



CHELMSFORD  
LEARNING  
PARTNERSHIP

# GIFTS AND HOSPITALITY POLICY

Academy Guidance on Gifts and Hospitality

<b>Committee Responsible</b>	Finance
<b>Lead Member</b>	CFO
<b>Approved by</b>	Full Board
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## **THE CHELMSFORD LEARNING PARTNERSHIP – GIFTS AND HOSPITALITY POLICY**

The conduct of staff, members, governors and trustees should never lead anyone to question their interests, or lead anyone to think that they have been influenced by gifts and hospitality. Their own personal reputation and that of the academy could be seriously affected if they inappropriately accept a gift or hospitality.

Staff, members, governors and trustees should treat with caution any offer of a gift or hospitality made to them personally; considering, in particular, whether the acceptance is a benefit to the academy, the scale, amount, frequency and source of the offer, the timing of the offer in relation to forthcoming decisions and whether accepting could be misinterpreted as a sign of their personal, or the academy's, support or favour.

If in doubt, the prospective recipient should always speak to the Head of School/Headteacher/Principal, CEO/CFO or Chair of Trustees. It is the recipient's responsibility to follow the academy's guidance on gifts and hospitality and to justify why they chose to accept a gift or hospitality offered to them.

The academy will take disciplinary action against any member of staff, members, governors and Trustees if they fail to follow the guidance. It is also a criminal offence to demand or accept a gift or reward in return for being influenced on any decision as a part of the academy, which could result in you being prosecuted by the Police.

This guidance applies to all staff, members, governors and trustees without exception.

### **Definition of a Gift**

A gift is any item or service that an individual receives free of charge. It also includes any goods or services, which are offered to the individual at a discounted rate or on terms not available to the general public.

### **Definition of Hospitality**

Hospitality is the offer of food, drink, accommodation or entertainment or the opportunity to attend any cultural or sporting event on terms not available to the general public.

### **Value limit on gifts or hospitality that can be accepted without any approval**

Staff, and trustees can accept gifts and hospitality which are small gestures and have a value of £30 or less, without the relevant approval. Gifts and hospitality of this nature do not need to be recorded in the academy's Gifts and Hospitality Register.

### **Approval from the Head of School/Headteacher/Principal/ or Chair of Trustees**

Any gift or hospitality, which is more than just a token, defined as a having a value of more than £30, should be politely refused or returned. Staff must have the prior written approval of the Head of School/Headteacher/Principal to accept something which has more than this value which, in any event, should only be in exceptional circumstances. The Head of School/Headteacher/Principal or any Trustees must have the prior written approval of the Chair of Trustees. Any gifts or hospitality accepted by the Chair of Trustees must be referred to the full Trust Board for prior approval; any gifts or hospitality accepted by a Member, must be referred to the full Trust Board for prior approval. If there is any doubt or concern about the public perception that might be attached to accepting any gift or hospitality, then this must be referred to the Board of Trustees.

## **Declaring offers of Gifts and Hospitality**

A declaration should be made as soon as possible after the offer or receipt of gifts or hospitality, even if the gift is not accepted. All declarations are to go to the Head of School/Headteacher/Principal/School Business Manager. The School Business Manager will record the declaration in the register.

The declaration will need to include the following information:

- date of offer of gift or hospitality, and date of event where relevant;
- name, job title and organisation of recipient / provider;
- nature and purpose of gift or hospitality received or declined;
- the name of any other organisation involved;
- estimated value.

## **Register of Gifts and Hospitality**

All offers received which have a value of more than £30 must be recorded in the academy's Gifts and Hospitality Register, which is kept in the School Office.

It should be noted in the register whether or not the offer has been accepted or declined.

## **Gifts or hospitality that should never be accepted**

The following must never be accepted:

- cash or monetary gifts
- gifts or hospitality offered to a husband, wife, partner, family member or friend of a member of staff / academy trust member / trustee/governor
- gifts or hospitality from a potential supplier or tenderer in the immediate period before tenders are invited or during the tender process
- lavish or extravagant gifts or hospitality, even if they relate to activities taking place outside of working hours

## **Hospitality**

Hospitality offered should only be accepted where there is a direct link to working arrangements and a genuine business reason can be demonstrated, for example:

- attendance or speaking at a conference, which provides complimentary subsistence, travel and accommodation (this does not need to be declared on the register except where a gift was received);
- attendance at a free training course; or
- attendance at a drinks reception to network.

