



PONTEFRACT

ACADEMIES TRUST

Gifts and Hospitality Policy

Trust Board Approval Date	31 August 2016
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Owner	Director of Finance, Business & Operations

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1. Introduction

1.1 Pontefract Academies Trust (the Trust) is committed to the highest possible standards of conduct and has a wide range of interrelated policies, procedures, codes and guidance that provide a corporate framework to counter the possibility of fraudulent activity and/or bribes. This policy and associated procedures must be read in conjunction with the following other Trust policies/procedures:

- Anti-Fraud Bribery and Corruption Policy
- Whistleblowing Policy
- Code of Conduct for Employees
- Code of Conduct for Trustees and Local Governors
- Financial Regulations and Scheme of Delegation
- Disciplinary Procedures
- Complaints Procedures
- Donations Policy

1.2 The Gifts and Hospitality Policy sets out guidance and procedures on how to deal with and record offers of gifts or hospitality by any person or company who has, or seeks to have, dealings with the Trust, or is seeking a decision from the Trust.

1.3 The expectation is that Trustees, Local Governors, and employees at all levels will adopt the highest standards of propriety and accountability and demonstrate that the Trust is acting in a transparent and honest manner.

Any Trustees/Local Governors of the Trust who fails to adhere to the guidance in this policy and procedures within it will be subjected to the Trust's procedures for dealing with complaints of misconduct against Trustees/Local Governors and where evidence of bribery/corruption is suspected may be reported to the Police.

Any employee failing to adhere to this policy and the procedures within it will be subjected to the Trust's disciplinary procedures and where evidence of bribery/corruption is suspected may be reported to the Police.

The internal action in relation to Trustees/Local Governors or employees will be in addition to any prosecution proceedings that might occur.

2. Definition and Expectations

2.1 Definitions

A gift is defined as an item given, without the expectation of receiving anything in return. Examples of gifts may be stationery items such as pens, notepads, calculators, or carrier bags; food or confectionery; flowers or plants, ornaments, wine and spirits, articles of clothing; jewellery or watches; tickets for cultural or sporting events; discounted rates for hire or purchase; free publications; cash; and providing business where the employee concerned is engaged in some private business or commercial activity.

Hospitality is an offer of generosity from an external organisation such as free meals; drinks receptions; hospitality tents at shows; exhibitions or conferences; music and cultural events; sport and leisure events, use of company facilities; hotel accommodation; and holidays.

2.2 Expectations

Trustees, Local Governors and Employees acting in an official capacity should not be placed in a position where their actions might give the impression to anyone, inside or outside the Trust, that they have been, or might be, influenced to show favour or disfavour to any person or organisation by receiving any gift, reward, hospitality, loan or other consideration.

The acceptance of gifts or hospitality will normally be considered an exception. If either the individual or the Trust is in any doubt about the propriety of acceptance, the offer should be refused.

Where a relative or friend of a Trustee, Local Governor, or employee is offered gifts or hospitality because of their relationship or association with that Trustee, Local Governor, or employee, the same considerations apply.

3. Rules governing the receipt of gifts / hospitality

- 3.1 Trustees, local governors, or employees must not either directly or indirectly, accept any gift, reward or benefit from any individual or organisation with whom he/she has been brought into contact by reason of their duties other than those listed below:

3.1.1 Trivial Gifts

Trivial Gifts are those which are:

- Inexpensive items of a value of less than £25 from suppliers or contractors as expressions of gratitude such as boxes of chocolate or flowers.
- Seasonal/promotional gifts such as diaries, calendars, or pens with a value of less than £25.

The receipt of the above gifts should only be accepted where they are occasional and where acceptance would not give rise to public concern. Gifts below £25 do not need to be recorded and can be utilised in an appropriate method determined by the individual school.

3.1.2 Routine Hospitality

Routine hospitality is deemed that which is

- working lunches provided as part of a business meeting and where there is no suggestion of improper influence.
- continuous professional development events paid for or offered free of charge by third parties
- hospitality as part of a function or event where the individual is present in a professional capacity and the hospitality is offered to other individuals attending the event (corporate rather than personal).

The receipt of routine hospitality as defined above does not need to be recorded. Hospitality of a value of greater than £25 should generally be declined and should always be declared.

3.1.3 Where refusal might offend

On occasions trustees, governors or employees may receive offers of gifts they must refuse but for various reasons find it difficult or almost impossible to do so (for examples gifts left for them in their absence, or where non acceptance may cause offence). If this happens the gift must be declared, recorded on the gifts and hospitality register and should be donated to the Trust. All such donations shall be recorded on the declaration form.

