

Employee Gifts and Hospitality Policy

(Head Office Only)

Section 1 – Procedure for accepting gifts and hospitality

Introduction

The purpose of this procedure is to provide brief guidance to staff only, and does not cover every eventuality. More detailed guidance is given in Section 2, below, but if in any doubt, please contact the Principal Finance Office or the Chief Operating Officer for further advice.

Definition

A gift is something that is given to an individual. Staff should be aware that all gifts and hospitality received (other than those of a minor nature) are not considered to be the property of the individual, but the property of the Academy, and should be recorded in accordance with this policy.

Donations to the Academy are a separate issue, and are not covered by the scope of this policy.

Gifts and Hospitality of a minor nature

For the purpose of this policy, gifts of a minor nature are considered to be:

-  Gifts from suppliers with an estimated value up to a maximum of £5.00
-  Small gifts from those receiving a service from The Trust as a token of appreciation (e.g. from parents or pupils to teachers)
-  Small promotional items from suppliers that are routinely given to a wide range of people (e.g. calendars, notepads, pens, etc).
-  A working lunch of modest standards to allow the parties to continue to discuss business already started (unless a tender or contract is currently under dispute or being negotiated).

Gifts and hospitality of a minor nature do not need to be recorded in the 'Register of Gifts and Hospitality'.

Other Gifts

Gifts exceeding an estimated value of £15.00 from a supplier should be reported to the Principle Finance Officer and recorded in the Register of Gifts and Hospitality. Such gifts will not be kept by the individual, but will be placed in secure storage by the Principal Finance Officer and used for the benefit of the Academy or local charities (e.g. in fundraising events, for raffle prizes, etc). Gift vouchers and cash will be kept in the safe.

Gifts with an estimated value exceeding £50 should be referred to the Chair of The Board for consideration. The decision will be reported to the Principal Finance Officer, who will record the outcome in the Register of Gifts and Hospitality.

Other Hospitality

Hospitality in excess of a moderate working lunch should not be accepted without the approval of the Chief Operating Officer. All offers of hospitality, other than those of a minor nature, must be recorded in the Register of Gifts and Hospitality noting if the offer was accepted or declined.

Responsibilities

All staff will record gifts or hospitality in accordance with the procedure above.

The Principal Finance Officer will hold the Register of Gifts and Hospitality, and carry out annual checks to ensure that items recorded in the Register are properly accounted for and will hold items in secure storage, and arrange for the destination section of the Register to be completed when the items are allocated.

The Finance Committee will review this policy on an annual basis.

The Chair of the Board will, where procedures for accepting or declining the gift or hospitality are unclear, make the final decision, and inform the Principal Finance Officer who will record that decision in the Register.

Section 2 – Guidance

Introduction

The Prime Minister's Committee on Conduct in Local Government (1974) identified offers of gifts and hospitality as a particular source of conflict

between private and public interests where these are offered in connection with official duties. They said:-

“a nice exercise of judgement may sometimes be necessary to decide how the public interest, and an authority's good name, may best be served. A reasonable amount of entertainment is a normal part of the courtesies of public life, and extreme strictness can give unnecessary offence to people and organisations with whom the authority's relationships should be cordial. But an appearance of improper influence is easily created and with it encouragement of cynicism about the motive of those who serve in local government”.

The best general advice which can be given about offers of gifts or hospitality is to seek the advice of the Principal Finance Officer or the Chief Operating Officer, or “when in doubt, opt out”. This is a good principle to follow since in law, the receipt of a gift in certain circumstances can impose a presumption of guilt which the ‘accused’ has to rebut.

Gifts

The general convention should be that gifts offered by persons who are providing or seek to provide goods or services to any of the Trusts Academies or who are seeking decisions from the one of the schools should be politely refused and returned. This applies particularly to personal gifts offered to employees or members of their families. However, there is a need to recognise and provide for items of a very minor nature which come into the work-place as a consequence of normal commercial practice or as a token of appreciation. These are the items of a promotional character which are given to a wide range of people and not personally only to the employee. These gifts are usually given at Christmas time and include calendars, diaries, desk sets, flow charts, tape measures and other minor articles of use in the office or job.

Gifts may also be offered, for example, at the conclusion of a courtesy visit to another organization. If these are of the type normally given by that organisation to visitors and of a minor nature (e.g. small free sample or an ashtray) they can be accepted. Similar arrangements apply where the refusal of a small gift would give needless offence. However, this should not be done if the giver is currently seeking a decision of one of the Academies. The small gift should only be accepted if the giver merely wishes to express thanks for advice, help or co-operation received.

In all cases of this nature it is wise to err on the side of caution: an obviously expensive gift should be tactfully declined. If a gift is simply delivered it should be returned to the donor and the Principal Finance Officer or Chief Operating Officer advised of the action taken. A note of the action taken should be placed on file by the Principal Finance Officer. If there is a problem in returning it, the Principal Finance Officer or the Chief Operating Officer's advice should be sought.

