance and Operations
Approver	Resources Committee

1. INTRODUCTION

This policy sets out the arrangements for staff, academy councillors and Trustees who are offered gifts and/or hospitality by external organisations in the course of their work for the Trust and its schools. The policy has been developed in line with Northern Ambition Academies Trust's commitment to openness and value for money.

There are three main reasons why the Trust needs this Gifts and Hospitality Policy:

- The receipt of gifts, money or excessive hospitality can damage the Trust's reputation and lead to possible prosecutions for corruption.
- This policy seeks to protect staff from suspicion of dishonesty and ensure they are free from any conflict of interest with respect to the acceptance or provision of gifts, hospitality or any other inducement from or to suppliers of goods or services to the Trust or its schools.
- Maintenance of a Gifts and Hospitality policy is a requirement of the Academies Financial Handbook.

This policy aims to ensure that:

- The Trust's funds are used only in accordance with the law, its articles of association, its funding agreement and the latest Academies Financial 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 DEFINITIONS

This policy is based on the requirements of 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.

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

A 'gift' is any item, cash or goods, given or offered for which no payment or service was given or received in return. Gifts also include goods or services offered at a discounted rate, or on terms not available to the general public.

'Hospitality' can be defined as any food, drink, accommodation or entertainment provided free of charge or heavily discounted or on terms not generally available to the general public.

'Staff' means all permanent, temporary and fixed term staff employed by Northern Ambition Academies Trust in whatever capacity and by any other contractors, consultants or other persons acting in the name of the Trust or its schools.

3. RESPONSIBILITIES

Northern Ambition Academies Trust expects staff to exercise the utmost discretion in giving and accepting gifts and hospitality when on Trust business. Particular care should be taken with regard to a person or organisation that has, or is hoping to have, a contract with the Trust or its schools.

3.1 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 report any gifts or hospitality offered to them or the Trust with a value of over £25 to their Business Manager for inclusion on the gifts and hospitality register within 7 working days of the offer, even if declined
- Must consult the Director of Finance and Operations or the Business Manager before accepting or offering any gifts or hospitality with a value of over £25.

3.2 Trustees

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.

3.3 The Headteacher/Principal

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

The Headteacher/Principal 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 Director of Finance and Operations, 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.

4.4 The Director of Finance and Operations

The Director of Finance and Operations 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 Academies Financial Handbook
- The academy trustees and Headteacher/Principal are provided with information on gifts and hospitality received and given, as appropriate

They will also ensure, alongside the Headteacher/Principal, 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.

4.5 Other responsibilities

The Business Manager is responsible for maintaining the gifts and hospitality register for their school on a day-to-day basis.

The Trust Executive Assistant is responsible for maintaining the gifts and hospitality register for the central Trust staff on a day-to-day basis.

4. ACCEPTABLE GIFTS AND HOSPITALITY

4.1 Offers of gifts and hospitality

If offered a gift or hospitality, the individual should consider carefully whether it is appropriate to accept or decline. If in doubt, advice should be sought from the Business Manager who may in turn liaise with the Director of Finance and Operations.

Members, trustees and staff can accept gifts and hospitality that have a value of up to £25. These do not have to be pre-approved or recorded on the gifts and hospitality register. Gifts of low intrinsic value such as promotional calendars or diaries, or other small tokens of gratitude can be accepted. 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 Business Manager.

Any gift or hospitality deemed to have a value of £25 or over must be recorded in a Register of Gifts and Hospitality within seven working days, even if declined. Each school within the Trust must maintain such a register and it must be available for inspection if requested by the Trust's management, auditors or the Risk and Audit Committee.

It is each individual's responsibility to inform the Business Manager of any **offer** of gifts or hospitality over the £25 threshold, whether accepted or not, so that these can be entered into the Register.

If the Business Manager is the recipient, or intended recipient, of any offer of gifts or hospitality, they must inform the Director of Finance and Operations and record the offer on their school's gifts and hospitality register.

If the Director of Finance is the recipient, or intended recipient, of any offer of gifts or hospitality, they must inform the Risk and Audit Committee at the next available opportunity and record the offer on the Trust's central 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.

4.1.1 Contracts with Suppliers

Staff must base all purchasing decisions and negotiations for contracts solely on achieving best value for money.

Northern Ambition Academies Trust requires staff who have official dealings with contractors and other suppliers of goods and services to the Trust or its schools to avoid conducting any private business with them by any means other than through normal commercial channels.

Staff should be aware of the Prevention of Corruption Act 1916 which states that any money, gift or consideration received by an employee in public service, from a person or organisation holding, or seeking to obtain a contract, will be deemed by the courts to have been received corruptly unless the employee proves otherwise.

4.1.2 Gifts To and From Students

Given the nature of the professional responsibilities of staff, they are strongly advised not to give or accept any gifts/hospitality (exceeding £25 in value) from pupils during their period of study.

Any gifts/hospitality from students exceeding £25 in value must be entered in the Register of Gifts and Hospitality.

4.2 Providing gifts or hospitality

Any gifts or hospitality provided by the trust, such as a working lunch for visitors, must not be extravagant. A maximum value of £25 per head should be used as a guideline.

Alcohol must not be purchased out of the school budget.

Expense claims should be made in accordance with the Staff Expenses/Governor and Trustee Expenses policies and receipts must always be enclosed.

The Director of Finance and Operations or Business Manager must be consulted about any proposal to provide gifts or hospitality with a value of over £25.

4.3 Unacceptable gifts or 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.

5. DECLINING GIFTS OR HOSPITALITY

Any members, trustee or staff member who is offered any of the unacceptable gifts or hospitality outlined in section 4 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 Business Manager or Director of Finance and Operations. The Business Manager or Director of Finance and Operations 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.

6. REGISTER OF GIFTS/HOSPITALITY

The Business Manager in each school has responsibility for holding the Gifts and Hospitality Register.

The following should be recorded:

- Name of employee receiving the offer
- Nature of gift/hospitality
- Estimated value of gift/hospitality
- Name of person/company offering the gift/hospitality
- Whether the gift/hospitality was accepted/refused
- Date gift/hospitality accepted/refused.

The Trust's Risk and Audit Committee may elect to review these registers on a regular basis as part of their internal assurance processes.