



ATLAS Multi Academy Trust

GIFT AND HOSPITALITY POLICY

Trust sub-committee: Resources, Audit and Risk Committee

Co-ordinator: Mr P O'Neill

Last Reviewed: Spring 2021

Next Review: Spring 2023

St Albans Girls' School : Beech Hyde Primary School and Nursery : The Adeyfield Academy

Signed by:
Margaret Chapman
Executive Head Teacher

Signed by:
Rachael Kenningham
Chair of ATLAS Board of Directors

1.	RATIONALE
1.1	The principle of integrity requires that Academy staff, Trustees and Governors should not place themselves under an obligation that might influence, or be perceived to influence, the conduct of their duties. This means that the receipt of hospitality and gifts must be subject to clear restrictions and that any that are accepted must be declared and recorded.
2.	AIMS
2.1	The process set out in this policy is designed to safeguard Employees, Trustees and Governors from any misunderstanding or criticism.
2.2	This policy is based on the <u>Academies Financial Handbook</u> , which states that academy trusts should have a policy and register on the acceptance of gifts, hospitality, awards, prizes or any other benefit which might be seen to compromise the personal judgement or integrity of members, trustees, staff and/or any other representative of the trust.
2.3	This policy also complies with our funding agreement and articles of association.
2.4	This policy takes into consideration the requirements under the UK Bribery Act 2010, which came into effect 1 July 2011. The Ministry of Justice has published guidance which provides the basis for inclusion in this policy. This guidance is under section 9 of the Act.
3.	PROCEDURE
3.1	GIFTS
	<ul style="list-style-type: none"> Employees, Trustees and Governors must not accept cash, or personal gifts with a significant monetary value, under any circumstances, although items of nominal value (approximately £25 or below) or free promotional pens, calendars, diaries or similar items may be accepted. Gifts which are intended for the Academy 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 Administration Office, for use by the Academy. Personal gifts may not be solicited under any circumstances.

	<ul style="list-style-type: none"> • When Employees, Trustees and Governors have to decline a gift, they should be courteous but firm, and draw the attention of the person making the offer to the existence of this policy and the UK Bribery Act 2010. • All gifts received must be recorded in the Academy's gifts and hospitality register, which is maintained by the COO.
3.2	<p>SUPPLIER SPECIAL OFFER GIFTS</p> <ul style="list-style-type: none"> • Gifts are sometimes offered by suppliers with the purchase of items. All special offer gifts are the property of the Academy and must be turned into the Administration Office for use by the Academy.
3.3	<p>HOSPITALITY</p> <ul style="list-style-type: none"> • Employees, Trustees and Governors should never accept lavish hospitality that could be interpreted as a way of exerting an improper influence over the way you carry out their duties. Nor should they offer such hospitality to others on behalf of the Academy. The timing of hospitality in relation to procurement or purchasing decision that the Academy may be taking is especially sensitive. Employees, Trustees and Governors should never solicit hospitality. As a general rule, they should not accept hospitality that the Academy would not reciprocate in similar circumstances. • If necessary, Employees, Trustees and Governors should pay their share of any costs and claim these in the usual way. • When Employees, Trustees and Governors have to decline hospitality, they should be courteous but firm, and draw the attention of the person making the offer to the existence of this policy and the UK Bribery Act 2010. • Employees, Trustees and Governors may accept modest working meals and light refreshments without making any declaration. All other hospitality must be recorded in the Academy's gifts and hospitality register which is maintained by the Finance Manager. • Other hospitality may be accepted where: <ul style="list-style-type: none"> ○ Employees, Trustees and Governors are representing the Academy in the community or are imparting information about the Academy to the public. ○ An event is clearly part of the life of the community or where the Academy should be seen to be represented. ○ The hospitality concerns attendance at a relevant conference or course where it is clear the hospitality is corporate rather than personal.
3.4	<p>STAFF EXPENSES CLAIMS</p> <ul style="list-style-type: none"> • Where hospitality is to be provided by the Academy this should be approved in advance by the Executive Headteacher, Headteacher, COO or School Business Manager. The Headteacher or School Business Manager should review the hospitality in light of the UK Bribery Act 2010. Hospitality is not prohibited by the Act but should be considered in light of it. • Any hospitality provided should not be extravagant • Claims for reimbursement of expenses should be made on the relevant Expenses • Claim form and receipts should always be enclosed • Alcohol cannot be claimed as an expense
3.5	<p>GOVERNOR BENEFITS/ALLOWANCES</p> <p>Academy trustees will ensure that the trust's funds are used in a way that commands broad public support, pays due regard to propriety and regularity, and provides value for money.</p> <ul style="list-style-type: none"> • Trustees can only benefit from their directorship of the Academy where there is an explicit authority in place in the Academy's governing document.