Hospitality

Hospitality of differing levels might be offered to the Trust staff and accepted at official level because that course of action is reasonable in all the circumstances. However, an offer of hospitality to individual employees calls for special caution particularly if the "host" is doing or trying to do business with the Trust or hoping to obtain a decision from it. It is very important to avoid any suggestion of improper influence. It is difficult to give fixed guidelines to be followed on all occasions. It is clearly a matter of individual judgement but the following paragraphs may indicate what is acceptable and what is not.

A working lunch of modest standards to allow the parties to continue to discuss business already started would normally be acceptable: this is a case where the modest hospitality is secondary to a specific working arrangement. The employee should be careful not to claim subsistence allowance unless the money claimed has actually been spent on, for example, the purchase of drinks to accompany the meal. On the other hand, it would not be acceptable conduct for an employee to accept a holiday (at home or abroad), or tickets for concerts, theatre or sporting events, the use of a company flat or hotel suite, or expensive hotel meals not connected with official business.

There are occasions when an offer of hospitality of any kind should be declined, e.g. when the person offering the hospitality has a matter currently at issue with the Trust such as a tender under consideration or a contract dispute.

Promotional Offers

There has been a lot of publicity about unethical sales promotion techniques adopted by some companies. Purchasing inducements are offered in various forms; gifts, vouchers to be used against future orders, the 'buy one get one free' type of offer and the misleading offers which results in more goods being ordered than are required.

It is important to remember that when purchasing for the Trust, the best possible deal for the Trust must be obtained. Any commission vouchers, cash discounts etc offered by a contractor in connection with the order belong to the Trust.

If employees receive an approach from a supplier (or prospective supplier) which seems to be unauthorised in any way, or if they receive a gift or voucher from such a supplier, they should immediately inform the CEO.

Form for registration of gifts & hospitality received by member of staff

To: Principal Finance Officer at The Education Fellowship Trust

The Old Dairy, Grange Road, Islip, Northampton. NN14 4JB

From: Name:(Please Print)

Job title:.....

School/Academy:

Please enter in the Register maintained by you in accordance with the GLA Code of Ethics and Standards for Staff details of the receipt by me of the following gift/benefit/ hospitality

| | |
|---|--|
| Date of gift/benefit/hospitality: | |
| Details of gift/benefit/hospitality | |
| Estimated value of gift/benefit/Hospitality | |
| Person / body providing gift/benefit hospitality: | |
| Reason for acceptance: | |

Signed:..... Date:

Approval of Director

I confirm that I am satisfied that the receipt of the above described gift/benefit/hospitality was appropriate

for the reason stated and accorded with the requirements of the Code of

Ethics and Standards for Staff

Signature of Director

Directorate:..... Date:

Please keep a copy for the school files

Form for registration of gifts & hospitality received by The Trust

This form must be completed by any employee of The Trust receiving or declining a gift or hospitality which is more than a token up to the value of £30 provided by a company or organisation, the employee conducts or is likely to conduct business with. The Deputy to CEO and/or the Principal Finance Officer must authorise or reject staff accepting or refusing the gift or hospitality in accordance with the guidance.

Name:

Company or organisation offering gift or hospitality:

| | |
|----------------------|---|
| Date, time and venue | Gift/Hospitality Accepted/Declined |
|----------------------|---|

Nature and approximate cost of gift/hospitality

If accepted, has the gift been retained for personal use or for business use?

If accepted, reason for accepting gift/hospitality

Signed: Date:

Approved by:

**PLEASE RETURN COMPLETED FORM TO:
THE SCHOOLS BUSINESS MANAGER**

Copy must be sent to the Head Office

THE DO's AND DON'Ts

| DO | DON'T |
|---|--|
| Read and follow the guidance on gifts and hospitality | Accept any gifts or hospitality which are more than just a token without the approval of your Headteacher |
| Seek advice from your Headteacher if you are in doubt | Accept gifts or hospitality in the immediate period before tenders are invited or during the tender process. Lunches during day long site visits are only acceptable if they are proportionate and are not extravagant |
| Record all offers of gifts and hospitality which are more than just a token, whether accepted or not | Accept cash or monetary gifts |
| Treat with caution any gifts or hospitality offered to you and think very carefully before accepting anything | Accept gifts or hospitality connected to your work, even if the hospitality is taken in your own time |
| Consider whether the offer is proportionate in deciding whether or not to accept hospitality from an outside body | Accept 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 |
| 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 | Accept gifts or hospitality offered to your husband, wife, partner, family member or friend |
| Consider paying for yourself if offered any hospitality by a supplier or third party | |