



Gifts and Hospitality Policy

Revised: July 2018

Review date: July 2019

Signed: _____

Headteacher

GIFTS AND HOSPITALITY POLICY

Unless there is primary legislation relating to this policy or the Academy finds it necessary to make changes, these procedures will be reviewed every two years to ensure they are up to date, reflect current best practice and are working effectively. Any changes that are to be incorporated into instruction and training arrangements will be effectively communicated to employees and other relevant parties.

Section 1 – Procedure for accepting gifts and hospitality

Context

The purpose of this procedure is to provide brief guidance to staff only, and does not cover every eventuality. More detailed guidance is given in Section 2, below, but if in any doubt, please contact the Business Manager or Chair of Governors for further advice.

Definitions

A gift is something that is given to an individual. Staff should be aware that all gifts and hospitality received (other than those of a minor nature) are not considered to be the property of the individual, but the property of the Academy, and should be recorded in accordance with this policy. Donations to the Academy are a separate issue, and are not covered by the scope of this policy.

Gifts and hospitality of a minor nature

For the purpose of this policy, gifts of a minor nature are considered to be:

- Gifts from suppliers with an estimated value up to a maximum of £5.00
- Small gifts from those receiving a service from the Academy as a token of appreciation (e.g. from parents or pupils to teachers)
- Small promotional items from suppliers that are routinely given to a wide range of people (e.g. calendars, notepads, pens, etc).
- A working lunch of modest standards to allow the parties to continue to discuss business already started (unless a tender or contract is currently under dispute or being negotiated).

Gifts and hospitality of a minor nature do not need to be recorded in the 'Register of Gifts and Hospitality'.

Other gifts

Gifts exceeding an estimated value of £35.00 from a supplier should be reported to the Business Manager and recorded in the Register of Gifts and Hospitality. Such gifts will not be kept by the individual, but will be placed in secure storage by the School Business Manager and used for the benefit of the Academy or local charities (e.g. in fundraising events, for raffle prizes, etc). Gift vouchers and cash will be kept in the safe.

Gifts with an estimated value exceeding £50 should be referred to the Chair of Governors and/or Chair of Finance / Resources Committee for consideration. The decision will be reported to the Business Manager, who will record the outcome in the Register of Gifts and Hospitality.

Where a member of staff leaves the school or has been absent for a long period of time, (eg hospital stay for an operation), flowers will be sent by the school, paid for from school voluntary funds. These may be accepted by the member of staff without declaring them.

Other hospitality

Hospitality in excess of a moderate working lunch should not be accepted without the approval of the Chair of Governors and/or Chair of Finance / Resources Committee. All offers of hospitality, other than those of a minor nature, must be recorded in the Register of Gifts and Hospitality noting if the offer was accepted or declined.

Responsibilities

All staff will record gifts or hospitality in accordance with the procedure above.

The Business Manager will hold the Register of Gifts and Hospitality, and carry out annual checks to ensure that items recorded in the Register are properly accounted for and will hold items in secure storage, and arrange for the destination section of the Register to be completed when the items are allocated.

The Finance / Resources Committee will review this policy on an annual basis.

The Chair of Governors and/or Chair of Finance / Resources Committee will, where procedures for accepting or declining the gift or hospitality are unclear, make the final decision, and inform the Business Manager who will record that decision in the Register.

Section 2 – Guidance

Introduction

The Prime Minister's Committee on Conduct in Local Government (1974) identified offers of gifts and hospitality as a particular source of conflict between private and public interests where these are offered in connection with official duties. They said:-

“a nice exercise of judgement may sometimes be necessary to decide how the public interest, and an authority's good name, may best be served. A reasonable amount of entertainment is a normal part of the courtesies of public life, and extreme strictness can give unnecessary offence to people and organisations with whom the authority's relationships should be cordial. But an appearance of improper influence is easily created and with it encouragement of cynicism about the motive of those who serve in local government”.

The best general advice which can be given about offers of gifts or hospitality is to seek the advice of the Chair of Governors, or “when in doubt, opt out”. This is a good principle to follow since in law, the receipt of a gift in certain circumstances can impose a presumption of guilt which the ‘accused’ has to rebut.

