



## CITY OF LONDON ACADEMIES TRUST

### GIFTS AND HOSPITALITY POLICY

Responsibility:	Chief Financial Officer
Updated:	<del>May 2017</del> <u>July 2019</u>
Approved by Board:	5 July 2017 Reviewed 18 July 2018
<del>Next Review Date:</del>	<del>July 2019</del>

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
- Trustees
- 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

### **Legal Framework & National Guidance**

#### **Prevention of Corruption in the Public Sector**

Under the Prevention of Corruption Acts, 1906 and 1916, it is an offence for employees corruptly to accept any gifts or consideration as an inducement or reward for,

- Doing, or refraining from doing, anything in their official capacity or
- Showing favour or disfavour to any person in their official capacity

Under the 1916 Act, any money, gift or consideration received by an employee in public service from a person or organisation holding or seeking to obtain a contract will be deemed to have been received corruptly unless the employee proves to the contrary.

### **General Principles**

The City of London Academies Trust is responsible for ensuring the guidelines are brought to the attention of all employees, trustees and members of LGBs, and that a framework is put in place to ensure they are effectively implemented.

It is the responsibility of staff, trustees and members of LGBs and subcommittees to ensure that they are not placed in a position which risks, or appears to risk, conflict between their private interests and their duties at the Trust or any individual Academy. This applies to both those who commit resources directly (e.g. the ordering of goods or services), or indirectly (e.g. by policy development).

Each employee, trustee and member of a LGB or subcommittee has a personal responsibility to declare hospitality and gifts in accordance with the policy. Non-compliance with the policy by a member of staff may lead to action under the Disciplinary or other relevant policy. Staff also need to

be aware that a breach of the provisions under legislation may make them liable to prosecution and may also lead to loss of employment and pension rights.

Any hospitality or trivial gifts accepted should be entered on a Gifts and Hospitality Register maintained by the Head of Finance in the relevant Academy.

## **Receipt of Hospitality**

### *General Principles*

Gifts, hospitality or benefits of any kind from a third party perceived as compromising personal judgement or integrity should not be accepted. Employees, trustees and members of LGBs or subcommittees must ensure that they do not use their official position to further their private interests or those of others. In relation to this, all forms of private interests in relation to the Trust or any Academy must be declared. Purchasing decisions and contract negotiations must be based solely on achieving the best value for money for the tax payer.

Any hospitality accepted of a value exceeding £10 should be recorded on the Gifts and Hospitality Register.

### *Exceptional Cases*

It is recognised that there are exceptional cases where refusal of a gift will clearly offend a donor, cause embarrassment or appear discourteous. In these cases, the donor should be advised that the permission of the Trust or Academy management will have to be sought as to whether or not the gift can be accepted. Decisions will then be taken by the Trust or Academy management on whether to

- allow the recipient to accept the gift; or
- return the gift to the donor with a suitably worded letter explaining why the gift cannot be accepted; or
- use or dispose of it, if possible, in or by the Trust or the Academy.

## **Provision of Hospitality**

The provision of hospitality by employees, trustees or members of LGBs or subcommittees to representatives of other organisations should be modest and appropriate in the circumstances.

Provision of hospitality by the Trust or any Academy to employees or others would not normally be appropriate except in the case of working lunches in the course of meetings, training courses or workshops.

The use of Trust monies for hospitality and entertainment at conferences and seminars should be carefully considered. The Trust and each Academy needs to be able to demonstrate good value in incurring public expenditure.

In all cases where hospitality is provided ~~using Restricted Funds~~, the hospitality must not include alcohol.

Note that where individuals have accepted hospitality from another organisation, for example, in order to fulfil a speaking engagement this should be of a value equivalent to that normally provided by the Trust, and there is no further entitlement to claim expenses from the Trust or any Academy.

### *Hospitality and meetings*

Hospitality must be secondary to the purpose of the meeting and the level must be appropriate and in proportion to the event. The costs involved must not exceed the level which the recipients would normally adopt when paying for themselves at such an event or that which could be reciprocated by the Trust or an Academy.

### **Business - gifts**

#### *Acceptance of gifts*

Employees, trustees and members of LGBs or subcommittees should not accept gifts which may be, or are capable of being, construed as influencing a purchasing decision or casting doubt on the integrity of such decisions.

Personal gifts offered by parents and students to members of staff, for example, at holiday or end of term times, should be recorded on the Gifts and Hospitality Register if the estimated value is in excess of £10.

In certain instances, for example, where a class contributes collectively, gifts greater than a value of £10 up to a maximum value of £250 may be accepted but must be recorded on the Gifts and Hospitality Register.

Commercial or corporate business gifts and donations made to the Trust or any individual Academy, other than items of very small intrinsic value, should be reported separately to the Head of Finance at the Academy.

Presents and donations to an Academy or a Department therein should be reported and added to the register.

All gifts (other than items of very small intrinsic value) or hospitality received shall be acknowledged in writing and a copy of that acknowledgement shall be held on file by the Head of Finance at the Academy.

#### *Giving of gifts*

Charitable donations should not be given by any member of staff, trustee, LGB member of subcommittee member, on behalf of the Trust or any individual Academy. Alcohol should not be given by any member of staff, trustee, LGB member of subcommittee member, on behalf of the Trust or any individual Academy.

#### *Monetary gifts*

The acceptance or giving of cash is not acceptable in any circumstances.

### **Records of Hospitality and Gifts**

All gifts and hospitality must be recorded on the Gifts and Hospitality Register held by the Head of Finance in each Academy. When in doubt employees, trustees and members of LGBs or subcommittees are advised to record any matters concerning gifts and hospitality which may be covered by this policy to ensure that an individual does not expose themselves to risk.

The information required for the hospitality and gifts register is set out below

- date of entry

- name of recipient / provider
- job title
- nature and purpose of hospitality or gift received or provided
- action taken, accepted/refused /returned
- estimated value

Submissions should be made as soon as is practically possible.

The Hospitality register will be available to the External Auditors.

DRAFT