



The Bishop Wheeler Catholic Academy Trust

ST MARY'S CATHOLIC PRIMARY SCHOOL,

A VOLUNTARY ACADEMY

ACCEPTING GIFTS & HOSPITALITY

THE BISHOP WHEELER CATHOLIC ACADEMY TRUST

Policy – Accepting Gifts and Hospitality

Background

The Bribery Act 2010 came into force on 1st July 2011. The Act introduced new offences for acts of bribery by individuals, or persons associated with relevant organisations. The penalties are severe for any employee convicted under the Act, which could lead to a criminal record, imprisonment or unlimited fines.

Context

The Bishop Wheeler Catholic Academy Trust operates within guidance and procedures set out by the Department for Education and CIPFA's 'model set of financial regulations for academies 2013'.

Aims

The aim of this policy is to provide guidance to staff and Governors on accepting gifts and hospitality. Please note this policy may not cover every eventuality. It aims to set out a framework of responsibilities for managers, staff members and Governors.

The guiding principles to be followed by all members of staff must be not to create suspicion of any conflict between their official duty and their private interest.

The action of individuals acting in an official capacity should not give the impression (to any member of the public, to any organisation with whom they deal or to their colleagues) that they have been, or may be influenced by a benefit to show favour or disfavour to any person or organisation.

Thus members of staff should not accept any gifts, rewards or hospitality (or have them given to members of their families) from any organisation or individual with whom they have contact in the course of their work that would cause them to reach a position whereby they might be, or be deemed by others to be influenced in making a business decision as a consequence of accepting such hospitality. The frequency and scale of hospitality accepted should not be significantly greater than the Trust would be likely to provide in return.

Detailed guidance, procedures and frequently asked questions are provided in the Appendix.

Monitoring and Review

This Policy will be reviewed annually by the Trust Finance & Audit Committee to ensure fitness for purpose. Circumstances may require more frequent modifications.

APPENDIX

Guidance and procedures for accepting gifts and hospitality, with some F.A.Q.

1. What is a gift?

A gift is any item or service that you receive free of charge. It also includes any goods or service which you personally are offered at a discounted rate or on terms not available to the general public.

2. What is hospitality?

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

3. What gifts and hospitality can be accepted without any approval?

You should treat with caution any offer of a gift or hospitality made to you personally. In particular think about whether there is a benefit to the School in you accepting the gift, having regard to 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 your, or the school's, support or favour.

You **can** accept gifts and hospitality which are small gestures and have a value of around £25 or less without the approval of the Headteacher. Gifts of this nature do not need to be registered in the Trust's Gifts and Hospitality Register.

4. Gifts or hospitality that require approval from the Headteacher

Any gift or hospitality which has a value of more than £25 should be politely refused or returned unless you have the prior approval of the Headteacher. Such instances should be rare. If you or the Headteacher has any concerns or doubts about the public perception that might be attached to accepting any gift or hospitality, then you must refer it to the Trust's Finance Director for further guidance.

5. What gifts or hospitality should never be accepted?

You must never accept (even if gifts / hospitality are worth less than £25):

- Cash or monetary gifts
- Gifts or hospitality offered to your husband, wife, partner, family or friend
- 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 in your own time

6. What should I do if I receive a gift without warning?

If you estimate that the gift is more than just a token (i.e. value of £25) you should politely and courteously decline the gift. If you feel that it would not be appropriate to do this, you should refer the matter to the Headteacher as soon as possible and let the Headteacher

decide what you should do with the gift. The Headteacher may decide to return to gift, may ask the Chair of Governors for a view, or may donate the gift to a worthy local cause.

7. Do I need to record a gift or hospitality?

You must make sure that all offers you receive which have a value of more than £25 are recorded in the Trust's Gifts and Hospitality Register, which is maintained centrally by the Finance Director.

8. Do I need to record offers that I decline?

Yes, all offers of gifts and hospitality, which have a value of more than £25, must be recorded in the Trust's Register, even if you don't accept them.

9. What should I do if I am in doubt?

If in doubt, please speak to the Headteacher, or Finance Director. It is your responsibility to follow the Trust's guidance on gifts and hospitality and to justify why you chose to accept a gift or hospitality offered to you.

10. What would happen to me if I didn't follow the guidance?

The Trust will take disciplinary action against you if you fail to follow the guidance. It is also a criminal offence to demand or accept a gift or reward in return for allowing yourself to be influenced as a member of the Trust. This means you could be prosecuted by the police.