Gifts

The general convention should be that gifts offered by persons who are providing or seek to provide goods or services to Joydens Wood Junior School or who are seeking decisions from the Academy should be politely refused and returned. This applies particularly to personal gifts offered to employees or members of their families. However, there is a need to recognise and provide for items of a very minor nature which come into the work-place as a consequence of normal commercial practice or as a token of appreciation. These are the items of a promotional character which are given to a wide range of people and not personally only to the employee. These gifts are usually given at Christmas time and include calendars, diaries, desk sets, flow charts, tape measures and other minor articles of use in the office or job.

Gifts may also be offered, for example, at the conclusion of a courtesy visit to another organisation. If these are of the type normally given by that organisation to visitors and of a minor nature (e.g. small free sample or a mug) they can be accepted. Similar arrangements apply where the refusal of a small gift would give needless offence. The small gift should only be accepted if the giver merely wishes to express thanks for advice, help or co-operation received.

In all cases of this nature it is wise to err on the side of caution: an obviously expensive gift should be tactfully declined. If a gift is simply delivered it should be returned to the donor and the Chair of Governors advised of the action taken. A note of the action taken should be placed on file by the Chair of Governors. If there is a problem in returning it, the Chair of Governor's advice should be sought.

Hospitality

Hospitality of differing levels might be offered to the Academy staff and accepted at official level because that course of action is reasonable in all the circumstances. However, an offer of hospitality to individual employees calls for special caution particularly if the "host" is doing or trying to do business with the Academy or hoping to obtain a decision from it. It is very important to avoid any suggestion of improper influence. It is difficult to give fixed guidelines to be followed on all occasions. It is clearly a matter of individual judgement but the following paragraphs may indicate what is acceptable and what is not.

A working lunch of modest standards to allow the parties to continue to discuss business already started would normally be acceptable: this is a case where the modest hospitality is secondary to a specific working arrangement. The employee should be careful not to claim subsistence allowance unless the money claimed has actually been spent on, for example, the purchase of drinks to accompany the meal. On the other hand, it would not be acceptable conduct for an employee to accept a holiday (at home or abroad), or tickets for concerts, theatre or sporting events, the use of a company flat or hotel suite, or expensive hotel meals not connected with official business.

There are occasions when an offer of hospitality of any kind should be declined, e.g. when the person offering the hospitality has a matter currently at issue with the Academy such as a tender under consideration or a contract dispute.

Promotional Offers

There has been a lot of publicity about unethical sales promotion techniques adopted by some companies. Purchasing inducements are offered in various forms; gifts, vouchers to be used against future orders, the 'buy one get one free' type of offer and the misleading offers which results in more goods being ordered than are required.

It is important to remember that when purchasing for the Academy, the best possible deal for the Academy must be obtained. Any commission vouchers, cash discounts etc. offered by a contractor in connection with the order belong to the Academy. If employees receive an approach from a supplier (or prospective supplier) which seems to be unauthorised in any way, or if they receive a gift or voucher from such a supplier, they should immediately inform the Business Manager.

Staff Gifts & Hospitality Register Form

Staff should complete this form and return to the Headteacher for submission to the Governing Body.

Section One of this form should be completed (either in electronic or paper form), in accordance with the Staff Gifts & Hospitality Policy, for all offers of hospitality or gifts either received or offered to staff (with the exception of low value gifts from parents/students only – see Policy for details).

SECTION ONE: Details of the offer – this section must be completed by the Staff Member receiving the offer.

Date of offer:

Name of employee:

Who offered the gift or hospitality?

What is your relationship with the individual/organisation offering the gift or hospitality?

Nature of gift or hospitality offered:

Details of other staff members offered the same gift or hospitality:

Proposed Action (delete as appropriate)

Accept / Decline / Already declined

This form must be authorised by the Governing Body before any offer is accepted.

Employee's signature:

Date:

Following completion of the above section and before any offer is accepted this form must be authorised by the Governing Body.

SECTION TWO: Action authorised by the Governing Body

Chair of Governors' name:

Record of action (delete as appropriate)

Agree acceptance / Acceptance not authorised / Agree action to decline

Please ensure the staff member who received the offer is aware of your decision.

Chair of Governors signature:

Date:

Please ensure:

(i) The employee is informed of your decision (ii) This form is recorded on the Register of Staff Gifts and Hospitality (iii) This form is filed in the Register of Staff Gifts and Hospitality.

