



Nexus Education Schools Trust

Gifts and Hospitality Policy

For all member Schools

Date Issued	June 2018
Review Date	June 2021
Approved by Board of trustees	10 July 2018

Non Statutory

Gifts and Hospitality Policy

1. Purpose

- 1.1 This policy sets out the procedure all Nexus Education Schools Trust (NEST) staff must follow when giving or receiving gifts and hospitality.

2. Policy Statement

- 2.1 Nexus Education Schools Trust and its member schools are committed to raising awareness amongst Board Members, Local Committees and staff of their responsibility to be honest and act in good faith by not accepting or commissioning an advantage of any kind from those who do business with the Trust or an individual school/Academy.
- 2.2 Board members, Local Committees and staff dealing with external organisations or individuals are encouraged to do so sympathetically, efficiently, promptly and without bias to avoid committing a criminal offence.
- 2.3 All staff, trustees, and Local Committee members (LCM) are expected to maintain high standards of propriety and professionalism in all their dealings, ensuring they are free from any conflict of interest through their business in the name of each Academy and in the name of the NEST Multi-Academy Trust.
- 2.4 In order to protect all individuals associated with the Trust, and the reputation of the Trust and its academies from accusations of bribery or corruption, staff, trustees, and Local Committee members must take extreme care to ensure that none of their dealings, directly or indirectly, could be deemed as a reward or benefit, in line with the Prevention of Fraud and Bribery Act 2010. This Act makes it a criminal offence to:
- offer, promise or give a bribe
 - request, agree to or accept a bribe
 - (by an organisation) fail to prevent bribery by those acting on its behalf ('associated persons') to obtain or retain business or a business advantage for the organisation.
- 2.5 Under this Act, a bribe is 'a financial or other advantage' offered, promised or given to induce a person to perform a relevant function or activity improperly, or reward them for doing so.
- 2.6 As part of the Trust's commitment to openness and transparency, an annually updated Gifts & Hospitality Register is to be maintained and made available for public inspection. The Register is designed to protect both the Trust, its schools and individual Committee and Board Members from damaging allegations of corruption and possible punitive actions.
- 2.7 It will be a serious disciplinary offence for any individual to receive or give any gift, loan, fee, reward, hospitality or other advantage in their capacity as an employee or board member, which might reasonably be seen to compromise their personal judgement and integrity. If an allegation is made it is for the individual to demonstrate that any such rewards have not been corruptly obtained.

3. Definition and Scope

- 3.1 It is a serious criminal offence for any individual to corruptly receive or give any gift, loan, fee, reward or advantage for doing, or not doing, anything or showing favour or disfavour, to any person in their official capacity. Unlawful giving or accepting of gifts or hospitality that would amount to a criminal offence results from a motive to influence the other party or to create an obligation on the other party to reciprocate the favour.
- 3.2 This Policy also applies to spouses, partners or other associates if it can be argued or perceived that the gift or hospitality is in fact for the benefit of the official.

3.3 A gift or form of hospitality may be considered inappropriate where the Trust, School, Academy or individual would be embarrassed should the proposed action become public knowledge.

4. PROVEIT Test

4.1 Please use the following guideline to determine whether an offer of a gift or hospitality is acceptable:

- Purpose – Token, thanks or seeing a favour? (token or thanks = yes; favour = no)
- Rules – What are they? Does this situation conform?
- Openness – Is the offer transparent?
- Value – Expensive or inexpensive?
- Ethics – Does the offer fit with NEST's ethics?
- Identity – Who has made the offer?
- Timing – Are you about to make a decision affecting the giver?

5. UK Bribery Act 2010

5.1 It is an offence under Section 7, which can be committed by a commercial organisation which fails to prevent persons associated with them from bribing another person on their behalf.

5.2 Facilitation Payments, payments to induce officials to perform routine functions they are otherwise obligated to perform, are bribery under the Act.

