



Emmanuel

Diocese of Liverpool
Academies Trust

Gifts and Hospitality Policy

‘serving flourishing communities’

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1.0 Policy Statement

Emmanuel Diocese of Liverpool Academies Trust (the Trust) aims to provide the highest standard of service to all of its students and parents and to care for the well-being of its employees. In return students, parents and the public are entitled to expect the highest standards of conduct from all of the academy's Trustees, Governors and employees with reference to propriety and regularity in the use of public funds.

2.0 Scope and Purpose

This Gifts and Hospitality Policy is intended to assist all relevant persons in following the various Academy guidance and relevant legislation on the giving and receipt of hospitality or gifts.

The policy covers both the receipt and delivery of hospitality and gifts to:

- Employees of the Trust
- Directors
- Members of the Local Governing Bodies (LGBs) or subcommittees of any of the Academies in the Trust

The term 'gifts' is deemed to include:

- Goods provided for personal or other private use
- Personal services
- Loans of equipment, vehicles etc for personal use
- The provision of goods and/or services at preferential cost (including loans of money) for personal or other private use.

The term 'hospitality' is deemed to include the offer or receipt of:

- Food and drink
- Travel
- Accommodation
- Entertainment

3.0 Legal Framework and National Guidance

The Bribery Act 2010 is concerned with bribery. Very generally, this is defined as giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so. So, this could cover seeking to influence a decision-maker by giving some kind of extra benefit to that decision maker rather than by what can legitimately be offered as part of a tender process.

The Act provides for two general offences covering the offering, promising or giving of a bribe (active bribery) and the requesting, agreeing to receive or accepting of a bribe (passive bribery).

It also sets out two further offences relating to bribery of a foreign public official in order to obtain or retain business or an advantage in the conduct of business and a new form of corporate liability for failure to prevent bribery on behalf of a commercial organisation.

4.0 Acceptable Practice

This policy does not prohibit normal and appropriate hospitality (both given or received) if the following requirements are met:

- It is not made with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage, or in exchange for favours or benefits.
- It is given in the trust's name, not in the individuals.
- It complies with local law.
- It does not include cash or a cash equivalent, e.g., vouchers, gift certificates.
- It is appropriate in the circumstances, e.g., the giving of small gifts at Christmas time.
- The type and value of the gift is reasonable given the reason the gift is offered.
- It is given openly, not secretly.
- Gifts should not be offered to, or accepted from, government officials or representatives without the prior approval of the CFO/DCFO.

The advice of the trust is to, in all circumstances, consider whether the gift or hospitality is reasonable and justified and to consider the intention behind the gift.

5.0 Unacceptable Practice

It is not acceptable for employees to:

- Give, promise or offer a payment, gift or hospitality, with the expectation or hope that an advantage for the trust will be received or to reward an advantage already received.
- Give, promise or offer a payment, gift or hospitality to a government official, agent or representative to facilitate or expedite a routine procedure.
- Accept payment from a third party if they know or suspect that it is offered with an expectation of a business advantage in return.
- Threaten or retaliate against another worker who has refused to commit a bribery offence or who has raised concerns under this policy.
- Engage in any activity that may lead to a breach of this policy.

6.0 Gifts

- Gifts of a value of £50 or less can be accepted from parents and pupils without approval from the CFO/DCFO (providing that these gifts do not satisfy the conditions outlined below). These gifts do not need to be recorded in the Gifts and Hospitality Register.
- Gifts from groups of pupils or parents are permitted up to the value of £100 (providing that these gifts do not satisfy the conditions outlined below). These gifts do not need to be recorded in the Gifts and Hospitality Register.
- The below are not acceptable:
 - Cash.
 - Alcohol
 - Gifts or hospitality offered to their spouse, partner, family member or friend.
 - Gifts or hospitality from a potential supplier or tenderer.
 - Lavish or extravagant gifts or hospitality.
- The following should be considered before accepting any gifts:
 - Whether there is any benefit to the trust in them accepting the scale, amount, frequency and source of the offer.
 - The timing of the offer in relation to forthcoming decisions.
 - Whether accepting the offer could be misinterpreted as a sign of their, or the trust's support or favour.
- To achieve propriety in the use of public funds, gifts for members of staff who are leaving or have a personal celebration should only be bought with voluntary contributions from colleagues.
- Academies may, at the Headteachers discretion, use funds responsibly for the purpose of staff and governor wellbeing and recognition, e.g., thank you cards for recognition or flowers to recognise a bereavement. The value should be reasonable and not exceed £50. Anything above this requires CEO approval. It may be appropriate to consider a charitable donation through voluntary contributions instead. Alcohol must never be purchased under any circumstances.

7.0 Hospitality

- Modest working meals and light refreshments are accepted without making any declaration.
- Other hospitality may be accepted, for instance where:
 - there is a genuine need to impart information or represent the academy in the community
 - an event is clearly part of the life of the community or where the academy should be seen to be represented
 - the hospitality concerns attendance at a relevant conference or course where it is clear the hospitality is corporate rather than personal
- Before accepting any hospitality, approval should be sought from the Chair in respect of Governors or the Headteacher in respect of employees.
- In exceptional circumstances retrospective approval may be obtained. All hospitality received must be recorded in the academy's hospitality register with the exception of working meals, receptions for visiting staff or business colleagues etc.
- It may be appropriate for the Trust or an academy to provide a celebratory meal or business event in keeping with the ethos of the Trust to celebrate achievements and/or hard work. In approving such events, the Chief Executive Officer will give due consideration to both rules on personal taxation from HMRC and the requirement to properly utilise public funds. For example, staff events should be available to all staff in a location and in aggregate should not breach the HMRC regulations of £150 per person per annum. Event budgets should not exceed £50 per head.

These do not need to be added to the register but will be monitored by the CFO/DCFO and Headteacher to ensure they are at a reasonable level.

- Any hospitality provided should not be extravagant or excessive in nature.

8.0 Gifts and Hospitality Register

- Gifts and hospitality over the permitted limit must be recorded in the Academies gifts and hospitality register held by the school business manager.
- This must include any instances that have been declined in line with the policy.
- All gifts purchased by the academy for staff in line with paragraph 6.0 must be recorded
- Information required for register:
 - Date of entry
 - Name & job title of recipient
 - Name of provider
 - Nature and purpose of hospitality/ gift received/offered
 - Action taken – Accepted / Refused / Returned
 - Estimated value
- The register will be maintained by the Academy and submitted to the trust on an annual basis to be made available to the external auditors.
- The trust DCFO will maintain a register for central team employees.