

Policy for Gifts, Hospitality, Awards, Prizes and other benefits

Policy Code:	F2
Policy Start Date:	September 2017
Policy Review Date:	September 2019

Please read this policy in conjunction with the documents listed below:

- Finance Manual
- Trust Scheme of Delegated Authority

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1. Policy Statement

This policy enables the Trust to monitor and control the distribution and receipt of gifts and other benefits and ensure fairness and transparency in business transactions. It enables the Trust to ensure that the value of gifts, awards, prizes and other benefits is reasonable given the context. This policy helps to support staff in making a judgement and to enable them to apply practically the EFA Financial Handbook guidelines and provide guidance on some acceptable behaviours around the acceptance or rejection of gifts and awards. The Policy will also deliver some standards of reasonableness in gift and award-giving and prevent instances of bribery.

It is a **criminal offence** for a United Kingdom citizen, resident or company associate to pay or receive a bribe, either directly or indirectly in the UK or abroad.

The Bribery Act 2010 creates three main offences:

- Bribing a person to induce or reward them to perform a relevant function improperly;
- Requesting, accepting or receiving a bribe as a reward for performing a relevant function improperly;
- Using a bribe to influence a foreign official to gain a business advantage.

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

2. Responsibility and Implementation

The Policy is applicable to and should be adhered to by all staff, trustees and governors within the Trust. It applies to both receipt and offer of gifts, hospitality, awards and benefits.

- It is all staff members' responsibility to report appropriate gifts and awards
- It is the Chief Financial Officer's (CFO) responsibility to review and update the policy as necessary.
- It is the Headteacher's PA in each Academy/Federation Administrator/Finance Team Member's responsibility to run operationally each gift and hospitality register
- It is the Trustees' responsibility to ensure the policy is fit for purpose.
- It is the Trustees' responsibility to ensure a policy is in place, and to change, update or influence the policy.

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3. **Policy Details**

3.1 **Registering the Transaction**

When to record

- When the item received or given has a value or estimated value of £20 or above **or**
- when the item, no matter the value, could be deemed unreasonable (see 4).

Where to record

- An entry should be made for each separate gift or award on the gift and hospitality register (Link: <https://sharepoint.prioryacademies.co.uk/sites/admin/federation/Procedures%20and%20Templates/Gifts%20and%20Hospitality%20register.xlsx>)

When approval is required

Refer to the current Scheme of Delegated Authority, summarised below as at September 2017.

In all and any case - the receiver cannot be the sole approver of a transaction in which they are involved.

Type	Transaction	PA	Head	Head and CFO	Finance Committee
Gift, award, prize or hospitality	Given or received	≤£50	≤£100	≤£500	>£500

3.2 **How the register is managed and monitored**

- Each business unit (Academy, Boarding House, Federation, Apprenticeship or Teaching centre) will keep its own register.
- The relevant PA/Federation Administrator/Finance Team Member for each site will operationally run the register.

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- At the end of each academic year, each PA/Federation Administrator/Finance Team will report their register to the Federation Chief Financial Officer for consolidation and filing.
 - The Finance Committee, Trustees, Chief Financial Officer (CFO) and Chief Executive Officer (CEO) can request to view the register at any point in the year.
 - There will be an internal audit on the register once a year, organised and led by the CFO in March of each year.

4. Reasonableness

4.1 Ask these questions:

It is a subjective matter but the following questions should be asked:

- Might the transaction be seen to compromise the employee's personal judgement?
- Might the transaction lead to a compromise of personal integrity?
- Does the gift/award seem too generous or out of the ordinary relative to the context?
- Does the gift/award seem fair?

If any of the above answers are "Yes", then the transaction should be registered and the appropriate approvals should be obtained.

4.2 High Risk Areas:

- Transactions in relation to **Admissions**
- Transactions in relation to **Sales and Invoicing**
- Transactions in relation to **Procurement**
- Transactions in relation to **Local Authority and Government Relations**
- **Cash** transactions

4.3 Suggested acceptable/reasonable usage (guidance only):

- Flowers or a book token are permissible for an event e.g. retirement, milestone service, effort above and beyond the normal call of duty. <£40 suggested.

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- Transactions beyond these are **not** prohibited but all entries must follow the appropriate delegated level of authority and the rationale must be recorded in the register
 - Events where the hospitality is provided by a third party free of charge – <£100 estimated value per delegate.
 - A prize for best student – <£100.
 - In every case, the reasonableness should be reviewed with the contextual situation and just because the level is written above does not mean it is acceptable/reasonable.

4.4 Scenarios

A teacher receives the gift of a book voucher (estimated value £20) from a parent at the end of term

Action:

- 1. The Teacher must report the gift and provide information necessary to the PA to complete the register.*
- 2. The PA must record the item on the register.*
- 3. The PA must review for reasonableness and ensure the appropriate approvals are obtained.*

In this case, if there are no other compromising circumstances, the gift seems reasonable and not excessive.
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The Head of Boarding receives the gift of two West End theatre tickets from a parent whose child has applied for admission to boarding, pending decision (estimated value £100). The Head of Boarding advises the PA that they are returning the gift as a matter of principle.

Action:

- 1. The teacher must report the offer of the gift and provide information necessary to the PA to complete the register;*
- 2. The PA must record the item on the register;*
- 3. The PA must review for reasonableness and ensure the appropriate approvals for the action are obtained.*

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In this case, there are compromising circumstances, the gift seems unreasonable and excessive, especially given the situational context. The Head of Boarding has picked up on and proceeded with the appropriate course of action, which enables the approver to sign off the action on the register. In this case the Head of Boarding cannot approve his own register entry; an alternative Head must do this.

5. Policy Changes

This policy may only be amended or withdrawn by The Priory Federation of Academies Trust.

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The Priory Federation of Academies Trust Trust Policy for Gifts, Hospitality, Awards, Prizes and other benefits

This Policy has been approved by the Priory Federation of Academies
Finance Committee

Signed..... Name..... Date:

Trustee

Signed..... Name..... Date:

Chief Executive Officer

Signed..... Name..... Date:

Designated Member of Staff

Please note that a signed copy of this agreement is available via Human
Resources.