

Policy Title:	Gifts and Hospitality
Function:	The purpose of this policy is to set out the School's and all staff's responsibilities in observing and upholding our position on bribery and corruption in order to protect staff from suspicions of dishonesty and ensure that they are free from any conflict of interest with respect to the acceptance or provision of gifts, hospitality, or any other inducement from or to suppliers of goods or services to the school.
Status:	Statutory /Non-statutory/Employment Law
Audience:	All staff
Ownership / Implementation:	The Principal has overall responsibility for ensuring that this policy is implemented.
Implementation Date:	January 2015
Review period:	Annually
Last Reviewed:	August 2016

The School is committed to all its staff conducting themselves in an honest and ethical manner and acting professionally, fairly and with integrity in all their dealings and relationships with other staff, any pupils, any pupil's parents and any other third parties.

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A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage.

Bribery and corruption are punishable for individuals by up to ten years' imprisonment and if the School is found to have taken part in corruption it could face an unlimited fine and face damage to its reputation. **The School therefore takes its legal responsibilities very seriously.**

This policy applies to all individuals working at all levels and grades, including Governors, Principal, Senior Leadership team, officers, directors, employees (whether permanent, fixed-term or temporary), consultants, contractors, trainees, seconded staff, homeworkers, casual workers and agency staff, volunteers, interns, agents, sponsors, or any other person associated with us, or any of our subsidiaries or their employees, wherever located – referred to as **staff** in this policy.

In this policy, **third party** means any individual or organisation staff come into contact with during the course of their work for the School, and includes actual and potential pupils and pupils' parents, Governors, suppliers, business contacts, agents, advisers, and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

This policy does not form part of any employee's contract of employment and it may be amended at any time.

Staff must ensure that they read, understand and comply with this policy. All staff are required to avoid any activity that might lead to, or suggest, a breach of this policy. Any employee who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct.

The School reserves its right to terminate its contractual relationship with other workers if they breach this policy.

PRINCIPLES

The School expects staff and members of the Governing Body to exercise the utmost discretion in giving and accepting gifts and hospitality when on school business. Particular care should be taken about a gift from a person or organisation that has, or is hoping to have, a contract with the school.

This policy does not prohibit normal and appropriate hospitality (given and received) to or from third parties. However, staff and Governors should be aware that the receipt of gifts or excessive hospitality can damage the School's reputation and possibly lead to prosecutions for corruption.

Staff 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 school might be placed under an obligation.

Staff must not make use of their official position to further their private interests or those of others.

WHAT IS PERMISSIBLE

Gifts of low intrinsic value 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, staff should decline the gift or refer the matter to their line manager.

Where approval is granted, any gift or hospitality received with an equivalent value of £30 or over must be recorded in the **Register of Gifts and Hospitality** (see below).

In cases where a staff member receives a gift on behalf of the school, the gift remains the property of the school. The gift may be required for departmental display or it may, with the line-manager's approval, remain in the care of the recipient. Unless otherwise agreed, the gift should be returned to the Department on or before the recipient's last working day.

Modest hospitality, provided it is reasonable in the circumstances, for example, lunches in the course of working visits, may be acceptable, though it should be similar to the scale of hospitality which the School as an employer would be likely to offer.

Staff attendance at sporting and cultural events at the invitation of suppliers, potential suppliers or consultants is not normally acceptable. Where it is considered that there is a benefit to the School in a member of staff attending a sponsored event, the attendance should be formally approved by the relevant line manager.

Business gifts, which include hospitality, may be provided by the School in connection with third party entertaining but should be regarded as the exception rather than the rule. Gift and hospitality must not exceed £50 in a year for any one recipient, and must not be provided in expectation of material benefit to the School.

What is not acceptable?

It is not acceptable for staff (or someone on their behalf) to:

1. give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given;

2. give, promise to give, or offer, a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure;
3. accept payment from a third party that the member of staff knows or suspects is offered with the expectation that it will obtain a business advantage for them;
4. accept a gift or hospitality from a third party if the member of staff knows or suspects that it is offered or provided with an expectation that a business advantage will be provided by the School in return;
5. threaten or retaliate against another member of staff who has refused to commit a bribery offence or who has raised concerns under this policy; or
6. engage in any activity that might lead to a breach of this policy.

Gifts to and from students

In the interests of safeguarding children, and to prevent staff from being open to accusation of exerting undue influence, no member of staff is permitted to give a gift to a student at any time.

If a gift is received from a pupil or the parents of a pupil and the value is £15 or over this gift is to be registered in the **Register of Gifts and Hospitality** (see below).

Your responsibilities

Staff must ensure that they read, understand and comply with this policy.

