

## GIFTS & HOSPITALITY POLICY

Version No: 1.0

Date to be reviewed: September 2022

Policy status: Approved

Last updated: August 2019

---

### 1. Background

Turner Schools (“the Trust”) – which includes its component schools/academies - is committed to the highest level of integrity, honesty and accountability in all its business dealings. All staff, trustees and governors are expected to maintain high standards of propriety and professionalism in all their dealings, ensuring they are free from any perceived conflict of interest.

In order to protect all individuals associated with the Trust, and the reputation of the Trust and its academies, from accusations of bribery or corruption staff, trustees and governors must take care to ensure that none of their dealings, directly or indirectly, could be deemed to be a reward or benefit, in line with the Bribery Act 2010 (“the Act”).

This Act makes it a criminal offence to:

- offer, promise or give a bribe,
- request, agree to or accept a bribe
- (by an organisation) fail to prevent bribery by those acting on its behalf (‘associated persons’) to obtain or retain business or a business advantage for the organisation. Under the Act, a bribe is ‘a financial or other advantage’ offered, promised or given to induce a person to perform a relevant function or activity improperly, or reward them for doing so.

The intention of the policy is to ensure that the Trust can demonstrate that no undue influence has been applied or could be said to have been applied by any supplier or anyone else dealing with the Trust or any of its schools/academies. The Trust should be able to show that all decisions are reached on the basis of value for money considerations and for no other reason. Any consideration of whether or not the principles of this policy have been breached will be determined by reference to this provision.

### 2. Scope

The Director of Finance is responsible for ensuring compliance with the Gifts and Hospitality Policy. This procedure applies to all employees, governors and trustees of the Trust.

### 3. Definitions

- (i) A gift is any item or service, award, prize or any other benefit which is received free of charge; or personally offered at a discounted rate or on terms not available to the general public or which might be seen to compromise the personal judgment or integrity of the recipient.

- (ii) 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.

#### **4. Gifts and Hospitality**

Employees shall not use their authority or office for personal gain and shall seek to uphold and enhance the standing of the Trust by:

- Maintaining an unimpeachable standard of honesty and integrity in all their business relationships.
- Complying with the letter and spirit of the law, and contractual obligations, rejecting any business practice that might be deemed improper.
- At all times in their business relationships acting to maintain the interests and good reputation of the Trust.
- Any employee who becomes aware of a breach of policy must report this immediately to his or her manager who will instigate investigations as necessary.
- Any personal interest that may impinge or might reasonably be deemed by others to impinge on an employee's impartiality or conflict with the duty owed to the Trust in any matter relevant to an employee's duties (such as conflicting business interests) should be declared in writing. Any member of staff who is aware of any business dealings conferring personal gain, or involving relatives or associates of members of staff must supply details of such transactions for entry into the Register of Business Interests.

#### **5. Dealing with Gifts**

- Employees are permitted to accept gifts, rewards or benefits from members of the public or organisations the Trust has official contacts with only where they are isolated gifts of a trivial character (such as diaries or calendars). Gifts should not therefore be accepted if they appear to be disproportionately generous or could be construed as an inducement to effect a business decision.
- It is common for appreciative parents and pupils to register their thanks for the work of staff in the form of a small personal gift. If these are valued at less than £25 these are perfectly acceptable without reference to senior members of staff. These will not need to be recorded in the register. Where gifts valued over £25 are accepted, these should be recorded in the register.
- Where a more valuable gift, benefit or service is offered which is to the good of the Trust, rather than an individual, it must be referred to the Principal or to the Director of Finance for approval within their discretion; if acceptable, these items must be recorded in the register.
- If not accepting a gift would be regarded as causing offence (such as a sudden and unexpected gift or one where refusal could cause cultural offence) the item should be accepted. The matter should then be brought to the attention of the Director of Finance as soon as possible who may decide to return the gift, or may donate it to a school raffle/fair or a charitable cause.
- Examples of gifts or hospitality that should not be accepted are cash or monetary gifts; gifts or hospitality offers to a member of your family; gifts or hospitality from a potential supplier or tenderer in the immediate period before tenders are invited or during the tender process; staff, trustee or governor attendance at sporting and cultural events at the invitation of suppliers, potential suppliers or consultants. (Where it is considered that there is a benefit to the Trust or one of its academies in a member of staff, trustee or governor attending a sponsored event, the attendance must be formally approved and registered by the Director of Finance).
- Where purchased items include a "free gift", such gifts should be either used for Trust business or handed to the Trust to be used at charity raffles etc.
- Gifts which are intended for the Trust 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 Finance team for use by the Trust.