	<ul style="list-style-type: none"> Trustees' benefits include any payments or benefits to Trustees or a connected person, apart from their reasonable out of pocket expenses. They also cover situations where a Trustee could receive property, loans, goods or services from the Academy. Where there is a proposed sale or lease of Academy land to a Trustee, or to a person or company closely connected with a Trustee, this will need to be authorised by the EFA, even if the disposal is at full market value. The payment of reasonable expenses to Governors is not a benefit, so it does not create a conflict of interest. All claims should be authorised by the Chair of Governors. Claims from the Chair of Governors should be authorised by both Vice-Chairs of Governors.
3.6	<p>PROVEIT TEST</p> <ul style="list-style-type: none"> Employees, Trustees and Governors should 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 Academy's ethics? IDENTITY – Who has made the offer? TIMING – Are you about to make a decision affecting the giver?
3.7	<p>Unacceptable gifts and hospitality</p> <p>The following must never be offered or accepted:</p> <ul style="list-style-type: none"> Monetary gifts Gifts or hospitality offered to family members, partners or close friends of members, trustees or staff Gifts or hospitality from a potential supplier or tenderer in the immediate period before tenders are invited or during the tendering process
3.8	<p>UK BRIBERY ACT 2010</p> <ul style="list-style-type: none"> It is an offence under Section 7, which can be committed by a commercial organisation which fails to prevent persons associated with them from bribing another person on their behalf. Facilitation Payments, payments to induce officials to perform routine functions they are otherwise obligated to perform, are bribery under the Act. Trustees and Senior Leadership do not tolerate Bribery in any form. Senior Leadership considers all organisations which the Academy does business with, in order to consider the risk. Senior Leadership considers all persons or organisations which act on behalf of the Academy or provide services for the Academy, in order to consider the risk. Actions of suppliers of goods do not create a risk for the Academy under the UK Bribery Act 2010. As risk of bribery can often be greater in overseas transactions, all overseas transactions must be approved in writing on the purchase order by the Executive Headteacher and the COO, regardless of the value of the transaction.
4.	MONITORING
4.1	This policy will be reviewed by the Trustees every three years



Equality Impact Analysis

When reviewing all Trust policies, the following Equality Impact Analysis (EIA) should be undertaken to ensure fairness of the new proposals/policy and to identify any action needed to redress any potential discrimination, positively promoting equal opportunities, improved access and participation for all.

Title of Policy:	Gifts and Hospitality
Date:	Spring 2021
EIA carried out by:	Mr P O'Neill
EIA reviewed by:	Resources, Risk and Audit Committee

1. Identify the aims and objectives of the policy, what will be the proposed change and how will it be implemented

<ul style="list-style-type: none"> Policy contains information about: Overall aims and objectives? What is the proposed change? Who is intended to benefit from the proposal and in what way? Outcomes of the policy? How will it be put into practice and who is responsible for this? 	This policy outlines the procedures in place to ensure that Academy staff and Governors do not place themselves under an obligation that might influence, or be perceived to influence, the conduct of their duties.
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2. Assessment of Impact? *To include impact of policy, any plans needed to mitigate any negative impact, equality issues to be addressed*

Characteristic	Group	Effect/Impact
• Age		None
• Disability		None
• Gender reassignment		None
• Marriage/civil partnership		None
• Pregnancy/Maternity		None
• Race		None
• Religion or Belief		None
• Sex		None
• Sexual orientation		None

3. Consultation

<ul style="list-style-type: none"> New policy contains information about: Policy audience, expected actions and outcomes. Consultation and communication process Accessibility for all Fair access to the consultation process Lessons learnt from previous consultation, if appropriate 	This policy requires that the receipt of hospitality and gifts be subject to clear restrictions and that any that are accepted must be declared and recorded
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4. Decision	
<ul style="list-style-type: none"> Should the new proposal/policy be agreed and any impacts identified following consultations? What reasonable adjustments are required? 	No issues or adjustments required
5. Action Planning	
<ul style="list-style-type: none"> Any actions identified to address inequality for different groups? Any actions identified to promote equality and diversity? Where are these actions recorded and who is responsible for them? 	None
6. Monitoring and Review	
<ul style="list-style-type: none"> When will the impact assessment be reviewed? Who is responsible? 	<p>Spring 2023</p> <p>Mr P O'Neill</p>
7. Publication of the results of the impact assessment	
<ul style="list-style-type: none"> Results of EIA are published – where and when? The results are kept as a public record of the EIA – where and when? 	With policy