



## The Cavendish High Academy Gifts & Hospitality Policy

**Policy Date:** January 2018.

**Reviewed date:** January 2021

**Next review date:** January 2024 unless there is a change in legislation and/or academies financial direction.

### **Introduction**

The Cavendish High Academy is committed to the highest level of integrity, honesty and accountability in all its business dealings. All staff, trustees and members are expected to maintain high standards of propriety and professionalism in all their dealings, ensuring they are free from any conflict of interest through their business in the name of the Academy.

The Academy will hold a Gifts and Hospitality Register. All gifts/hospitality over the value of £10 must be recorded in the Gifts and Hospitality Register.

### **1. Aims**

This policy aims to ensure that:

The Academy's funds are used only in accordance with the law, its articles of association, its funding agreement and the latest Academies Financial Handbook  
The trust and those associated with it operate in a way that commands broad public support.

The trust has due regard to propriety and regularity, and ensures value for money, in the use of public funds

Trustees fulfil their fiduciary duties and wider responsibilities as charitable trustees and company directors

Members, trustees and staff are aware of what constitutes acceptable gifts and hospitality, and the process that must be followed if they are presented with any of the same

### **2. Legislation and guidance**

This policy is based on the Academy Trust Handbook which states that Academies 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.

This policy also complies with our funding agreement and articles of association.

In order to protect all individuals associated with the Academy, from accusations of bribery or corruption staff, trustees, and members must take extreme care that none of their dealings, directly or indirectly, could be deemed as a reward or benefit, in line with the Prevention of Fraud and Bribery Act 2010. This Act makes it a criminal offence to:

- offer, promise or give a bribe
- request, agree to or accept a bribe
- (by an organization) fail to prevent bribery by those acting on its behalf (associated persons) to obtain or retain business or a business advantage for the organization.

Under this 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.

### **3. Definitions**

**Gifts** are any items, cash, awards, prizes, goods or services, offered without expectation of payment or benefit. Gifts also include goods or services offered at a discounted rate, or on terms not available to the general public.

**Hospitality** is defined as food, drink, accommodation or entertainment (such as cultural or sporting events) provided free of charge, heavily discounted or on terms not generally available to the general public.

### **Dealing with Gifts and Hospitality**

The Academy expects staff, trustees and members to exercise the utmost discretion in giving and accepting gifts and hospitality when on Academy business. Particular care should be taken about a gift from a person or organization that has, or is hoping to have, a contract with our organization. In any case of doubt advice should be sought from the Business Manager or Principal.

Staff, trustees and members must not make use of their official position to further their private interests or those of others.

Staff, trustees and members must not accept gifts, hospitality or benefits of any kind from a third party where it might be perceived that their personal integrity is being compromised, or that the Academy might be placed under an obligation.

Gifts of low intrinsic value such as promotional calendars or diaries, small tokens of gratitude, can be accepted. If there is any doubt as to whether the acceptance of such an item is appropriate, individuals should decline the gift or refer the matter to the Academy Business Manager, Principal or Trustees.

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 £10 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 £10 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 Academy, rather than an individual, it must be referred to the Business Manager, or if in the case of the Business Manager, to the Principal for approval within their discretion; if acceptable, then these terms must be recorded in the register.

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 academy 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 member is offered a gift or hospitality whilst involved in the procurement of goods and services, tenders for work or when liaising with anyone conducting business with the academy (other than light refreshments) it is their responsibility to discuss this with the Business Manager immediately.

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 Academy Finance Officer as soon as possible, who may decide to return the gift, or may donate it to the Academy 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 member 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 academy in a member of staff, trustee or member attending a sponsored event, the attendance must be formally approved and registered by the Academy Finance Officer.

Where a gift is received on behalf of the Academy, the gift remains the property of the Academy. The gift may be required for departmental display or it may, with the Principal's approval, remain in the care of the recipient. Unless otherwise agreed, the gift should be returned to the department on or before the recipient's last working day.

Gifts are sometimes offered by suppliers with the purchase of items. All such special offer gifts are the property of the Academy and must be used accordingly.

## **Giving Gifts and Hospitality**

The academy 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.

Where hospitality is provided by the academy this should be approved in advance by the Business Manager. In approving hospitality the Business Manager should ensure it is not in breach of the UK Bribery Act 2010 and also that the costs are appropriate for a publically funded organization. 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.

## **Non Compliance**

In the case where it is believed a member of staff, trustee or member has not declared a gift or hospitality then a formal investigation will be instigated by the Governing Board. If misconduct is indicated, this may take the form of disciplinary procedures in the case of employees.

## **Monitoring arrangements**

A gifts and hospitality register is maintained. The gifts and hospitality register is monitored regularly (termly) by the School Business Manager.