



**GIFTS AND HOSPITALITY POLICY FOR ACT AND THE FOLLOWING  
ACADEMIES:**

Our Lady of Lourdes Catholic Primary School  
Sacred Heart Catholic Primary School  
St Helen's Catholic Primary School  
Holy Family Catholic Primary School  
St Teresa's Catholic Primary School  
St Joseph's Catholic Primary School  
St George's Catholic Primary School  
Our Lady of Ransom Catholic Primary School  
St Thomas More High School

**This Gifts and Hospitality Policy has been approved and adopted by the Assisi Catholic Trust in October 2020. This policy will be reviewed in October 2025.**

**Committee Responsible: Resources  
Committee**

Assisi Catholic Trust Mission Statement

*Our mission is to inspire the children in our care and that our schools place Christ and the teaching of the Catholic Church at the centre of all we do. We believe that every child has a right to educational excellence and we are committed in partnership to ensure this happens.*

Motto

*'Start doing what is necessary, then do what's possible and suddenly you are doing the impossible'*

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## 1. General

This is the academy's approved Code of Conduct relating to the offer and/or acceptance by staff, governors and trustees, of gifts and hospitality from outside individuals or organisations.

Within the terms of the Code, staff, governors and members are expected to exercise common sense. If they are in any doubt they must consult the Headteacher/ School Business Manager and in every case declare the acceptance of a gift or hospitality in the register kept by the academy.

The process set out is designed to safeguard governors, trustees and staff from any misunderstanding or criticism.

The general principles which govern gifts and hospitality are:

- 1.1 Offers of hospitality should only be accepted if there is a genuine need to represent the academy or a working lunch.
- 1.2 Gifts should only be accepted if they are a small gesture or promotional items.
- 1.3 Staff should avoid any arrangement where goods or services are offered free of charge or below market value.
- 1.4 Staff must not take personal advantage of any discount arrangements the Academy has with suppliers unless special arrangements have been made for all employees
- 1.5 Registers are accessible for viewing by the following persons Headteacher Business Manager, External Auditors, and Internal Auditor.
- 1.6 Any request by a member of the public to view the Register of Declarations of Gifts and Hospitality will be referred to the Headteacher. In considering any request, the requirement for the Academy to be open and transparent will be balanced against the requirements of the Data Protection Act 2018

## 2 Hospitality

Entertaining Clients and customers is now accepted business practice, in the private sector, so it would be unrealistic to forbid employee from accepting offers of hospitality, as long as it is not extravagant, working lunches where this is an appropriate and effective way of conducting business and the refreshments provided are on a reasonable level are acceptable. Overnight hospitality should not be accepted.

There are occasions when in a professional capacity within the Academy staff wish to offer hospitality such offers should follow the same guidelines as external hospitality and consider the perception it gives.

### **3 Gifts**

Teachers are routinely given gifts by pupils at the end of term and refusal would be discourteous. However, extravagant gifts should not be accepted or donated to charity.

Staff should avoid any arrangement where goods or services are offered free of charge or below market price.

Gifts of the following type may be accepted:

3.1 Small gestures

3.2 Gifts of a promotional character i.e. calendars, diaries and other similar items

3.3 Gifts on the conclusion of any visit to an outside organisation of the type that are normally given by that organisation.

3.4 Gifts which are intended for the Academy must not be retained by the individual who receives them but passed on to the school business manager.

### **4 Registration of Gifts and Hospitality**

Staff, governors and trustees must, within 28 days of accepting any gift or hospitality with an estimated value in excess of £25, estimated or actual value; complete the gifts declaration register held in the finance office.

### **5 Monitoring**

The Gifts and Hospitality Register is held in the finance office and it monitored by the school business manager. Once a term it is checked by the headteacher.

The register is also monitored annually by the external auditors.

### **6 Retention of Documentation**

Documentation in the register will be kept for seven years.

### **7 Penalties for breach of Policy**

The Academy's disciplinary procedures may be applied where it is found that breaches of the policy have occurred.

### **8 Revision and Review History**

Version 1.0	12 <sup>th</sup> October 2020	Policy Accepted
Version 1.1	17 <sup>th</sup> October 2024	Policy Reviewed

## APPENDIX 1 - The Bribery Act 2010 - essentials

### INTRODUCTION

- This section sets out the Trust policy and advice to employees in dealing with bribery or suspected bribery. This policy details the arrangements made in the Trust for such concerns to be raised by employees or members of the public.
- The Bribery Act 2010 introduces a new, clearer regime for tackling bribery that will apply to all businesses based or operating in the UK. It covers all sorts of bribery, the offering and receiving of a bribe, directly or indirectly, whether or not it involves a public official, in the UK or abroad. There are offences by individuals (and a corporate offence for corporates and partnerships), and penalties for non-compliance are serious.
- Bribery is a criminal offence for both individuals and commercial organisations and can be punished with imprisonment of up to 10 years or unlimited fines. If any employee was accused of bribery, the Trust reputation might be damaged considerably, and subsequent enforcement action will be time-consuming and hinder the Trust from focussing on its core business and service delivery.