It is recognised that there is a need to ensure good relationships with existing and future contractors and stakeholders and that this may involve for example, the receipt of modest working lunches and dinners. These are acceptable where there is a genuine business reason.

Hospitality invitations to events which are purely social events should be considered very carefully before accepting; in such circumstances it may be much more difficult to substantiate a genuine business reason. If acceptance is agreed, academy staff are expected to use annual leave for such events. Staff, members, governors and Trustees must not accept free holidays from a current or potential contractor; these invitations should be recorded in the register whether received or declined.

## **Gifts received without warning**

If the gift is more than just a token it should be politely and courteously declined; where it would not be appropriate to do this, the matter must be referred to the Head of School/Headteacher/Principal or Chair of Trustees as soon as possible, who will decide on the next steps to take. The Head of School/Headteacher/Principal or / Chair of Trustees may decide to return the gift, or may donate the gift to a worthy local cause.

### **Gifts Provided by the Academy**

Any gifts purchased and provided by the academy should be:

- of a nominal value [up to £50] only
- given to members / staff / Trustees only in relation to specific and relevant personal circumstances (eg illness, bereavement, retirement) or upon leaving the employment or service of the academy
- authorised by the Executive Head of School/Headteacher/Principal, or Chair of Trustees in respect of any gifts given to the Head of School/Headteacher/Principal, Executive Head of School, or full board of Trustees in respect of any gifts given to the Chair of Trustees
- purchased from the academy's own unrestricted funds and not from LA/GAG funding or any other funding provided for specific purposes
- recorded in the academy's Gifts and Hospitality Register, which should be available for review by the Board of Trustees or external auditors upon request

### **Basic summary of what to do when offered a gift or hospitality**

#### **Steps to follow:**

- read and follow the guidance on gifts and hospitality
- treat with caution any gifts or hospitality offered to you, seek advice from the Executive Headteacher/Head of School/Headteacher/Principal/ or Chair of Trustees if you are in any doubt
- take into account what the public's perception would be in deciding whether or not to accept a gift or hospitality
- consider whether the offer is proportionate in deciding whether or not to accept hospitality from an outside body
- err on the side of caution when deciding whether to accept a gift or hospitality. If the thought of the acceptance makes you uncomfortable, do not accept
- record all offers of gifts and hospitality which have a value of more than £30 in the academy's register, whether accepted or not
- consider paying for yourself if offered any hospitality by a supplier or third party

#### **What is unacceptable:**

- acceptance of any gifts or hospitality which have a value of more than £30 without the approval of the Executive Head of school/Headteacher/Principal/, or the Chair of Trustees as necessary
- acceptance of gifts or hospitality in the immediate period before tenders are invited or during the tender process
- acceptance of cash or monetary gifts
- acceptance of a gift or hospitality as an inducement or reward
- acceptance of gifts or hospitality unconnected to your work, even if the hospitality is taken in your own time
- acceptance of a gift or hospitality which you or a member of the public would think is lavish, extravagant or excessive, even if the hospitality is taken in your own time
- acceptance of gifts or hospitality offered to your husband, wife, partner, family member or friend

## Appendix A

### Register of Gifts and Hospitality Received and Given 2018/19

#### Gifts Received:

Recipient	Name of Business Providing Gift or Hospitality	Nature of Business	Relationship of Business to School	Nature of Gift or Hospitality	Date of receipt of Gifts or Hospitality	Value of Gifts or Hospitality	Approval

The Gifts Received Register should be completed for all gifts over £30 as specified in the academy trust's Gifts and Hospitality Policy dated 21<sup>st</sup> January 2019.

It is recommended that the Gifts Received Register is signed half termly by an appropriate member of staff and reported at the local governing body to confirm nil returns.

**Gifts Given:**

<b>Name of Member of Staff Providing Gift or Hospitality</b>	<b>Recipient</b>	<b>Relationship of Recipient to School</b>	<b>Nature of Business of Recipient</b>	<b>Nature of Gift or Hospitality</b>	<b>Date of receipt of Gifts or Hospitality</b>	<b>Value of Gifts or Hospitality</b>	<b>Approval</b>

The Gifts Given Register should be completed for all gifts over £50 as specified in the academy trust's Gifts and Hospitality Policy dated 21<sup>st</sup> January 2019.

It is recommended that the Gifts Given Register is signed half termly by an appropriate member of staff and reported at the local governing body to confirm nil returns.