MARNER
PRIMARY SCHOOL

Gifts, Hospitality and Anti-Bribery Policy

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Contents

1.	*Policy statements*	*3*
2.	*Scope*	*3*
3.	*Equalities*	*4*
4.	*Aims and objectives*	*4*
5.	*Definitions*	*4*
6.	*Preventing bribery*	*5*
7	*Reporting suspected bribery*	*6*
8	*School action where bribery is found*	*6*
9.	*Charitable donations*	*6*
10	*Gifts and hospitality from parents and pupils*	*6*
11	*Gifts from the school*	*8*
12	*Record keeping*	*8*
13	*Additional information*	*9*

1. Policy statement

The culture of the school is one of honesty and openness and all staff are therefore expected to observe exceptionally high standards of personal honesty and integrity. This school is committed to the highest ethical standards and acting with integrity in all business activities. The principle of integrity requires that all individuals working for the school at all levels (whether permanent, fixed term or temporary) including governors, volunteers, agents and any other person associated with the school (referred hereafter as employees), should not place themselves under any obligation that might influence, or be perceived to influence, the conduct of their duties. As a general rule, with the exception of the circumstances referred to in paragraph 10, employees of the school must not accept / offer any gift, reward or benefit from / to any member of the public, organisation or firm with whom they have been brought into contact by reason of their duties. Staff who are aware of other employees of the school being offered or accepting gifts should report this to the headteacher or equivalent.

The receipt of hospitality and gifts must be subject to clear restrictions and where they are accepted, they must be declared and recorded.

This policy details the school's position on preventing and prohibiting bribery and dealing with gifts and hospitality.

Bribery by, or of, employees, agents or consultants, or any person acting on behalf of the school will not be tolerated. The school is committed to implementing effective measures to prevent, monitor and eliminate bribery.

Bribery and corruption by individuals are punishable by up to 10 years' imprisonment and the school could face an unlimited fine and serious damage to its reputation; therefore, the school takes its legal responsibilities very seriously.

This policy takes into consideration the requirements under the UK Bribery Act 2010.
Abuse of the procedure or negligence may result in disciplinary action being taken.
This policy and procedure has been consulted on and agreed with the relevant trade unions.

2. Scope

This policy covers all individuals working for the school at all levels (whether permanent, fixed term or temporary), and includes governors, volunteers, agents and any other person associated with the school (referred hereafter in the policy as employees).

This policy applies to gifts and hospitality offered by students to employees and vice versa.

Gifts and hospitality offered to friends and family of school employees will also be unacceptable if they might be seen to entice future business with the school.

This policy also applies to gifts and hospitality which the school might offer to others.

3. Equalities

The school will promote equality in all aspects of school life and are committed to complying with the Equality Act 2010. The school will monitor the impact of this policy, paying particular attention to any equality implications. When considering any amendments to this policy, the school will assure itself that appropriate arrangements are in place to enable the consistent application of the policy.

4. Aims and objectives

This policy is designed to protect schools from accusations of bribery and corruption and thereby also protect the reputation of the school. The policy also establishes the responsibilities of the school in observing and upholding the position on bribery and corruption and provides information and guidance to school staff on how to recognise and deal with bribery and corruption concerns. The process set out in this policy and procedure is designed to safeguard employees from any misunderstanding or criticism.

5. Definitions

5.1 Gifts include (but are not limited to):

- *the free gift of any goods or services provided to the employees individually or as a gift to the organisation.*
- *the opportunity to acquire any goods or services at terms not available to the general public, including additional services, privileges and other advantages related to your position in the school, this does not include discounts which may have been negotiated by the school or local authority on behalf of all staff, for example discounted membership fees at a fitness centre.*
- *the opportunity to obtain goods or services not available to the general public.*

5.2 Hospitality

Hospitality refers to the offer of food, drink, accommodation or entertainment (except that which is provided by the school) or the opportunity to attend any cultural, business or sporting event. Common hospitality includes lunches or dinners provided by external bodies or tickets to events. Where travel or accommodation associated with attendance at a function, event, conference or similar is made on school business or as a school representative and paid for by a third-party, a gifts and hospitality declaration should be made. The travel and/or accommodation will, where

the expenditure is reimbursed to the school, should be approved and reported as such.

5.3 Bribery

5.3.1 The Bribery Act 2010 came into force on 1 July 2011. It covers bribery and corruption in business activities in the UK and overseas. Under the Bribery Act 2010, a bribe is a financial or other type of advantage offered with the intention of inducing or rewarding improper performance of a function or activity, or knowledge or belief that accepting such a reward would constitute the improper performance of such a function or activity.

5.3.2 A criminal offence will be committed under the Act if:

- *An employee or associated person acting for, or on behalf of, the school offers, promises, gives, requests, receives or agrees to receive bribes.*
- *An employee or associated person acting for, or on behalf of the school, offers, promises or gives a bribe to a public official with the intention of influencing that official in the performance of their duties.*
- *And, in either case, the school does not have the defence that it has adequate procedures in place to prevent bribery.*

6. Preventing bribery

6.1 All employees have a responsibility to help in the prevention, detection and reporting of bribery.

6.2 Employees must not:

- Give, promise or offer a payment, gift or hospitality, with the expectation or hope that an advantage for the school will be received or to reward an advantage already received.
- Give, promise or offer a payment, gift or hospitality to a government official, agent or representative to facilitate or expedite a routine procedure.
- Accept payment from a third party if they know or suspect that it is offered with an expectation of a business advantage in return.
- Threaten or retaliate against another employee who has refused to commit a bribery offence or who has raised concerns under this policy.
- Fail to challenge or report suspicions of bribery or corruption.
- Engage in any activity that may lead to a breach of this policy.