5.3 Trustees and Senior Leadership do not tolerate Bribery in any form.

5.4 Senior Leadership considers all organisations which NEST does business with, in order to consider the risk.

5.5 Senior Leadership considers all persons or organisations which act on behalf of NEST or provide services for NEST, in order to consider the risk.

5.6 Actions of suppliers of goods do not create a risk for NEST under the UK Bribery Act 2010.

5.7 As risk of bribery can often be greater in overseas transactions, all overseas transactions must be approved in writing on the purchase order by the CFO, regardless of the value of the transaction.

6. Giving and Receiving Gifts and Favours

6.1 Board Members, Local Committee members and staff must adhere to the following when considering giving or receiving gifts:

6.1.1 Never solicit gifts from another individual, school or organisation.

6.1.2 Gifts of a trivial nature or small gifts may be accepted where refusal might offend the person offering the gift. All other gifts as outlined above must be refused.

6.1.3 Where refusal would cause offence, an acceptable alternative is to suggest a donation to the Academy or to a charity nominated by the Academy.

6.1.4 Where a Board Member, Committee member or staff receive an unsolicited gift of more than a token, which it is impractical to refuse, they must immediately donate it to the Academy/Trust via the Headteacher/CEO. The Headteacher/CEO will decide, depending on the nature of the gift, whether it is most appropriately used for Trust/Academy purposes or donated to a charity chosen by the Trust/Academy.

6.1.5 All gifts and what is done with them must be recorded in the Gifts & Hospitality Register, even if it has been refused.

6.1.6 Gifts (including flowers) given to another individual or school will be made with the approval of the CEO, Chair of the Board, Chair of Local Committee or Headteacher as appropriate.

7. Giving and Accepting Hospitality and Entertainment

- 7.1 Never solicit hospitality from another individual, school or organisation.
- 7.2 Any hospitality given or received must be recorded in the Gifts & Hospitality Register even if it has been refused.
- 7.3 The cost and the reason why acceptance is considered to be in the Academy's interests should be noted in the Register where extravagant hospitality or entertainment above the token value, whether given or received.
- 7.4 Expenditure entitled to Board Members, Local Committee and staff will be limited to working lunches, refreshments to visitors and business contacts.

8. Examples of inappropriate gifts, rewards, fees or loans include:

- Cash
- Subscriptions
- Tobacco

9. Acceptable gifts, rewards, fees or loans include:

- Flowers, plants etc
- Bottle of wine
- Chocolates
- Gift voucher (value of £25 or above must be recorded in the Gifts and Hospitality Register)
- Items of a promotional nature
- Modest articles which can be used in the office or job role e.g. calendars or diaries.

10. Examples of inappropriate hospitality, entertainment or preferential treatment include:

- 10.1 Any form of hospitality or entertainment which raises a suspicion of granting undue preference in the conduct of the Trust or schools' business to the provider e.g. an invitation to attend a function or event not related to school/Academy.
- 10.2 Anything not based on the subsistence allowances for staff, Committee and Board Members which are in force at the time.
- 10.3 cash or monetary gifts;
- 10.4 gifts or hospitality offers to a member of your family;
- 10.5 gifts or gifts or hospitality from a potential supplier or tenderer in the immediate period before tenders are invited or during the tender process; staff, trustee or governor attendance at sporting and cultural events at the invitation of suppliers, potential suppliers or consultants. (Where it is considered that there is a benefit to the Trust, or one of its academies, in a member of staff, trustee or governor attending a sponsored event, the attendance must be formally approved and registered by the CFO).

11. Acceptable forms of hospitality and entertainment may include:

- 11.1 Hospitality or entertainment valued above £25 which has been specifically authorised by the CEO (Central Team) or Headteacher (individual school) and recorded in the Gifts & Hospitality Register
- 11.2 Lunches and refreshments in the course of the Trust/Academy's business. Any hospitality should not be extravagant.

11.3 Invitations to attend charity or fund-raising events as a guest, if considered to be for a good cause and of reciprocal benefit to the Academy.

