DISCOVERY
EDUCATIONAL TRUST

Gifts and Hospitality Policy

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Gifts and Hospitality Policy

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Updates since last edition:

Throughout	Removed reference to EHT alongside HTs.
Throughout	Increased G&H threshold from £25 to £35.
Sections 4 and 12	Additional wording concerning receipts of gifts by staff, Local Governors, Trustees and Members for milestone birthdays/other life events.

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1. Guidance on Gifts and Hospitality

The conduct of members of staff or Local Governors/Trustees/Members should never lead anyone to question their interests, or lead anyone to think that they have been influenced by gifts and hospitality. Their own personal reputation and that of Discovery Educational Trust (DET) and its Schools could be seriously affected if they inappropriately accept a gift or hospitality.

Staff and Local Governors/Trustees/Members should treat with caution any offer of a gift or hospitality made to them personally; considering, in particular, whether the acceptance is a benefit to DET/its Schools, the scale, amount, frequency and source of the offer, the timing of the offer in relation to forthcoming decisions and whether accepting could be misinterpreted as a sign of their personal, or DET/School, support or favour.

DET and its Schools must be able to show that all decisions are reached based on value for money, as directed by the Academy Trust Handbook (ATH), and are consistent with the DET Financial Regulations and Financial Scheme of Delegation.

If in doubt, the recipient should always speak to the Headteacher (HT) (for members of staff), to the Chief Executive Officer (CEO) (for HTs), to the Chief Financial and Operations Officer (CFOO) (for Central Services staff), to the Chair of the Local School Committee (LSC)/Chair of Trust Board (TB) for Local Governors/Trustees respectively or to the Chair of the TB (for Members). It is the recipient's responsibility to follow the DET guidance on gifts and hospitality and to justify why they chose to accept a gift or hospitality offered.

DET/its Schools take disciplinary action against any member of staff or Local Governor/Trustee/Member if they fail to follow the guidance. It is also a criminal offence for any member of staff or Local Governor/Trustee/Member to demand or accept a gift or reward in return for being influenced on any decision and this could result in a person being prosecuted by the Police.

This guidance applies to all staff and Local Governors/Trustees/Members without exception.

2. Definition of a Gift

A gift is any item or service that an individual receives free of charge. It also includes any goods or services, which are offered to the individual at a discounted rate, or on terms not available to the general public.

3. Definition of Hospitality

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

Prohibited Gifts

DET prohibits the accepting of gifts from, or the giving of gifts to, a third party in the following circumstances:

- it is 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 explicit or implicit exchange for favours or benefits;
- it contravenes the law;
- it is given in your name, not in the name of the Trust or one of the Trust Schools;
- it includes cash or a cash equivalent, such as gift certificates or vouchers (other than as permitted under the Staff Code of Conduct/Trustee and Local Governor Code of Conduct/DET Gifts and Hospitality Policy (refer Section 4. below));
- considering the reason for the gift, it is of an inappropriate type and value and given at an inappropriate time;
- it is given secretly;
- where a third party is a Government official or a representative, or a politician or a political party.

4. Value Limit on Gifts or Hospitality that can be Accepted without any Approval

Staff and Local Governors/Trustees/Members can accept gifts and hospitality, which are small gestures and that have a value of £35 or less, without the relevant approval.
Gifts and hospitality of this nature do not need to be recorded in the School/Central Services Team Gifts and Hospitality Register (G&H Register). These include:

- Gifts from suppliers with an estimated value, up to a maximum, of £35;
- Small gifts from those receiving a service from DET/its Schools as a token of appreciation (e.g. from parents/carers or pupils to teachers), up to a maximum of £35;
- 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).
- On occasion, staff, Local Governors, Trustees and Members may receive gifts from the Trust/Schools in celebration of a special milestone birthday or other life event, which may exceed the £35 limit. Approval for such gifts is provided prior to them being ordered, and will be added to the Register by the approver (rather than by the recipient).

Where purchased items include a “free gift”, such a gift should be either used for DET/School business or handed to the Schools to be used at charity raffles etc.

5. Approval from the Headteacher, Chief Financial and Operations Officer, Chief Executive Officer or Chair of Local School Committee/Trust Board

Any gift or hospitality, which is more than just a token, defined as having a value of more than £35, should be politely refused or returned. Staff/Local Governors/Trustees/Members must have the prior written approval (see below) to accept something, which has a higher value, which, in any event, should only be given in exceptional circumstances.