The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for or under the control of the School. All staff are required to avoid any activity that might lead to, or suggest, a breach of this policy.

Staff must notify the Principal as soon as possible if they believe or suspect that a conflict with this policy has occurred, or may occur in the future. For example, if staff are offered something to gain a business advantage with the School, or it is indicated to them that a gift or payment is required to secure an advantage with them.

Some examples of activity that may indicate bribery or corruption are listed below. The list is not intended to be exhaustive and is for illustrative purposes only.

- (a) You become aware that a third party engages in, or has been accused of engaging in, improper business practices;
- (b) You learn that a third party has a reputation for paying bribes, or requiring that bribes are paid to them, or has a reputation for having a "special relationship" with foreign government officials;
- (c) A third party insists on receiving a commission or fee payment before committing to sign up to a contract with us, or carrying out a government function or process for us;

- (d) A third party requests payment in cash and/or refuses to sign a formal commission or fee agreement, or to provide an invoice or receipt for a payment made;
- (e) A third party requests an unexpected additional fee or commission to "facilitate" a service;
- (f) A third party demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services;
- (g) A third party requests that a payment is made to "overlook" potential legal violations;
- (h) A third party requests that you provide employment or some other advantage to a friend or relative;
- (i) You receive an invoice from a third party that appears to be non-standard or customised;
- (j) A third party insists on the use of side letters or refuses to put terms agreed in writing;
- (k) You notice that we have been invoiced for a commission or fee payment that appears large given the service stated to have been provided;
- (l) A third party requests or requires the use of an agent, intermediary, consultant, distributor or supplier that is not typically used by or known to us;
- (m) You are offered an unusually generous gift or offered lavish hospitality by a third party;

If staff encounter any of these red flags while working for the School, they must report them promptly to the Principal

REGISTER OF GIFTS

In the interests of transparency, a Register of Gifts and Hospitality is kept by the Business and Operations Manager.

Any member of staff who accepts an offer of a gift or hospitality over the value of £30 must ensure this is recorded in this register, specifying:

- (a) Nature of gift/hospitality. In the case of a gift, it should be specified whether it is a personal gift for the recipient or a related party, such as a partner, or a corporate gift accepted by the recipient on behalf of the School
- (b) Value of gift / hospitality. If the exact cost is not known an estimate should be provided.
- (c) Name of firm / individual concerned.
- (d) Date gift / hospitality accepted.
- (e) Name of member(s) of staff involved.

The School must keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties, and therefore all staff must report all hospitality or gifts offered to the Business and Operations Manager.

Staff must ensure all expenses claims relating to hospitality, gifts or expenses incurred to third parties are submitted in accordance with our expenses policy and specifically record the reason for the expenditure.

Facilitation payments and kickbacks

The School does not make, and will not accept, facilitation payments or "kickbacks" of any kind. Facilitation payments are typically small, unofficial payments made to secure or expedite a routine government action by a government official.

If staff are asked to make a payment on the School's behalf, they should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. Staff should always ask for a receipt which details the reason for the payment. If staff have any suspicions, concerns or queries regarding a payment, they should raise these with the Business and Operation Manager.

Kickbacks are typically payments made in return for a business favour or advantage. All staff must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by the School.

Donations

The School does not make contributions to political parties. We only make charitable donations that are legal and ethical under local laws and practices. No donation must be offered or made without the prior approval of the Principal.

How to raise a concern

Staff must notify the Principal as soon as possible if they believe or suspect that a conflict with this policy has occurred, or may occur in the future. Concerns should be reported by following the procedure set out in our *Whistleblowing Policy*.

What to do if you are a victim of bribery or corruption

It is important that staff tell the Principal as soon as possible if they are offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that they are a victim of another form of unlawful activity.

Protection

Staff who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. The School aims to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.

The School is committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or other corruption offence has taken place, or may take place in the future. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the compliance manager immediately. If the matter is not remedied, and you are an employee, you should raise it formally using our *Grievance Procedure*.

Training and communication

Training on this policy forms part of the induction process for all new staff and is communicated through the Staff Induction Handbook. The School's zero-tolerance approach to bribery and corruption must be communicated to all suppliers, contractors and business partners at the outset of our business relationship with them and as appropriate thereafter.

Who is responsible for the policy?

The board of governors has overall responsibility for ensuring this policy complies with the School's legal and ethical obligations, and that all those under the School's control comply with it.

The Principal has primary and day-to-day responsibility for implementing this policy, and for monitoring its use and effectiveness [and dealing with any queries on its interpretation]. Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy and are given adequate and regular training on it.

Monitoring and review

The Principal will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in countering bribery and corruption.

All staff are responsible for the success of this policy and should ensure they use it to disclose any suspected danger or wrongdoing.

Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Principal.