



***“Every Opportunity for Every Child”***

## **Alpha Trust**

### **Gifts and Hospitality Policy**



#### **Alpha Trust Policy & Procedures No: AT F3**

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Responsibility:	CFOO
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## **ALPHA TRUST GIFTS & HOSPITALITY POLICY**

### **Purpose**

This document outlines Alpha Trust's policy relating to the offer and/or acceptance by Staff, Governors, Trustees or Volunteers of gifts and hospitality of whatever nature from outside individuals or organisations. It also gives guidance on gifts and hospitality offered by any of its Academies or personnel to any third parties which arise from activities undertaken concerning the business of the Academy or Trust.

The policy applies to all Staff, Governors, Trustees and Volunteers of Alpha Trust without exception and is designed to safeguard them from any misunderstanding or criticism. Within the terms of the policy, Staff, Governors, Trustees and Volunteers are expected to exercise common sense, however, the Trust's disciplinary procedures may be applied where it is found that a breach has occurred.

The process set out is designed to safeguard Staff, Governors, Trustees and Volunteers from any misunderstanding or criticism

Alpha Trust is committed to ensuring that the operations and governance of the Trust is conducted in accordance with the highest standards of integrity, probity and openness.

### **General Guidance on Gifts and Hospitality**

The conduct of members of Staff, Governors/Trustees or Volunteers should never lead anyone to question their interests or lead anyone to think that they have been influenced by gifts and hospitality. Their own personal reputation and that of the Academy and or Trust could be seriously affected if they inappropriately accept a gift or hospitality.

Staff, Governors/Trustees and Volunteers should treat with caution any offer of a gift or hospitality made to them personally; considering, in particular, whether the acceptance is a benefit to the Academy or Trust; the scale, amount, frequency and source of the offer; the timing of the offer in relation to forthcoming decisions; whether accepting could be misinterpreted as a sign of their personal, or the Academy's or Trust's, support or favour.

If in doubt, the prospective recipient should always speak to the Academy Executive Principal/Principal/Headteacher, CEO or Chair of Trustees/Governors as appropriate. It is the recipient's responsibility to follow this guidance on gifts and hospitality and to justify why they chose to accept a gift or hospitality offered to them.

The Academy, or Trust CEO, will take disciplinary action against any Staff, Governor/Trustee or Volunteer if they fail to follow this guidance. It is also a criminal offence to demand or accept a gift or reward in return for being influenced on any decision as a part of the Academy or Trust; such action could result in a Police prosecution.

### **Definition of a Gift**

A gift is any item or service that an individual receives free of charge. It also includes any goods or services, which are offered to the individual at a discounted rate or on terms not available to the general public.

### **Definition of Hospitality**

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

## General Principles

Appendix A summarises the 'do's and don'ts' relating to the acceptance of gifts and hospitality.

Staff, Governors, Trustees and Volunteers should also use the PROVEIT test, the list of gifts or hospitality that should never be accepted and the guidance on Hospitality, Gifts from Students or Parents/Carers and Gifts Received without Warning (all below) to assess whether or not to accept and/or declare, and/or seek approval regarding any gift or hospitality. Declarations are recorded in the relevant Register of Gifts and Hospitality.

## The PROVEIT Test

The following should be considered when assessing the acceptability of any gift or hospitality:

Purpose	Token, thanks or seeking a favour? (token / thanks: yes; favour: no)
Rules	What are they? Does this situation conform?
Openness	Is the offer transparent?
Value	Expensive or inexpensive? (under £50: yes; Over £50: no)
Ethics	Does the offer fit with the Academy's ethics? Is this an exceptional circumstance?
Identity	Who has made the offer?
Timing	Are you about to make a decision affecting the giver?

## Value limit on gifts or hospitality that can be accepted without any approval

Staff, Governors, Trustees and Volunteers can accept gifts and hospitality which are small gestures and have a value of £50 or less, without the relevant approval. Gifts and hospitality of this nature do not need to be recorded in the Academy's Gifts and Hospitality Register.

## Gifts or hospitality that should never be accepted

The following must never be accepted:

- Cash or monetary gifts
- Gifts or hospitality offered to a husband, wife, partner, family member or friend of a member of Staff or Governor/Trustee or Volunteer.
- 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 taking place outside of working hours

## Guidance on Hospitality

Hospitality should only be accepted where there is a direct link to working arrangements and a genuine business reason can be demonstrated, for example:

- Attendance or speaking at a conference, which provides complimentary subsistence, travel and accommodation (this does not need to be declared on the register except where a gift was received)
- Attendance at a free training course
- Attendance at a drinks reception to network

It is recognised that there is a need to ensure good relationships with existing and future contractors and stakeholders and that this may involve for example, the receipt of modest working lunches and dinners. These are acceptable where there is a genuine business reason.