- School staff must have the prior written approval of the HT;
- Central Team staff must have prior written approval of the CFOO:
- The HT must have the prior written approval of the CEO;
- The CFOO must have the prior written approval of the CEO;
- The CEO must have the prior written approval of the Chair of the TB;
- A Local Governor must have the prior written approval of the Chair of the LSC;
- A Trustee must have the prior written approval of the Chair of the TB;
- A Member must have the prior written approval of the Chair of the TB;
- Any gifts or hospitality accepted by the Chair of LSC must be referred to the Chair of the TB for prior written approval;
- Any gifts or hospitality accepted by the Chair of the TB must be referred to the full TB for prior written approval.

If there is any doubt or concern about the public perception that might be attached to accepting any gift or hospitality, the matter must be referred to the TB.

6. Declaring Offers of Gifts and Hospitality

A declaration should be made as soon as possible after the offer or receipt of gifts or hospitality, even if it is not accepted. All declarations should be made to the School Finance Lead (SFL)/Director of Finance (DoF) Central Services Team. The SFL/DoF records the declaration in the School/Central Services Team G&H Register.

The declaration must include the following information:

- date of offer of gift or hospitality, and date of event, where relevant;
- name, job title and organisation of recipient/provider;
- nature and purpose of gift or hospitality received or declined;
- the name of any other organisation involved;
- estimated value;
- Gifts and hospitality received, ***but lacking the necessary approval as detailed above,*** should be placed in secure storage and used for the benefit of DET/its Schools or a local charity, for example, as a prize in a charity raffle. Gift vouchers must be kept in the safe.

Where a conflict of interest with a supplier exists, or two or more gifts exceeding £35 are received in the same academic year from the same source, staff must make a declaration.

7. Gifts and Hospitality Register

All offers received, which have a value of more than £35, must be recorded in the School/Central Services Team G&H Register, which is maintained by the SFL/DoF.

It should be noted in the G&H Register whether the offer is accepted or declined.

8. Gifts or Hospitality that should never be Accepted

The following must never be accepted:

- cash or monetary gifts;
- gifts or hospitality offered to a husband, wife, partner, family member or friend of a member of staff or Local Governor/Trustee/Member;
- gifts or hospitality from a potential supplier or tenderer in the immediate period before tenders are invited or during the tender process;
- lavish or extravagant gifts or hospitality, even if they relate to activities taking place outside of working hours.

9. Hospitality

Hospitality offered should only be accepted where there is a direct link to working arrangements and a genuine business reason can be demonstrated. For example:

- attendance or speaking at a conference, which provides complimentary subsistence, travel and accommodation (this does not need to be declared on the Register except where a gift was also received);
- attendance at a free training course;
- attendance at a drinks reception in order to network.

It is recognised that there is a need to ensure good relationships with existing and future contractors and stakeholders, and that this may involve, for example, the receipt of modest working lunches and dinners. These are acceptable where there is a genuine business reason.

Hospitality invitations to events, which are purely social events, should be considered very carefully before being accepted; in such circumstances, it may be much more difficult to substantiate a genuine business reason. If acceptance is agreed, staff are expected to use annual leave for such events. Staff or Local Governors/Trustees/Members must not accept free holidays from a current or potential contractor. All invitations should be recorded in the G&H Register, whether received or declined.

10. Gifts or Hospitality from Pupils or Parents/Carers

Gifts or hospitality received by members of staff from pupils and/or parents/carers must comply with the rules laid down in this Policy, and, if in excess of the token value of £35, be recorded in the School/Central Services Team G&H Register.

Staff must never accept cash or monetary gifts such as Amazon tokens, or gift vouchers. If parents/carers form a collective in order to present a member of staff with a gift, that is acceptable, provided that the individual contributions do not exceed the relevant token amount of £35. Such gifts must be recorded in the School/Central Services Team G&H Register and their acceptance ratified by the relevant approver.

Parents/carers must be made aware of the relevant content of this policy and also that collaborating by having a collection for one large gift may not be acceptable.

11. Gifts Received without Warning

If the gift is more than just a token, it should be politely and courteously declined. Where it would be inappropriate to do this, the matter must be referred to the HT/CEO/CFOO/Chair of the LSC/TB as soon as possible, who decides on the next steps. The HT/CEO/CFOO/Chair of the LSC/TB may decide to return the gift, or may donate the gift to a worthy local cause.

