



**St Ralph  
Sherwin**  
Catholic Multi Academy Trust



# Gifts and Hospitality Policy

Version 2  
November 2021



One of four Catholic Multi  
Academy Trusts in the  
Diocese of Nottingham



## Document Provenance

<b>Title of policy:</b>	Gifts and Hospitality Policy	
<b>Author and policy owner in the Executive Team:</b>	Finance Director	
<b>Version number:</b>	2	
<b>Date approved:</b>	30 November 2021	
<b>Approved by:</b>	Audit, Risk and Governance Committee	
<b>Date of next review:</b>	November 2023 ( <i>every 2 years</i> )	
<b>Document review and editorial updates:</b>		
<b>Version control</b>	<b>Date</b>	<b>Key revisions included</b>
Version 2	30 November 2021	New templated policy. Updated to set out requirements of what staff, directors and governors must do in adhering to this policy. Updated in relation to the addition of new strategic oversight with a centrally held composite register by the FD/GM. Updated item 6.10 of gifts that must not be accepted.



## 1. Introduction and Purpose

- 1.1. The intention of this policy is to ensure that The Trust (St Ralph Sherwin Catholic Multi Academy Trust) can demonstrate that no undue influence has been applied or could be said to have been applied by any supplier or anyone else dealing with The Trust. The Trust must be able to show that all decisions are reached on the basis of value for money and for no other reason. Any consideration of whether or not the principles of this Policy have been breached will be determined by reference to this provision.
- 1.2. Policies and procedures implemented by The Trust are produced to control the organisation's exposure to risks in line with the Risk Policy and those identified within the Risk Register. All Trust Board Directors, staff and governors must be made aware of this and all policies of the Trust and the procedures in place, including any updates issued from time to time. Should Trust Board Directors, staff and governors have any queries relating to this or any other policy or procedure they should contact the Trust's Company Secretary who will ensure adequate training and guidance is provided.
- 1.3. All Trust Board Directors, staff and governors are expected to maintain high standards of professionalism and propriety in all their dealings to make sure they are entirely free from any conflict of interest and at all times act within the vision of the Trust, and not accept a gift or hospitality in circumstances where it could influence, or could be seen to influence, that person's actions or decisions. The Trust and all academies will be open and transparent in declaring all gifts and hospitality whether or not accepted.
- 1.4. Business gifts and hospitality should not be accepted by any member of staff, except as provided for below in this Policy.
- 1.5. A full record will be made in the Gifts and Hospitality Register. Each academy will retain an up-to-date register and the Trust will also collate a live a master copy.
- 1.6. Any breach of this Policy could lead to an investigation and may lead to disciplinary action through the Disciplinary Policy.

## 2. Objectives

- 2.1. The objectives of this policy are to:
  - Ensure that The Trust can demonstrate that no undue influence has been applied by any person or organisation in its business transactions;
  - Set clear requirements for staff regarding the accepting and giving of gifts and hospitality.



### 3. Scope

- 3.1. This policy applies to Trust Board Directors, staff and governors in all academies within St Ralph Sherwin Catholic Multi Academy Trust (The Trust). In upholding this policy, Directors, staff and governors will adhere to all expectations set out in the Nolan Principles<sup>1</sup>.

### 4. Legislation and Regulation

- 4.1. This policy is written in accordance with requirements set out in the ESFA (2021) Academy Trust Handbook.
- 4.2. The policy complies with the following regulations and legislation:
- The Bribery Act 2020<sup>2</sup>
  - The Companies Act 2006 Section 176<sup>3</sup>
- 4.3. The Bribery Act 2021 makes it a criminal offence to:
- Offer, promise, or give a bribe;
  - Request, agree to or accept a bribe;
  - (*by an organisation*) failure to prevent bribery by those acting on its behalf ('associated persons') to obtain or retain business or a business advantage for the organisation.

### 5. Definitions

#### 5.1. Gifts

- 5.1.1. 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.

#### 5.2. Hospitality

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

### 6. Dealing with Gifts and Hospitality

- 6.1. The Trust expects staff, Directors 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, The Trust. In any case of doubt advice should be sought from the Headteacher or Trust Finance Director.
- 6.2. Staff, Directors and governors must not make use of their official position to further their private interests or those of others.