Hospitality invitations to events which are purely social events should be considered very carefully before accepting; in such circumstances it may be much more difficult to substantiate a genuine business reason. If acceptance is agreed, Staff are expected to use annual leave for such events. Staff or Governors/Trustees must not accept free holidays from a current or potential contractor; these invitations should be recorded in the register, whether received or declined.

#### **Guidance on Gifts from Students or Parents/Carers**

Gifts and hospitality received by members of Staff from students or parents/carers must comply with the rules laid down in this policy and if in excess of the token value, be recorded in the register

Staff must never accept cash.

If parents/carers form a collective in order to present a member of Staff with a gift, that is acceptable, provided the individual contributions do not exceed the relevant token amount of £50. Such gifts must be recorded in the register and their acceptance ratified by the relevant approver.

Parents must be made aware of the relevant content of this policy and also that collaborating by having a collection for one large gift may not be acceptable.

#### **Guidance on Gifts Received without Warning**

If the gift is more than just a token it should be politely and courteously declined; where it would not be appropriate to do this, the matter must be referred to the Executive Principal/Principal/Headteacher, CEO or Chair of Governors/Trustees as soon as possible, who will decide on the next steps to take. The Executive Principal/Principal/Headteacher, CEO or Chair of Governors/Trustees may decide to return the gift or may donate the gift to a worthy local cause.

#### **Gifts to the Trust/Academies**

Gifts that are intended for the Trust or Academy as a corporate body can be accepted but must not be retained by the individual who receives them. Such gifts should be passed to the Trust or Academy as appropriate and recorded in the relevant Register.

#### **Approval from the Academy Executive Principal/Principal/Headteacher, CEO or Chair of Trustees/Governors**

- Any gift or hospitality, which is more than just a token, defined as a having a value of more than £50, should be politely refused or returned. Staff and volunteers must have the prior written approval of the Executive Principal/Principal/Headteacher, CEO to accept something which has more than this value which, in any event, should only be in exceptional circumstances.
- The CEO, Executive Principal/Principal/Headteacher or any Governor/Trustee must have the prior written approval of the Chair of Governors/Trustees.
- Any gifts or hospitality accepted by the Chair of Governors/Trustees must be referred to the full Governing Board/Board of Trustees for prior approval.

If there is any doubt or concern about the public perception that might be attached to accepting any gift or hospitality, then this must be referred to the Board of Trustees.

If a gift cannot be accepted but cannot physically be returned it should be donated to a charity unrelated to the Trust or Academy or recipient and details recorded in the relevant Register.

### **Declarations of offers or receipts and Registers of Gifts and Hospitality**

In every case and even if the offer is not accepted, a declaration should be made as soon as possible after the offer or the receipt of gifts or hospitality, but no later than 28 days afterwards. All declarations should use the Alpha Trust 'Declaration of Gifts and Hospitality Form' (Appendix B)

All declarations go to the Executive Principal/Principal/Headteacher/School Business Manager or, for Trust central staff, to the Trust CEO and Chief Finance and Operations Officer (CFOO) of the Trust. The School Business Manager/CFOO will record the declaration in the relevant register.

The declaration needs to include the following information:

- The date;
- The name, job title and organisation of the recipient;
- The name, job title and organisation of the provider and their relationship to the Trust;
- Brief details of the gift or hospitality including the estimated value;
- The name of any other organisation involved
- Whether the gift or hospitality was accepted or declined;
- Reason(s) for the decision, or other relevant information.
- The signature of the Executive Principal/Principal/ Headteacher or Chair of the LGB of the Academy to signify approval, or noting a decline.
- For Trustees the signature of the Chair of Trustees or CEO to signify approval, or noting a decline.

The CFOO will ensure the maintenance in each Academy, and in the CFOO Office, of a Register of Gifts and Hospitality for those offers requiring declaration. The Register of Gifts and Hospitality will be available for viewing at all times by the following appropriate officers: Executive Principal/Principal/ Headteacher, Chair of Governors/Trustees, CEO, CFOO and External Auditors.

Each Academy LGB should review the Registers on an annual basis and report the outcome to the Trust Audit Committee. The CFOO should do the same for Trust central staff. Copies of any completed forms (Appendix B) should be attached to the LGB's annual declaration to the Trust, thus confirming the Register is up to date; if there are no declarations of a gift or hospitality, a nil return should still be made. Any concerns/issues identified should be noted and an action plan put in place.

Entries in the register will be retained for a period of seven years.

Any request by a member of the public to view the Register will be referred to the Executive Principal/ Principal/Headteacher or CEO who, in considering the request, will balance the requirement for the Academy and/or Trust to be open and transparent against the requirements of the Data Protection Act and GDPR.