## **6. Dealing with Hospitality**

- In relation to conventional hospitality (lunches, outings, tickets for events etc.) provided that it is normal and reasonable in the circumstances they may be accepted. Such invitations should not be accepted where there is no reasonable business justification for doing so, where an invitation is disproportionately generous, or where the invitation could be seen as an inducement to affect a business decision.
- Any hospitality other than of a nominal value (up to £15) or facilities provided during the normal course of business should be reported for an entry in the Register of Business Interests.
- Hospitality such as working lunches, coffees etc are perfectly acceptable where it is appropriate to offer or receive these in support of good relationships with visiting staff or business colleagues. Modest hospitality, provided it is reasonable in the circumstances, should be similar to the scale of hospitality which the Trust as an employer would be likely to offer. These would not be added to the register. Hospitality received above this level should be recorded in the register.
- If a member of staff, trustee or governor is offered a gift or hospitality (other than light refreshments) whilst involved in the procurement of goods and services, tenders for work or when liaising with anyone conducting business with the Trust (or any of its component academies) it is their responsibility to discuss this with the Director of Finance immediately.

## **7. PROVEIT Test**

Please use the following guideline to determine whether an offer of a gift or hospitality is acceptable:

- PURPOSE – Token, thanks or seeing a favour? (token or thanks = yes; favour = no)
- RULES – What are they? Does this situation conform?
- OPENNESS – Is the offer transparent?
- VALUE – Expensive or inexpensive?
- ETHICS – Does the offer fit with Trust's ethics?
- IDENTITY – Who has made the offer?
- TIMING – Are you about to make a decision affecting the giver?

## **8. Declining Gifts and Hospitality**

When you have to decline a gift or hospitality you should be courteous but firm, and draw the attention of the person making the offer to the existence of this policy.

## **9. Giving Gifts and Hospitality**

- (i) The Trust and its schools/academies will not normally give gifts to other individuals or organisations. If gifts are given, staff must ensure that the decision is fully documented in the Gift and Hospitality Register and has regard to the propriety and regularity of the use of public funds. This does not apply to the award of gifts, prizes etc. related to the achievement of pupils eg attainment or merit awards. Gifts must not be purchased out of publicly funded money but rather from funds such as letting fees.
- (ii) Where hospitality is provided by the Trust or its schools/academies this should be approved in advance by the Director of Finance. In approving hospitality the Director of Finance should ensure it is not in breach of the UK Bribery Act 2010 and also that the costs are appropriate for a publicly funded organisation. Hospitality such as working lunches, coffees etc. and modest hospitality in the form of meals etc. are perfectly acceptable where it is appropriate to offer or receive these in support of good relationships with visiting staff or business colleagues (but not for their family or friends). These would not be added to the register. Hospitality provided above this level should be recorded in the register.

- (iii) Please note that at the Trust, no alcohol can be bought for gifts or hospitality with publicly funded money.

#### **10. Gifts and Hospitality Register**

The Trust and each school/academy will hold a Gifts and Hospitality Register. All gifts/hospitality over the value of £25 must be recorded in the Gifts and Hospitality Register. All schools should use the template Gift and Hospitality Register Template (Appendix 1).

#### **11. Non-Compliance**

In the case where it is believed a member of staff, trustee or governor has not declared a gift or hospitality then a formal investigation will be instigated by the Director of Finance. Any breach of this Policy could lead to disciplinary action and may constitute gross misconduct.

