

Ormiston Academies Trust

Ormiston Cliff Park Primary Academy Gifts and Hospitality policy

Policy version control

Policy type	Mandatory
Author	Claire Lovell, Head of Compliance and Reporting
Approved by	Joanne Dawson, National Director of Finance
Release date	February 2022
Next release date	February 2025
Description of changes	<ul style="list-style-type: none"> ▪ 5.8 Further clarity on reporting gifts and hospitality ▪ 5.9-5.13 added to section detailing reporting requirements ▪ 6.1 reworded ▪ 6.2 – 6.5 added as new, further clarity on provision of gifts, including rules for leaving gifts, entertainment and alcohol ▪ p.6 Addition of Appendix 1 providing new Gifts and Hospitality Register

Contents

1. Introduction	3
2. Objectives	3
3. Scope.....	3
4. The purchase of alcohol.....	3
5. The receipt of gifts	3
6. The provision of gifts/hospitality	5
Appendix 1.....	6
Gifts and Hospitality Register.....	6

1. Introduction

- 1.1. As a general guideline, gifts, hospitality or other personal benefits (hereinafter referred to as “Gifts”) should not be accepted or offered by any member of staff, except as provided for below.
- 1.2. Any breach of this Ormiston Academies Trust (OAT) Policy could lead to disciplinary action and may constitute gross misconduct.

2. Objectives

- 2.1. The objectives of the OAT Policy are:
 - Ensure the Trust can demonstrate that no improper influence has been applied to decisions made.
 - To show that all decisions whether educational, financial or otherwise are reached on the basis of the proper application of OAT procedures.

3. Scope

- 3.1. The Policies and Procedures apply to all employees of OAT.

4. The purchase of alcohol

- 4.1. The purchase of alcohol using any Trust fund is prohibited. Corporate procurement cards must also not be used to purchase alcohol.

5. The receipt of gifts

- 5.1. The Trust encourages and expects staff and governors to use their networks and contacts for its benefit. It is however a fundamental requirement on all staff, the contravention of which would be considered to be gross misconduct, that they must not derive any financial benefit beyond their agreed salary from the decisions they make or contribute to, which involve the education of students, or the spending of the significant sums of public money that are entrusted to the Trust or its Academies. Therefore, staff shall not use their authority or office for personal gain beyond their agreed salary and shall seek to uphold and enhance the standing of the Trust by:
 - Maintaining an unimpeachable standard of honesty and integrity in all their business and other relationships
 - Complying with the letter and spirit of the law in contractual obligations, rejecting any business practice that might be deemed improper
 - At all times in their business and other relationships, act to maintain the interests and good reputation of the Trust

- 5.2. Any employee who becomes aware of a breach of Policy must refer to the Trust's Whistleblowing Policy and report the alleged breach immediately to his or her line manager who will instigate investigations as necessary.
- 5.3. Any personal interest that may impinge, or might reasonably be deemed by others to impinge, on an employee's impartiality, or conflict with the duty owed to the Trust in any matter relevant to an employee's duties (such as conflicting business interests) shall be declared in writing. Any member of staff who is aware of any business dealings conferring personal gain or involving their relatives or associates must make an appropriate entry in the Register of Business Interests.
- 5.4. Staff are permitted to accept gifts, rewards or benefits from students, students' families, members of the public, or organisations which the Trust has official contacts with, only where they are isolated gifts of a trivial character, or inexpensive seasonal gifts (such as chocolates, flowers, diaries or calendars). Therefore, gifts should not be accepted if they appear to be disproportionately generous or could be construed as an inducement to affect a decision or action, whether business, educational, or other.
- 5.5. Gifts of alcohol will not be considered trivial or inexpensive and should not be given or received except where the rejection of receipt is likely to cause offense that it is reasonable to determine would be of detriment the Trust.
- 5.6. Where purchased items include a "free gift", such a gift should be either used for Trust business or handed to the Trust to be used at charity raffles, pupil prizes, etc.
- 5.7. In relation to conventional hospitality (lunches, outings, tickets for events, etc.), it may be accepted provided that it is normal and reasonable in the circumstances. However, invitations for the following should not be accepted:
- where there is no reasonable business justification for doing so
 - where an invitation is disproportionately generous
 - where the invitation could be seen as an inducement to affect a business or other decision.
- 5.8. Any hospitality over a nominal value (£15) or facilities provided during the normal course of business should be reported to the principal at the academy and the company secretary at head office. Principals will decide, within the parameters of the Trust policy, whether to allow any offers of gifts or hospitality to staff to be accepted. If the principal is uncertain, they should notify the company secretary within 1 week of the gift being received, who will then make a decision on whether the gift should be allowed. Any gifts received by the principal should be reported to the company secretary, using the email governance@ormistonacademies.co.uk.
- 5.9. The company secretary will collate the gifts and hospitality register for principals and trustees. Principals should declare annually in July any items included on the Academy gifts and hospitality register to the company secretary.
- 5.10. The clerk to the governors will maintain the register for the governors and will report any non-compliance to the LGB. Governors will decide, subject to the policy parameters, whether any offer may be accepted by governors. The clerk to the governing body will provide updates to the company secretary on an annual basis of any gifts received. Nil returns will also be required. The company secretary will compile a complete gifts and hospitality register for the Trust at the end of August for submission to the external auditors.

- 5.11. The gifts and hospitality register will also be presented to the trustees at the end of each academic year.
- 5.12. The gifts and hospitality register should include the following as shown on Appendix 1:
- Who the gift is from
 - Date the gift is received
 - Details of the gift with estimated value
 - Action taken (whether the gift is retained or refused or passed on, etc.)
 - Authorisation
- 5.13. For the avoidance of doubt this policy does not cover staff meals and entertaining as this is covered by the 'Staff Expenses Policy'.

6. The provision of gifts/hospitality

- 6.1. The Trust encourages and seeks cooperative relationships between staff, governors, stakeholders and external organisations. Accordingly, there can be occasions where it is appropriate for the Trust to provide and fund limited gifts, in particular hospitality, which will principally be dealt with in-house.
- 6.2. Likewise, it may be appropriate for leaving gifts to be provided to staff leaving the employment of the Trust, particularly after a long period of service. Such gifts will need approval by a member of the Executive and should be made up wholly of private contributions from continuing members of staff, unless in extenuating circumstances.
- 6.3. Employees, in the execution of their duties, may be required to entertain customers, suppliers, business contacts or potential customers. All business entertaining activities must be approved by the line manager and must comply with this policy. If approved, the nature of the business, names and the organization of the people being entertained must be clearly stated on the expense claim form.
- 6.4. It is not permissible in any circumstances to use an academy or other location's budget for staff entertaining costs. This includes retirement or any form of leaving celebration.
- 6.5. The cost of alcohol for business entertaining purposes will not be reimbursed.

Appendix 1

Gifts and Hospitality Register

Entry number	Date gift received	Name of Donor	Description and estimated value	Name of recipient	Action taken	Gift authorised
	01/09/2021	ABC Limited	Flowers with estimated value of £20	Mrs Red Rose	Following discussion with the principal the gift has been accepted.	(Principal's signature)