



Nexus Education Schools Trust

Gifts and Hospitality Policy

For all member Schools

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Annual Check

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 **Gifts** are any items, cash, awards, prizes, goods or services, offered without expectation of payment or benefit. Gifts also include goods or services offered at a discounted rate or on terms not available to the general public.

Hospitality is defined as food, drink, accommodation or entertainment (such as cultural or sporting events) provided free of charge, heavily discounted or on terms not generally available to the general public.

- 3.2 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.
- 3.3 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.
- 3.4 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. Roles and responsibilities

6.1 Members, Trustees and staff: _

- Must not give or accept gifts or hospitality to or from a third party where it might be perceived that their personal integrity has the potential to be compromised, or that the trust might be placed under any obligation as a result of acceptance
- Must not use their official position to further their private interests or the interests of others
- Must not solicit gifts or hospitality
- Must record any individual gifts or individual hospitality offered to them or the trust with a value of over £50 **per individual donor** on the gifts and hospitality register (see appendix 1) within 7 school days, even if declined
- Must consult the Chief Financial Officer or Chief Executive Officer before accepting or offering any individual gifts or hospitality with a value of over £50.

6.2 Academy Trustees

- Academy Trustees will ensure that the trust's funds are used in a way that commands broad public support, pays due regard to propriety and regularity, and provides value for money.

6.3 The Chief Executive Officer

- The Chief Executive Officer is responsible for ensuring that staff are aware of and understand this policy, and that it is being implemented consistently.
- The Chief Executive Officer will act with the utmost integrity on all matters relating to gifts and hospitality, ensuring that they set a good example to the rest of the school and trust and to those outside the organisation. They will also ensure, alongside the Chief Financial Officer (CFO), that decisions on whether individuals or the Trust can accept or offer gifts or hospitality with a value of over £50 are in line with this policy.

6.4 The Chief Financial Officer

The CFO will ensure that:

- The Trust and each academy maintains a gifts and hospitality register
- Figures for transactions relating to gifts made by the trust are disclosed in the Trust's audited accounts, in accordance with the Academy Trust Handbook
- The academy Trustees and Chief Executive Officer are provided with information on gifts and hospitality received and given, as appropriate. They will also ensure, alongside the Chief Executive Officer, that decisions on whether individuals or the Trust can accept or offer gifts or hospitality with a value of over £50 are in line with this policy.

6.5 Parents

- It is common for appreciative parents and pupils to register their thanks for the work of staff in the form of a small personal individual gift. If these are valued at less than £50 these are perfectly acceptable without reference to senior members of staff. These will not need to be recorded in the register.
- In some schools it is common practice for parents to contribute to a present. These group gifts may exceed the individual reporting limits. Reporting is required by the gift amount exceeds the £50 limit **per individual donor**.
- Where individual gifts valued over £50 are accepted, these should be recorded in the register.

6.6 Other

- Where a more valuable gift, benefit or service is offered which is to the good of the Academy, rather than an individual, it must be referred to the CFO or Chief Executive Officer, for approval within their discretion; if acceptable, then these terms must be recorded in the register

7. Giving and Receiving Gifts and Favours

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

- 7.1.1 Never solicit gifts from another individual, school or organisation.
- 7.1.2 Gifts of a trivial nature or small gifts may be accepted where refusal might offend the person offering the gift.
- 7.1.3 Where refusal would cause offence, an acceptable alternative is to suggest a donation to the Academy or to a charity nominated by the Academy.
- 7.1.4 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.

- 7.1.5 All gifts (over the financial limits) and what is done with them must be recorded in the Gifts & Hospitality Register, even if it has been refused.
- 7.1.6 Individual gifts (including flowers) over £50 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.
- 7.1.7 Long service awards will be authorised by the Central Directorate team and presented to staff member in accordance with the Long service Policy
- 7.1.8 For those staff retiring or leaving following long service with NEST an award and may be appropriate. Gift limits will be in-line with the Long service policy.
- 7.1.9 **Purchases of alcohol from school/trust funds are expressly forbidden.**

8 Giving and Accepting Hospitality and Entertainment

- 8.1 Never solicit hospitality from another individual, school or organisation.
- 8.2 Any hospitality given or received must be recorded in the Gifts & Hospitality Register even if it has been refused.
- 8.3 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.
- 8.4 For those staff retiring or leaving; following long service of 20 years plus as an employee of NEST including continuous service from a transferring school, a formal presentation may be appropriate. Special recognition for work by a staff member may also be considered for a presentation by agreement by the CEO. A hospitality limit of £15 per head (with invitee and costs numbers being agreed in advance by the CFO). The per head limit includes venue costs.
- 8.5 **Purchases of alcohol from school/trust funds are expressly forbidden.**

9 Examples of inappropriate gifts, rewards, fees or loans include:

- Cash
- Subscriptions
- Tobacco

10 Acceptable gifts include:

- Flowers, plants etc
- Chocolates
- Gift voucher (value of £50 **per individual donor/recipient** 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.

11 Examples of inappropriate hospitality, entertainment or preferential treatment include:

- 11.1 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.
- 11.2 Anything not based on the subsistence allowances for staff, Committee and Board Members which are in force at the time.
- 11.3 cash;
- 11.4 gifts or hospitality offers to a member of your family;

- 11.5 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).

12 Acceptable forms of hospitality and entertainment may include:

- 12.1 Hospitality or entertainment valued above £50 which has been specifically authorised by the CEO (Central Team) or Headteacher (individual school) and recorded in the Gifts & Hospitality Register
- 12.2 Lunches and refreshments in the course of the Trust/Academy's business. Any hospitality should not be extravagant.
- 12.3 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.

13 Declaration

- 13.1 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.

- 13.2 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.

- 13.3 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.

14 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.

15 Monitoring

15.1 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.

15.2 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.

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

16 Policy breach

16.1 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

School Name	
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	
Please confirm if the gift or hospitality was from one person/donor or from a group (eg class collection)	
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	