### DEFINITIONS

Definitions for bribery and corruption vary. Some common definitions are:

- Bribery - “Inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages”.
- Corruption - This can be broadly defined as the offering or acceptance of inducements, gifts, favours, payment or benefit-in-kind which may influence the action of any person. Corruption does not always result in a loss. The corrupt person may not benefit directly from their deeds; however, they may be unreasonably using their position to give some advantage to another.
- It is a common law offence of corruption to bribe the holder of a public office and it is similarly an offence for the office holder to accept a bribe.

The Trust has procedures in place that reduce the likelihood of bribery occurring. These include Financial Regulations, documented procedures, a system of internal control (including Internal and External Audit) and a system of risk assessment. In addition, the governing body seeks to ensure that a comprehensive Anti-Bribery culture exists throughout the Trust.

**OFFENCES UNDER THE BRIBERY ACT 2010** The following business practices constitute criminal offences under the Bribery Act 2010 and are therefore prohibited:

#### *1. Offences of bribing another person*

Case 1 is where an employee offers, promises or gives a financial or other advantage to another person and intends the advantage (i) to induce that or another person to perform improperly a relevant function or activity, or (ii) to reward that or another person for the improper performance of such a function or activity.

Case 2 is where an employee offers, promises or gives a financial or other advantage to another person and knows or believes that the acceptance of the advantage would itself constitute the improper performance of a relevant function or activity by that person.

The bribery must relate to (i) a function of a public nature, (ii) an activity connected with a business, (iii) an activity performed in the course of a person's employment, or (iv) an activity performed by or on behalf of a body of persons (whether corporate or unincorporated). The person performing the function or activity must be expected to perform it in good faith, impartially or in a position of trust. It does not matter whether the function or activity is performed inside or outside the UK, whether the other person(s) involved is / are in the public or private sector and whether the advantage is offered, promised or given directly by an employee or through a third party, e.g. an agent or other intermediary.

## ***2. Offences relating to being bribed***

Case 3 is where an employee requests, agrees to receive or accepts a financial or other advantage intending that, in consequence, a relevant function or activity should be performed improperly (whether by him/herself or another person).

Case 4 is where an employee requests, agrees to receive or accepts a financial or other advantage, and the request, agreement or acceptance itself constitutes the improper performance by himself/herself of a relevant function or activity.

Case 5 is where an employee requests, agrees to receive or accepts a financial or other advantage as a reward for the improper performance (whether by him/herself or another person) of a relevant function or activity.

Case 6 is where, in anticipation of or in consequence of an employee requesting, agreeing to receive or accepting a financial or other advantage, a relevant function or activity is performed improperly (i) by that employee, or (ii) by another person at his/her request or with his/her assent or acquiescence.

Again, the bribery must relate to (i) a function of a public nature, (ii) an activity connected with a business, (iii) an activity performed in the course of a person's employment, or (iv) an activity performed by or on behalf of a body of persons (whether corporate or unincorporated). The person performing the function or activity must be expected to perform it in good faith, impartially or in a position of trust. It does not matter whether the function or activity is performed inside or outside the UK, whether the other person(s) involved is/are in the public or private sector, whether the employee requests, agrees to receive or accepts the advantage directly or through a third party, e.g. an agent or other intermediary, and whether the advantage is for the benefit of an employee or another person.

In Cases 4 to 6, it does not matter whether an employee knows or believes that the performance of the function or activity is improper.

## ***3. Bribery of foreign public officials***

Case 7 is where an employee bribes a foreign public official and intends (i) to influence that official in his/her capacity as a foreign public official and (ii) to obtain or retain a business or an advantage in the conduct of business. A foreign public official is someone who holds a

legislative, administrative or judicial position of any kind or exercises a public function of a country outside the UK, or is an official or agent of a public international organisation.

4. *The following paragraph will apply if any part of the organisation is considered as a 'commercial'.*

Failure of commercial organisations to prevent bribery (applicable only to corporates and partnerships - included for information):

A corporate or partnership is guilty of a corporate bribery offence if an employee, agent, subsidiary or any other person acting on its behalf bribes another person intending to obtain or retain business or an advantage in the conduct of business for the corporate or partnership. For a definition of bribery, please refer to Cases 1, 2 and 7 above.

It should be the policy of a corporate or partnership not to tolerate any bribery on its behalf, even if this might result in a loss of business for it. Criminal liability must be prevented at all times