



PROSPER
LEARNING TRUST

Gifts and Hospitality Policy

Policy reviewed and adopted by Trustees	October 2021
Version	4
Review frequency	3 Yearly
Date of next review	October 2024
Responsible Officer	Director of Finance and Operations

Purpose

This policy sets out the procedure Staff, Volunteers and Governance Personnel must follow when giving or receiving gifts and hospitality.

Scope

This policy applies to full time and part time employees on a substantive or fixed-term contract, and to associated persons such as Trustees, secondees, agency staff contractors and others employed under a contract of service.

Policy Statement

The Trustees of Prosper Learning Trust are committed to the highest level of integrity, honesty and accountability in all its business dealings. All staff and Trustees 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 the Trust.

In order to protect all individuals associated with the Trust, and the reputation of the Trust from accusations of bribery or corruption staff and Trustees must take extreme care 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.

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.

The Trust and each academy will hold a Gifts and Hospitality Register. All gifts/ hospitality over the value of £25 must be recorded in the Gifts and Hospitality Register. The register is maintained by the Lead or Senior Admin in each Academy and the Director of Finance and Operations for central Trust employees and Trustees. All such offers must be declared *whether accepted or declined*.

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.

In exercising judgement as to whether to accept a gift or hospitality the question should be asked what public perception would be if the information was published given Trustees and staff role and circumstances.

It is Trustees and staff responsibility to ensure that Trustees and staff are not placed in a position that risks, or appears to risk, compromising Trustees and staff role or the Trust public and statutory duties. Trustees and staff should not be seen to be securing valuable gifts and hospitality by virtue of Trustees and staff job or role. Trustees and staff should not accept or provide any gift or hospitality if it gives the impression that Trustees and staff have been influenced or deemed to be influencing while acting in an "official capacity".

Receiving gifts

Trustees and staff may retain all gifts valued at £25 or under when given in recognition of presenting at events or otherwise.

For gifts exceeding a value of £25, the decision on how to deal with the gift rests with the Chief Executive Officer. The following options are suggested:

- share the gift with all staff
- raffle the gift for charity
- donate the gift to charity
- make a donation to charity and keep the gift

It is not uncommon that in various working environments gifts are exchanged between staff, for example at Christmas. In these circumstances, and providing that gifts have not been funded in any way by monies associated with the Trust, such gifts need not be registered.

Giving gifts

When giving gifts, the Trust must ensure that the value of the gift is reasonable and has due regard to propriety and regularity in the use of public funds.

Any purchases of gifts must be authorised, in advance of the purchase, by the Director of Finance and Operations or the CEO.

Staff gifts may be purchased from Trust funds, for specific significant events such as a long service milestone, a close family bereavement or a retirement. On all other occasions (such as staff leaving the Trust/school for a new post) staff gifts should be funded from contributions from other staff.

Governance personnel retirement is also acknowledged and gifts can be purchased from Trust funds, in recognition of the voluntary service that they have provided to a School/the Trust.

In each of the examples above, gifts should be trivial in nature, such as a bunch of flowers, within a maximum limit of £40.

No alcohol is to be purchased using Trust funds.

The above does not apply to awards of gifts, prizes etc. related to the achievement of pupils e.g. attendance, behaviour, attainment or merit awards.

Giving of Pupil Awards and Prizes

Pupils are given awards and prizes in recognition of achievement and attendance etc. The Headteacher/Head of School will approve these purchases and nominations.

Accepting offers of hospitality – genuine business reasons

Hospitality offered should only be accepted where there is a direct link to working arrangements and a genuine business reason can be demonstrated, for example:

- attendance or speaking at a conference, which provides complimentary subsistence, travel and accommodation (this does not need to be declared on the register except where a gift was received)
- attending at a free training course
- attending a drinks reception to network

It is recognised that, in the course of carrying out Trust duties, Trustees and staff will need on occasion to ensure good relationships with existing and future customers, suppliers and stakeholders and that this may involve for example, the receipt of modest working lunches and dinners. These are acceptable where there is a genuine business reason.

Hospitality invitations to events which are purely social events should be considered very carefully before accepting; in such circumstances it may be much more difficult to substantiate a genuine business reason. Trustees and staff are expected to use annual leave for such events.

It is common for appreciative parents and pupils to register their thanks for the work of staff in the form of a small personal gift. If these are valued at less than £25 these are perfectly acceptable without reference to senior members of staff. These will not need to be recorded in the register.

Where a gift is received on behalf of the Trust, the gift remains the property of the Trust. The gift may be required for departmental display or it may, with the Chief Executive Officer's approval, remain in the care of the recipient.

Gifts are sometimes offered by suppliers with the purchase of items. All such special offer gifts are the property of the Trust and must be registered and used accordingly.

Gifts and hospitality offered by Prosper Learning Trust

Trustees and staff must be mindful that the value of all gifts and hospitality offered by the Trust are sourced from public funding, and the expectation is that such funding will be used for legitimate purposes and demonstrate value for money.

It is acceptable to provide modest hospitality in the way of working lunches and/or dinners to existing and potential suppliers, customers and stakeholders subject to a genuine business reason.

Declaration

Trustees and staff should make a declaration by email as soon as possible after the offer or receipt of gifts or hospitality. All declarations are to go to the Chief Executive Officer in the required format as shown below. The declarations will be recorded in the register and will be available for inspection at any time.

The declaration will need to include the following information:

- date of offer of gift or hospitality, and date of event where relevant;
- name, job title and organisation of recipient / provider;
- nature and purpose of gift or hospitality received or declined;

- the name of any other organisation involved;
- actual or estimated value.

Monitoring

The register will be reviewed as part of the Trust's Internal Audit reviews.

Trustees and staff will be reminded periodically of their requirement to declare gifts and hospitality provided/accepted/declined in accordance with this policy.

Policy breach

Staff and Trustees who fail to declare the acceptance/provision/decline of hospitality and gifts in accordance with this policy may be subject to disciplinary action under the Disciplinary Policy.

DECLARATION OF GIFTS AND HOSPITALITY OFFERED TO TRUSTEES AND EMPLOYEES ABOVE THE VALUE OF £25

Name (Recipient):	
Position:	
Date Offered:	
Who made the offer (individual/company/organisation etc) and when?	
Give details of the gift/hospitality:	
What was its estimated value?	
What was the purpose of the offer?	
Did you accept or refuse the offer?	
Which Senior Manager gave authority for the acceptance of the gift?	
Is the individual/company/organisation dealing with the Trust/Academy in relation to any matters? If so, please give details:	
Are they providing goods/services to the Trust/Academy or hoping to do so in the future?	
I certify to the best of my knowledge, I have complied with the guidance in the Gifts and Hospitality Policy.	
Signature:	
Date of declaration:	

When completed, this form must be handed to the Lead/Senior Admin within your relevant academy.