12. Declaration

12.1 All staff/directors/members should make a declaration of receipt of a gift or hospitality outside of NEST as soon as possible after the offer or receipt of gifts or hospitality. All declarations should be passed to the CFO in the required format as shown below.

12.2 The CFO will record the declarations in the register. The register is an annual document and will be maintained on a calendar year basis and reported quarterly under the publication scheme to the MAT Board. It is recommended that declarations are made by email, and a copy is retained for personal records.

12.3 All declarations will need to include the following information:

- date of offer of gift or hospitality, and date of event where relevant;
- name, job title and school of recipient / provider;
- nature and purpose of gift or hospitality received or declined;
- the name of any other organisation involved;
- estimated value. Staff/directors/members should consult the CFO or CEO for any guidance required on this Policy. In general terms, if staff/committee members/trustees/members have any doubt about whether an item should or should not be declared, they are advised to declare it.

13. The Register

13.1 Registration of receipt of gift/hospitality

13.1.1 Registration of Gifts and Hospitality - staff must, within 28 days of receiving any gift or hospitality, provide written notification to the NEST CFO using the 'Declaration of Gifts and Hospitality' form (attached to this policy document).

13.1.2 The Declaration of Gifts and Hospitality forms must be completed in full, setting out full details of the offer of gift or hospitality as well as:

- Estimated or actual value
- Purpose of the offer
- Person / organisation providing the offer and the relationship to the member of staff
- Whether the offer was accepted or not

13.1.3 The form will then be approved by the CFO or Finance Manager and the Gifts and Hospitality Register updated.

13.2 Provision of a gift or hospitality

13.2.1 The declaration form is also required from the Headteacher of member of the central team for provision of gift or hospitality.

13.2.2 The form will be registered by NEST.

13.3 NEST Central will maintain the register.

14. Monitoring

14.1 The CFO will oversee the termly collection of the school/Academy register. This register will be reviewed by the FRAR Committee and reported to the board annually.

14.2 Staff/Committee members/trustees/members will be reminded periodically of their requirement to declare gifts and hospitality provided/accepted/declined in accordance with this Policy.

14.3 The register will be retained for the current year plus 6 years in-line with GDPR arrangements.

15. Policy breach

15.1 Staff/local committee members/ trustees /members who fail to declare the acceptance/provision/ decline of hospitality and gifts in accordance with this Policy may be subject to disciplinary action under Trust's Discipline Policy.

DECLARATION OF HOSPITALITY AND GIFTS FORM

Receiving or giving of benefits, gifts, rewards or hospitality in return for providing services (even if these services are part of a usual role) can be perceived as an inducement to show favour to a person or organisation in his or her official capacity. All staff and NEST volunteers should conduct themselves with integrity, impartiality and honesty at all times and should maintain high standards of propriety and professionalism. It is acknowledged that small gifts and hospitality should be recognised for service to NEST and its members. Staff should be mindful of this and not be extravagant.

Please complete this form and return to the CFO.

Complete either PART A or PART B

Part A - Details of the person receiving the Gift or Hospitality

Full Name	
Job Title	
Date of Declaration	
Signature	

Description of Gift or Hospitality

Description of gift / hospitality	
Estimated / actual value	
Purpose of the offer	
Person / Organisation providing the gift or hospitality	
Relationship (or future relationship) to the person / organisation offering the gift or hospitality	
Gift / hospitality accepted	YES / NO
Any other comments	

Part B - Details of the staff/school member providing Gift or Hospitality

Full Name	
Job Title	
Date of Declaration	
Signature	

Description and reason for the Gift or Hospitality

Description of gift / hospitality	
Estimated / actual value	
Purpose of the offer	
Person/ Organisation providing the gift or hospitality	
Relationship (or future relationship) to the person / organisation offering the gift or hospitality	
Gift / hospitality accepted	YES / NO
Any other comments	

Approved by / at school

Full Name	
Job Title	
Date of Declaration	
Signature	
Date of registration and/or confirmation of expense by CFO	