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<sup>1</sup> [The Seven Principles of Public Life - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

<sup>2</sup> [Bribery Act 2010 guidance - GOV.UK \(www.gov.uk\)](http://www.gov.uk)

<sup>3</sup> [Companies Act 2006 \(legislation.gov.uk\)](http://legislation.gov.uk)



- 6.3. Staff, Directors 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 or an individual academy might be placed under an obligation.
- 6.4. Gifts of low intrinsic value (not more than £10) 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 Trust Finance Director.
- 6.5. 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 £25 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 £25 are accepted, these must be recorded in the register.
- 6.6. 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 Headteacher or to the Trust Finance Director for approval within their discretion; if deemed acceptable, these items must be recorded in the Register.
- 6.7. 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 Gifts and Hospitality Register. Hospitality received above this level must be recorded in the Gifts and Hospitality Register.
- 6.8. If a member of staff, Director 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 Trust (other than light refreshments) it is their responsibility to discuss this with the Trust Finance Director immediately.
- 6.9. 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 must then be brought to the attention of the Trust Finance Director as soon as possible who may decide to return the gift, or may donate it to a Trust raffle/ fair or a charitable cause.
- 6.10. Examples of gifts or hospitality that **must not be accepted** are:
- alcohol;
  - 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, Director 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 in a member of staff, Director or governor attending a sponsored event, the attendance must be formally approved and registered by the Trust Finance Director*).
- 6.11. Where a gift is received on behalf of The Trust, the gift remains the property of The Trust. The gift may be required for display and it may, with the Headteacher's approval, remain in the care of the recipient. Unless otherwise agreed, the gift must be returned to The Trust on or before the recipient's last working day with the Trust.
- 6.12. Where gifts in the form of sponsorship of a Trust event are made then full details must be entered in the Gifts and Hospitality Register.
- 6.13. Gifts are sometimes offered by suppliers with the purchase of items. All such special offer gifts are the property of The Trust and must be used accordingly.

## **7. The Giving of Gifts and Hospitality**

- 7.1. The Trust 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. This does not apply to the award of gifts, prizes etc. related to the achievement of pupils e.g., attainment or merit awards.
- 7.2. Where hospitality is provided by the Trust or at each individual academy this should be approved in advance by the Finance Director or Headteacher. In approving hospitality, the Finance Director or Headteacher should ensure it is not in breach of the UK Bribery Act 2010 and also that the costs are appropriate for a publicly funded organisation. Hospitality such as working lunches, coffees etc and modest hospitality in the form of meals etc are 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 must be recorded in the register.
- 7.3. Gifts provided by the Trust or its academies outside of those covered above (e.g., gifts to clergy, the Nottingham Roman Catholic Diocese, and charitable donations) must be provided for out of general fund raising and not from public funds. Full records will be maintained of these gifts and donations in the Gifts and Hospitality Register.

## **8. Non compliance**

- 8.1. In the case where it is believed a member of staff, Director or governor has not declared a gift or hospitality then a formal investigation will be instigated by the Chair of the Trust Board or Finance Director. If misconduct is proven then this may take the form of disciplinary procedures in the case of employees.



## **9. Responsibilities**

- 9.1. All staff, Directors and governors have a responsibility to read, understand and fully adhere to the requirements set out in this policy.
- 9.2. This policy will form part of the induction pack for all new staff, Directors and governors.
- 9.3. All line managers are responsible for ensuring that members of their team/s understand and act in accordance with the requirements in this policy on a day-today basis.
- 9.4. The Finance Director is accountable for making sure that the policy is implemented Trust wide and ensuring a statement is issued in the Annual Report and Accounts reporting on the key performance measures in this policy.
- 9.5. Each academy will maintain a Gifts and Hospitality Register available for inspection at any time and a central trust-wide Register will be coordinated by the Finance Director and Governance Manager.

## **10. Monitoring, Compliance and Review**

- 10.1. The Finance Director has overall responsibility for monitoring and reviewing the impact of this policy and making recommendations for updates and revisions as needed, or when there are changes in regulations and legislation that the Trust must respond to.
- 10.2. The Audit, Risk and Governance Committee will review and sign off this policy every two years, unless there are regulatory and legislative changes within the two-year window which require the policy to be updated.