### **Summary regarding offers of Gifts and Hospitality**

Gifts or hospitality which:

- pass the PROVEIT test and meet the acceptable gifts/hospitality criteria - may be accepted without approval or declaration;
- pass the PROVEIT test but do not meet the acceptable gifts/hospitality criteria - should be recorded in the Register and referred to the Executive Principal/Principal/ Headteacher, CEO or Chair of Governors/Trustees who must decide whether or not they can be accepted;
- fail the PROVEIT test - must be declined and recorded in the Register.

### **Gifts and Hospitality Provided by the Academy or Trust**

Any gifts purchased and provided by the Academy or Trust should be:

- Of a nominal value [up to £50] only.
- Alcohol should not be given as a gift in any circumstances.
- Given to Staff or Governors/Trustees or Volunteers only in relation to specific and relevant personal circumstances (e.g. illness, bereavement, retirement) or upon leaving the employment or service of the academy.
- Authorised by the Executive Principal/Principal/Headteacher, CEO or Chair of Governors/Trustees in respect of any gifts given to the Executive Principal/Principal/Headteacher or CEO, or full governing body in respect of any gifts given to the Chair of Governors/Trustees.
- Purchased from the Academy's own unrestricted funds, or appropriate Trust monies, and not from ESFA funding or any other funding provided for specific purposes.
- Recorded in the relevant Academy's Gifts and Hospitality Register, which should be available for review by the Governing Board or external auditors upon request.

Any hospitality provided by an Academy or the Trust must avoid any suggestion of improper influence, should be related to the business of the school or Trust and be of a modest standard. For instance, a working breakfast or a lunch during business discussions or meetings or meals and refreshments provided as part of a planned training or business development day or conference or seminar. Such hospitality may also be offered as part of a networking event. These provisions do not need to be recorded in the Registers of Gifts and Hospitality

## Appendix A

### THE DO'S and DON'T's

DO	DON'T
<ul style="list-style-type: none"> <li>Read and follow the guidance on gifts and hospitality</li> </ul>	<ul style="list-style-type: none"> <li>Accept any gifts or hospitality which have a value of more than £50 without the approval of the Executive Principal/Principal/Headteacher, CEO or the Chair of Governors/Trustees as necessary</li> </ul>
<ul style="list-style-type: none"> <li>Seek advice from the Executive Principal/Principal/Headteacher, CEO or Chair of Governors if you are in doubt</li> </ul>	<ul style="list-style-type: none"> <li>Accept gifts or hospitality in the immediate period before tenders are invited or during the tender process</li> </ul>
<ul style="list-style-type: none"> <li>Record all offers of gifts and hospitality which have a value of more than £50 in the Academy's Register, whether accepted or not</li> </ul>	<ul style="list-style-type: none"> <li>Accept cash or monetary gifts</li> </ul>
<ul style="list-style-type: none"> <li>Treat with caution any gifts or hospitality offered to you and think very carefully before accepting anything</li> </ul>	<ul style="list-style-type: none"> <li>Accept a gift or hospitality as an inducement or reward</li> </ul>
<ul style="list-style-type: none"> <li>Take into account what the public's perception would be in deciding whether or not to accept a gift or hospitality</li> </ul>	<ul style="list-style-type: none"> <li>Accept gifts or hospitality unconnected to your work, even if the hospitality is taken in your own time</li> </ul>
<ul style="list-style-type: none"> <li>Consider whether the offer is proportionate in deciding whether or not to accept hospitality from an outside body</li> </ul>	<ul style="list-style-type: none"> <li>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</li> </ul>
<ul style="list-style-type: none"> <li>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</li> </ul>	<ul style="list-style-type: none"> <li>Accept gifts or hospitality offered to your husband, wife, partner, family member or friend</li> </ul>
<ul style="list-style-type: none"> <li>Consider paying for yourself if offered any hospitality by a supplier or third party</li> </ul>	



## Appendix B

Alpha Trust Declaration of Gifts and Hospitality Form	
<b>SECTION A</b> <i>(to be completed by the employee, member of Academy Local Governing Board or Trustee or school Volunteer)</i>	
Name and job title of Employee, Local Governor, Trustee or Volunteer:	
Name and job title of the person or organisation that made the offer, gift or hospitality:	
Details of the gift or hospitality offered/received including estimated or actual value:	
The circumstances in which the offer was made or gift/hospitality accepted:	
<b>Action taken:</b> <i>(e.g., kept for personal use, personally consumed, donated to charity)</i>	
Date offered:	Date accepted:
I confirm that I have applied the PROVEIT test:	
Signed:	Date:
<b>SECTION B:</b> <i>(To be completed by the Executive Principal/ Principal/ Headteacher in the case of an employee or volunteer. To be completed by the CEO and Chair of Trustees in the case of a Governor or Trustee)</i>	
<b>I authorise acceptance of the gift/hospitality detailed above</b> (Please delete as appropriate)	
Reason for decision:	
Name:	Position:
Signed:	Date:

