

Gifts and Hospitality Policy

Procedure Originator:	HELEN TURNER
Date Approved:	SEPTEMBER 2017
Review Interval:	3 YEARS
Last Review Date	July 2020
Next Review Date	September 2023
Audience:	All



1. Introduction

In accordance with the Academies Financial Handbook 2020 (section 5.31), this policy document outlines the responsibility of The Trust, its Academies and employees, in relation to the acceptance of the following from persons or organisations external to the Shaw Education Trust, including its supply chain:

- Gifts
- Hospitality
- Awards
- Any other benefit that might be seen to compromise personal judgment or integrity

It is the responsibility of the Principal of the Academy to ensure that its staff members have read and understood this policy document.

An occasional gift item or hospitality may be accepted if each of the following points 1,2,3,5 and 6 OR if points 4,5 and 6 below apply:

1. It is offered and received in good faith
2. It is clearly connected to maintaining a professional business relationship between the giver and the recipient
3. It has an intrinsic or retail value of £20 or less
4. It is entirely incidental to the recipient's duties or responsibilities toward the Trust e.g. a prize
5. It has not been requested or demanded by the recipient
6. There is no risk that it is or could be seen to be an inducement for either the giver or the recipient to take a particular course of action

As a rule, it is forbidden to accept money in any form, e.g. cash, cheques, including tips, gratuities or service charges. The only exceptions are:

- Receipts for chargeable goods and services
- Donations to the Shaw Education Trust

Money may only be accepted if it is:

- From an individual or organisation.
[Income must be receipted and promptly banked in the Shaw Education Trust bank account]
- Received anonymously
[Income must be passed to the Finance Team for banking in the Shaw Education Trust bank account]

The Trust and its Academies must fully document the decision for acceptance of the receipt of Gifts, Hospitality, Awards and any other benefit that may be deemed to compromise personal judgement, always ensuring that there is propriety and regularity in the use of public funds.

The Trust will approve **expenditure** for gifts **to employees** in the following circumstances:

- Milestone length of service
- Bereavement
- Long term illness/absence

Gifts for staff paid for by the Trust must not exceed £50 per employee per annum.

Gifts can only be paid from unrestricted funds. This excludes therefore, any expenditure from GAG and other such restricted funds.

All expenditure in relation to gifts for employees must be fully documented on the Gifts and Hospitality register.

2. Why Shaw Education Trust Needs This Policy

- To protect the reputation of the Shaw Education Trust (the Trust), its employees and agents from accusations of bias, partiality or favouritism
- To ensure compliance with the law including the Bribery Act 2010 and the Charities Act 1993

Who is affected by this Policy?

Trustees, staff, volunteers, supply chain partners and any other agent or supplier working for or on behalf of the Shaw Education Trust.

Responsibilities

Trustees

- Must ensure that the Trust is compliant with UK law and regulation
- Set the tone and influence the culture of the Trust
- Must ensure that the Trust's employees, agents, contractors and service users are and are seen to be honest and free from bias in all their dealings
- Must promptly declare the offer or receipt of any gifts or hospitality that either;
 - Exceed, or may be perceived to exceed, £20 in value; or
 - That may actually or be perceived to influence decision making as soon as the offer is made
- Must never accept cash or monetary instruments and should immediately report any offer to management

- The Chief Executive Officer or Chair of Trustees should determine the acceptability of offers of gifts and hospitality made by Executive Leadership Team members or within the Trustee Body
- Must report to the appropriate authorities any perceived or actual attempt to offer or receive a bribe
- Should set financial and other limits around the value of acceptable gifts and hospitality

Executive Leadership Team (ELT) / Academy Council

- Must deploy appropriate systems, processes and procedures to enable the declaration of interests, gifts and hospitality
- Must promptly declare the offer or receipt of any gifts or hospitality that either;
 - Exceed, or may be perceived to exceed, £20 in value; or
 - That may actually or be perceived to influence decision making as soon as the offer is made
- Must never accept cash or monetary instruments and should immediately report any offer to management
- Determine the acceptability of offers of gifts and hospitality made by managers or staff (see template below)
- Must report to the appropriate authorities any perceived or actual attempt to offer or receive a bribe
- Must ensure that all staff, including temporary staff, consultants and contractors are aware of this Policy and must ensure that the terms of this Policy are included in any contractual arrangements
- Must ensure appropriate controls are deployed and implemented to enable fraud or irregularity to be detected, prevented, and corrected
- Must maintain and review the Academy's Register of Gifts and Hospitality
- Ensures that this Policy and associated procedures are communicated and adhered to
- Ensures that processes and procedures for declaring gifts and hospitality are operational and are up to date
- Periodically reviews and audits the Register of Gifts and Hospitality
- Investigates and reports on allegations of fraud or malpractice

Staff

- Must remain aware of and compliant with this Policy and all associated procedures implemented by management to enable this Policy
- Must promptly declare the offer or receipt of any gifts or hospitality that either
 - Exceed, or may be perceived to exceed, £20 in value; or

- That may actually or be perceived to influence decision making as soon as the offer is made.
- Must never accept cash or monetary instruments and should immediately report any offer to management
- Should promptly report any actual or suspected fraud or irregularity in accordance with the Trust's reporting procedures
- Must report to the appropriate authorities any perceived or actual attempt to offer or receive a bribe

4. The Effect of Non-Compliance

For the Shaw Education Trust

Failure to comply with this Policy may result in the Trust breaching the Academies Financial Handbook and charity and company law and may also expose the Trust to unnecessary commercial or reputational risk.

For the Individual

This policy forms part of the terms and conditions of trusteeship, employment or any other contractual arrangement with the Trust. Failure to comply with this Policy and/or its associated procedures may result in disciplinary action including dismissal. Where appropriate, the Shaw Education Trust may also bring criminal charges and may seek to claim damages through civil proceedings.

Review and Revision

This Policy will be reviewed annually by the Board of Trustees. Any revisions will be notified via internal communication and inclusion in the SET Financial Handbook, with copies being made available in hard copy where required.

Independent quality and compliance reviews will be undertaken by the Trust's internal and external auditors and, where necessary, this Policy will be updated or amended to incorporate feedback and/or operational changes.

Declaration

I have read and understood the Gifts and Hospitality Policy and wish to make the following declaration.

I have been offered/have received the following (*delete as appropriate*)

Detail		
Name:	Signed	Date

This declaration may be completed electronically or may be printed off for completion.

Staff and managers (not ELT or Trustees): Send or email completed declarations to your line manager

ELT Members and Trustees: Send or email completed declarations to the Chief Operating Officer

For line Management/Chief Operating Officer use:

Accept – No further Action Required	Accept – subject to the following actions below:	Reject – Please take actions set out below
Actions		
Name:	Signed	Date

Next steps

Inform the individual making the declaration



We believe, you achieve

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