3. Rules governing the receipt of gifts / hospitality

3.2 Unacceptable gifts / hospitality

Offers of any of the following must be refused under all circumstances:

- cash
- personal invitations from representatives of companies seeking or having business with the Trust;
- offers of holidays, accommodation or entertainment (theatre tickets, sporting events) to individuals
- extravagant hospitality inappropriate to the occasion
- use of company flats or facilities
- gifts exceeding a value of around £25 if they are intended for exclusively personal or private use, such as jewellery or clothing.

Offers to attend private, social or sporting functions should only be accepted when these are regarded part of the life of the community where the Trust should be seen to be represented.

If it is likely that a typical member of the public would think that a specific gift or incidence of hospitality is inappropriate, then it probably is and should therefore be declined. When dealing with gifts and hospitality caution should always be applied and if in doubt offers should be declined.

4. Recording Gifts and Hospitality

- 4.1 The Executive Headteachers/Headteachers of each school incorporated within the Trust must ensure that:
- An up to date Gifts and Hospitality Register for their school is established and maintained and held in a central location in the school. Whilst a designated officer may be appointed to maintain this register, the ultimate responsibility will rest with the Executive Headteacher/Headteacher.
 - The register will be held in the standard format (see Appendix B) for all employees/local governing body members of the school including the Executive Headteacher/Headteacher. The register shall consist of a full record of all offers of gifts and hospitality offered (see section 3) and received, irrespective of whether they were accepted.
 - The Executive Headteacher/Headteacher/designated officer shall update entries within the register with signed declarations at the end of each academic year to ensure that this policy is being complied with.
- 4.2 The Chief Executive Officer (or his/her designated officer) of the Trust must ensure the above arrangements are in place for the register relating to Trustees and central Trust employees.
- 4.3 All Trustees/Local Governors / Employees must ensure that all offers are declared and registered for items of gifts or hospitality (defined in section 3) with an individual or collective value estimated to be £25 or more whether it has been accepted or not. These should be declared by completing the standard declaration form (Appendix B) and submitted to either the Executive Headteacher, Headteacher, Chief Executive Officer, or their designated officers.

5. Monitoring and Implementation

5.1 **Monitoring**

The register will be open to public inspection and will be made available for the purposes of any internal or external audit scrutiny.

5.2 **Implementation**

This policy will be circulated to every trustee, local governor, and employee (via the CEO, Executive Headteacher, or Headteacher) who shall sign statement (Appendix A) which affirms that he / she has:

- Received a copy of the policy.
- Has read and understood the policy.
- Has agreed to comply with the policy.

This policy will be included in all induction processes.

5.3 **Review**

The Gifts and Hospitality Policy will be reviewed by the Trust Audit and Risk Committee on a tri-annual basis or earlier to ensure that it continues to uphold the highest standards of conduct and openness.

The Trust Board will approve the policy for implementation following consideration and recommendation from the Trust Audit and Risk Committee.

Annex 1 Schedule of Updates

Trust Board Approval		Implementation Date
17 September 2014	Gifts and Hospitality Policy	17 September 2014
31 August 2016	Gifts and Hospitality Policy	1 September 2016

SCHEDULE OF CHANGES – from 1 September 2014 policy to revised version implemented 1 September 2016

- Reference to Executive Headteachers to reflect the new roles established in the Trust
- Reference to Governors changed to Local Governors
- 5.3 Review clarifies process for review and approval
- Incorporation of Annex 1 schedule of updates

Appendix A:

Gifts & Hospitality Acknowledgement Statement

I, the undersigned trustee / local governor / employee [delete as appropriate] with responsibilities and decisions delegated by the Pontrfract Academies Trust Board, hereby attests and affirms that I have:

1. Received a copy of the Policy
2. Read and understood the Policy
3. Agreed to comply with the Policy

Signature

Print Name

Date

Appendix B:

Gifts and Hospitality Declaration – Academic Year 20 /

Name

Position

Trustees, local governors, and employees are required to declare any gifts and hospitality offered in accordance with the Gifts and Hospitality Policy. For school employees and local governors the declaration should be submitted to the Executive Headteacher/Headteacher (or his/her designated officer) as and when any applicable new offers of gifts and/or hospitality are made. At the **end of each summer term a form for the full academic year** should be submitted which either confirms the full record the the relevant academic year, or that no such offers have been made / accepted (Nil return). For Trustees or central Trust employees the declaration should be submitted to the Chief Executive Officer (or his/her designated officer).

I declare that during the periodto I **HAVE / HAVE NOT [delete as appropriate]** received any new offers of gifts and / or hospitality. Where I have received new offers of gifts and / or hospitality I have detailed them below.

Person/Organisation making the offer	Gift or Hospitality which was offered	Value (if known)	Circumstances which the offer was made	Date the offer was made	Action Taken (accepted with reason) / refused/returned)
Software Provider	West End Theatre Tickets	£50.00	Email correspondence	01/04/2013	Refused and returned

Signed

Dated