

Aylesford School

and Sixth Form College



learning together from 4 to 18

GIFTS AND HOSPITALITY POLICY

Updated: January 2021
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Lead: Headteacher
Via: Finance & Premises

'from potential to reality'

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A charitable company registered in England and Wales, company number 7848367
Headteacher: Tim Hodgson

1. Policy aims

This policy aims to ensure that:

- 1.1 The academy trust's funds are used only in accordance with the law, its articles of association, its funding agreement and the procedures outlined in the latest Academies Financial Handbook
- 1.2 The trust and all those associated with it operate in a way that commands broad public support and respect
- 1.3 The trust maintains due regard to propriety and regularity, and ensures value for money, in its use of public funds
- 1.4 Trustees fulfil their fiduciary duties and wider responsibilities as charitable trustees and company directors
- 1.5 Members, trustees and staff are fully 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. Legal basis

- 2.1 The Academies Financial Handbook, clearly states that academy trusts 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 judgment or integrity of members, trustees, staff and/or any other representative of the trust.
- 2.2 This policy ensures compliance with both the academy trust's funding agreement and articles of association.

3. Definitions

- 3.1 Gifts are any items, cash, awards, prizes, goods or services that are offered without expectation of payment or benefit. Gifts can also include goods or services offered at a discounted rate or on terms not available to the general public.
- 3.2 Hospitality is defined as food, drink, accommodation or entertainment (such as cultural or sporting events) provided free of charge, heavily discounted or offered on terms not generally available to the general public.

4. Roles and responsibilities

Members, trustees and employed staff

- 4.1 Must not give or accept gifts or hospitality to or from a third party where it might be perceived that their personal integrity has the potential to be compromised, or that the trust might be placed under any obligation as a result of acceptance.
- 4.2 Must not use their official position to further their private interests or the interests of other parties.
- 4.3 Must not solicit gifts or hospitality.
- 4.4 Must record any gifts or hospitality offered to them or the trust with a value of over £10 on the gifts and hospitality register [appendix 1] within 7 working days, even if declined. Any gift over £35 should be declined.

Academy trustees

4.5 Will ensure that the trust's funds are used in a way that demands broad public support, whilst paying due regard to propriety, regularity and value for money.

The Headteacher

The Headteacher will ensure that:

- 4.6 All staff are aware of, understand this policy and implement it consistently.
- 4.7 They act with the utmost integrity in all matters related to this policy, ensuring that they set a good example both within the trust and outside the organization.
- 4.8 That compliance of individuals who are employed by or who represent the trust with this policy.

The Director of Operations

The Director of Operations will ensure:

- 4.9 The trust maintains a gifts and hospitality register.
- 4.10 Relevant disclosures are made in the trust's audited accounts in accordance with the Academies Financial Handbook.
- 4.11 The academy trustees and headteacher are notified of any concerns related to compliance with this policy.
- 4.12 The effective operation of this policy.

Parents and carers

4.14 Whilst the academy trust would not wish to discourage small tokens of gratitude it would ask all parents and carers to understand the very necessary restrictions that need to be placed upon the acceptance of gifts over a certain value.

Suppliers, sole traders and companies employed by the trust

4.15 Although the academy trust values the very good working relationships that it has with all its suppliers, sole traders or contracted companies it generally discourages the offer of gifts or tokens of gratitude to its employees in connection with the provision of services.

5. Acceptable gifts and hospitality

5.1 Receipt of gifts or hospitality

- 5.1.1 Members, trustees and staff can accept gifts and hospitality up to a value of £10. These do not need to be approved or recorded in the gifts and hospitality register.
- 5.1.2 Small promotional items such as pens, stationary, mugs or other sundry items are acceptable without notification providing that no single or collection of items exceed the maximum values set by this policy. However, this value should not exceed £35 and directions set out in this policy must be followed
- 5.1.3 General hospitality such as refreshments, snacks and working lunches are acceptable when offered as either subsistence arrangement or in the maintenance of good relationships with key contacts provided that the

level of catering provided is not extravagant or out of proportion with the nature of the event.

- 5.1.4 The chair of trustees, the headteacher and all members of the school leadership team should be very cautious about accepting any gifts or hospitality that might call into question their impartiality or professional conduct.
- 5.1.5 Failure to comply with the directions set out in this policy may be treated as a disciplinary matter in accordance with the appropriate trust policies.

5.2 Provision of gifts or hospitality

5.2.1 Expenses

Members, trustees and staff employed by the trust are permitted to claim reasonable, travel, subsistence and agreed tuition expenses incurred whilst:

- a) Undertaking their normal contractual duties
- b) Completing agreed professional training or academic study
- c) Attending agreed educational visits

In all cases payments will only be made in receipt of valid receipts and significant amounts over £150 should be agreed in advance.

5.2.2 Hospitality

- 5.2.2.1 Any gifts or hospitality provided by the trust, such as a working lunch or refreshments for visitors must not be extravagant with a maximum of £20 per head used as a guideline.
- 5.2.2.2 The costs of any hospitality provided in recognition of retiring employees should be established in consultation with the chair of trustees and headteacher.
- 5.2.2.3 **The purchase of alcoholic beverages using public money is expressly forbidden (2.25) of the Academies Financial Handbook.**
- 5.2.2.4 The headteacher or director of operations must be consulted about any proposal to use significant trust funds to provide gifts or hospitality to any individual or group.

6. Provision of gifts or hospitality

The following must never be accepted

- 6.1 Monetary gifts
- 6.2 Gifts or hospitality offered to family, partners or close friends of members, trustees or staff.
- 6.3 Gifts or hospitality from a potential supplier or tenderer in the immediate period before tenders are invited or during the tendering process.
- 6.4 Lavish or extravagant gifts or hospitality, even if they relate to activities the recipient undertakes in their own time.

7. Declining gifts and hospitality

- 7.1 Any member, trustee or employee of the trust offered a gift or hospitality outlined in section 6 should politely decline.
- 7.2 If they feel it would be difficult or inappropriate for them to decline directly they should refer the matter to either the headteacher or director of operations. The

headteacher or director of operations may decline the offer or request that it be directly donated to a charitable cause, whilst ensuring that it is recorded in the register.

7.3 Disciplinary action will be taken against anyone who accepts gifts or hospitality identified in section 6 of this policy.

8. Monitoring arrangements

The gifts and hospitality register is monitored regularly by the director of operations.

The policy is subject to review and approval every two years by trustees.

9. Links with other policies

- Staff code of conduct
- Staff disciplinary procedures
- Academy financial handbook