7. Reporting suspected bribery

7.1 Employees are encouraged to raise concerns about any suspicion of bribery or corruption at the earliest possible opportunity to the headteacher. Issues that should be reported include:

- *Any suspected or actual attempts at bribery.*
- *Any concerns that an employee may be in receipt of bribes.*
- *Any concerns that an employee may be offering or delivering bribes.*

7.2 All concerns should be reported following the procedure set out in the school's Whistleblowing Policy.

7.3 All reports of bribery will be investigated thoroughly and in a timely manner by the appropriate member of the SLAT and in the strictest confidence.

7.4 Employees who raise concerns in good faith will be supported by the school and the school will ensure that they are not subjected to any detrimental treatment as a consequence of their report. Any instances of detrimental treatment against an employee for reporting a suspicion will be treated as a disciplinary offence.

8. School action where bribery is found

8.1 Following investigation, the school will invoke disciplinary procedures where any employee is found guilty of bribery and this may result in a finding of gross misconduct and immediate dismissal. The school may terminate the contracts of any associated persons, including consultants or other workers acting for, or on behalf of the school, who are found to have breached this policy.

9. Charitable donations

9.1 Schools may support a number of carefully selected charities which will be agreed in advance with the governing body. Any charitable donations will be agreed in line with the school's financial regulations and will be legal and ethical.

9.2 The school may agree to support fundraising events involving employees.

9.3 No donation must be offered or made in the school's name without the prior approval of the headteacher.

10 Gifts and hospitality from parents and pupils

10.1 It is permissible for staff to accept gifts from parents and pupils, for example, e.g. at

Christmas or the end of the academic year, however, if these gifts are too generous e.g. over £25, it should be referred to the headteacher for approval.

10.2 Gifts of a value of £25 or less can be accepted from parents and pupils without approval from the headteacher (providing that these gifts do not satisfy the conditions outlined in 10.4). These gifts do not need to be recorded in the Gifts and Hospitality Register.

10.3 Staff are permitted to accept gifts from groups of pupils or parents up to the value of £100 (providing that these gifts do not satisfy the conditions outlined in 7.4). These gifts do not need to be recorded in the Gifts and Hospitality Register.

10.4 Staff will not accept:

- *Gifts or hospitality offered to their spouse, partner, family member or friend.*
- *Gifts or hospitality from a potential supplier or tenderer.*
- *Lavish or extravagant gifts or hospitality.*

10.5 Staff will consider the following before accepting gifts or hospitality:

- *Whether there is any benefit to the school in them accepting the scale, amount, frequency and source of the offer.*
- *The timing of the offer in relation to forthcoming decisions.*
- *Whether accepting the offer could be misinterpreted as a sign of their, or the school's, support or favour.*

10.6 Where staff believe the offer satisfies one of the conditions in 10.4 or is above the values outlined in 10.2 or 10.3, staff will seek prior approval from the headteacher before accepting the offer and details of these offers that will be recorded as outlined in section 12 of this policy.

10.7 Staff will not accept any gifts that they believe to be excessive or more than simply a token gift of gratitude at an acceptable time of year, such as Christmas or end of term/year.

10.8 If a gift is received without warning, staff will politely decline the gift. Or, if they feel it would be inappropriate to do this, they will refer the matter to the headteacher as soon as possible to allow the headteacher to decide the course of action. The headteacher may decide to return the gift, ask the chair of governors for their view, or donate the gift to a charity/other local cause.

10.9 If staff are unsure whether to accept a gift in any situation, they will speak to the headteacher.

10.10 Parents and pupils will be informed of the school's policy regarding gifts and hospitality and will be encouraged to speak to the headteacher if they want to give a staff member a gift which is of high value or may satisfy any of the conditions outlined in 10.4.

10.11 There is an expectation that in addition to declaring those gifts received, colleagues will also declare those which have been correctly refused. Each school is expected to maintain a gifts & hospitality register.

11 Gifts from the school

11.1 The purchasing of excessive or alcoholic gifts is regarded as irregular expenditure.

11.2 The school may, at the headteacher's discretion, provide staff with token gifts to reward efforts beyond their duties such as significant contributions towards extra- curricular activities. These gifts will be non-monetary and cost less than £30.

12 Record keeping

12.1 The school keeps financial records and has appropriate internal controls to provide evidence for the business reasons for making payments to third parties.

12.2 The Register of Gifts and Hospitality Register is used to record gifts or hospitality that needs to be recorded. The following information will be recorded:

- *The nature of the gift/hospitality.*
- *The date the gift/hospitality was offered.*
- *Who the gift/hospitality was offered by.*
- *Name of staff member the gift/hospitality was offered to.*
- *Value of the gift/hospitality.*
- *Action taken - for example, whether the offer was refused or accepted.*

12.3 Employees' expenses claims relating to hospitality, gifts or expenses incurred to third parties are submitted in accordance with the school's Staff Expenses Policy.

12.4 All invoices, accounts and related documents should be prepared and maintained with the highest accuracy and completeness.

12.5 No accounts may be kept "off-book."

13 Additional information

13.1 For any further information on this policy please contact your HR provider.