



## Gifts Policy

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### Meller Educational Trust

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### 1. Background

Meller Educational Trust (MET) is committed to the highest level of integrity, honesty and accountability in all its business dealings. All staff, trustees and governors 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 or Trust.

In order to protect all individuals associated with the Trust, and the reputation of the Trust and its academies, from accusations of bribery or corruption, the Trust has established this policy and associated register. These set out the parameters for accepting gifts and hospitality, along with a requirement to record all gifts received above the threshold. All staff, trustees and governors 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 organisation) fail to prevent bribery by those acting on its behalf (associated persons) to obtain or retain business or a business advantage for the organisation.

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.

The Trust and each Academy will hold a Gifts and Hospitality Register. All gifts/hospitality over the value of the threshold determined from time to time by Trustees must be recorded in the Gifts and Hospitality Register. The threshold is set within the definitions section below.

Each academy will report a summary of its register to the Director of Finance and Operations annually, and will maintain it for inspection at any time. These registers will include academy staff and members of the local governing body. The Trust will maintain its own register for central employees and trustees, and provide a report to trustees at least annually.

## 2. Definition

A Gift is any item or service, award, prize or any other benefit which is received free of charge; or personally offered at a discounted rate or on terms not available to the general public or which might be seen to compromise the personal judgment or integrity of the recipient.

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

Threshold – Trustees will, from time to time, determine the threshold below which gifts, benefits or services are deemed of trivial value. The threshold is £25, and items or services that are, or are believed to be, of a value greater than this threshold require declaration in the register of gifts and hospitality.

## 3. Dealing with Gifts and Hospitality

The Trust expects staff, trustees and governors to exercise the utmost discretion in giving and accepting gifts and hospitality when on Trust or Academy business. Particular care should be taken about a gift from a person or organisation that has, or is hoping to have, a contract with our organisation. In any case of doubt advice should be sought from the academy business manager or the MET Director of Finance and Operations.

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

Staff, trustees and governors 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 Trust/Academy might be placed under an obligation.

Gifts of low intrinsic value such as promotional calendars or diaries, or 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 or the MET Director of Finance and Operations. Where a series of gifts, benefits or services are provided, then the threshold applies at both the individual level and the aggregate level: so, for example, multiple gifts from the same individual or company, each of a value of, say, £20, would need to be declared. The aggregation applies to any twelve month period, so an annual gift of a £20 item, say, would not need to be declared.

If the value of the gift, benefit or service is unknown, and cannot be ascertained, then a declaration should be made and an estimate should be made of value. If an estimate cannot be determined, then “unknown” should be entered as a value with a description of the gift or service received.

#### **4. Gifts from parents or students**

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 the threshold 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 the threshold 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 Academy business manager or the MET Director of Finance and Operations for approval within their discretion.

#### **5. Acceptance of gifts or services on behalf of the Trust or academy**

Staff, trustees and governors are normally expected to offer any non-consumable gift, benefit or service that is valued over the threshold to the academy or Trust in the first instance

Where the gift, benefit or service is offered to the academy business manager, then approval should be sought in the first instance from the Principal. If the gift, benefit or service is offered to the MET Director of Finance and Operations, approval should be sought from the Chief Executive. If the gift, benefit or service is offered to the Chief Executive or non-executive trustee, then approval should be sought from the Chair of the Board.

#### **6. Hospitality**

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 Trust 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 governor 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 or lunch) it is their responsibility to discuss this with the business manager immediately.

#### **7. Gifts and hospitality - examples**

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 business manager as soon as possible, who may decide to return the gift, or make use of it for academy purposes. Where the item has a significant value, the academy is obliged to consider selling or leasing to maximum charitable revenue.

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 governor 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 Trust or one of its academies for a member of staff, trustee or governor to attend a sponsored event, the attendance must be formally approved and registered by the MET Director of Finance and Operations.

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.

Note that gifts received from an individual or academy within the Trust fall outside the scope of this policy, and do not need to be reported in the gifts register. Examples would include hospitality at another MET school, use of a room or discounted lettings, gifts or flowers to mark an occasion. Note that other policies may require reporting, such as staff conduct.

## **8. Giving Gifts and Hospitality**

The Trust and its academies 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. From 1 September 2018, purchasing alcohol with public monies is classified as irregular. This does not apply to the award of gifts, prizes, etc. related to the achievement of pupils e.g. attainment or merit awards.

The Academies financial handbook issued by the Department for Education sets a limit for gifts given by a Trust, and the thresholds apply at Trust level rather than academy level. It is therefore important that any proposal to provide a gift or donation above the threshold are approved by the Director of Finance and Operations in advance.

Where hospitality is provided by the Trust or its academies 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 organisation. 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.

## 9. Non Compliance

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

## 10. Review

This policy will be reviewed by the Trust Board every 3 years, or sooner as legislation and/or guidance requires.