12. Gifts Provided by DET/Schools

Any gifts purchased and provided by DET/its Schools should be:

- Of a nominal value up to £35 only;
- Given to staff or Local Governors/Trustees/Members only in relation to specific and relevant personal circumstances (e.g. illness, bereavement, retirement), or upon leaving the employment or service of DET/School.
- Authorised by the CEO or by the Chair of the LSC/TB in respect of any gifts given by the HT, or by the Chair of the TB in respect of any gifts given by the CEO or Members, or by the full LSC/TB in respect of any gifts given by the Chair of the LSC/TB.
- Purchased from DET/School unrestricted funds, and not from Department for Education (DfE) funding or any other funding provided for specific purposes;
- Recorded in the relevant School/Central Services Team G&H Register, which should be available for review by the LSC/TB or external auditors upon request.
- On occasion, staff, Local Governors, Trustees and Members may receive gifts from the Trust/Schools in celebration of a special milestone birthday or other life event, which may exceed the £35 limit. Approval for such gifts is provided prior to them being ordered, and will be added to the Register by the approver (rather than by the recipient).

Alcohol should not be given as a gift in any circumstances.

13. Breach of Policy

Any employee or Local Governor/Trustee, who becomes aware of a breach of this Policy, must report this immediately to their Line Manager, the HT or Chair of LSC/TB, who will instigate investigations as necessary.

14. Register of Business, Pecuniary and Personal Interests

Any member of staff or Local Governor/Trustee/Member, who is aware of any business dealings conferring personal gain, or involving relatives or associates, must supply details of such transactions for entry into the Register of Business, Pecuniary and Personal Interests.

15. Responsibilities

- **All staff** must record gifts and/or hospitality in accordance with the above procedure;
- **The SFL/DoF** holds the G&H Register and undertakes annual checks to ensure that items recorded in the G&H Register are accounted for properly.
- **The SFL/DoF** holds items in secure storage and arranges for the destination section of the G&H Register to be completed when the items are allocated.
- **The Finance and Resources Committee (FRC)** reviews this Policy on an annual basis.
- **The Chair of the LSC/TB**, where procedures for accepting or declining the gift or hospitality are unclear, makes the final decision and informs the SFL/DoF, who records that decision in the G&H Register.
- The G&H Register for the past financial year should be reviewed and signed by the **Chair of the LSC/TB** at the first meeting of the LSC/TB in the Autumn term of the new financial year.

Appendix 1 - THE DOs and DON'Ts

DO	DON'T
Read and follow the guidance on gifts and hospitality.	Accept any gifts or hospitality, which have a value of more than **£35** without the approval of the HT/CEO/CFOO/Chair of the LSC/TB as necessary.
Seek advice from the HT or Chair of the LSC, if there is any doubt,	Accept gifts or hospitality in the immediate period before tenders are invited or during the tender process.
Record all offers of gifts and hospitality, which have a value of more than **£35** in the School/Central Services Team G&H Register, whether accepted or not.	Accept cash or monetary gifts.
Treat with caution any gifts or hospitality offered to you, and think very carefully before accepting anything.	Accept a gift or hospitality as an inducement or reward.
Consider what the public's perception would be in deciding whether or not to accept a gift or hospitality.	Accept gifts or hospitality unconnected to your work, even if the hospitality is taken in your own time.
Consider whether the offer is proportionate in deciding whether or not to accept hospitality from an outside body.	Accept a gift or hospitality, which you, or a member of the public, would think is lavish, extravagant or excessive, even if the hospitality is taken in your own time.
Err on the side of caution when deciding whether to accept a gift or hospitality. If the thought of the acceptance makes you uncomfortable, do not accept.	Accept gifts or hospitality offered to your husband, wife, partner, family member or friend.
Consider paying for yourself if offered any hospitality by a supplier or third party.	

Appendix 2 – Model Gifts and Hospitality Register

Recipient	Name of Business Providing Gift or Hospitality	Nature of Business	Relationship of Business to DET/School	Nature of Gift or Hospitality	Date of receipt of Gifts or Hospitality	Value of Gifts or Hospitality	Authorised by:

Provided to	Recipient	Nature of Business	Relationship of Business to DET/School	Nature of Gift or Hospitality	Date of provision of Gifts or Hospitality	Value of Gifts or Hospitality	Authorised by:

School/Central Trust Team: **Reviewed by:** **Date:**