

Plymouth CAST GIFTS & HOSPITALITY POLICY

Date agreed by Finance Committee:

Date approved by Board of Governors:

Date of Next Review:

PURPOSE

The principle of integrity requires that Plymouth CAST staff should not place themselves under an obligation that might influence, or be perceived to influence, the conduct of their duties. This means that the receipt of hospitality and gifts must be subject to clear restrictions and that any that are accepted are appropriately declared and recorded.

The process set out in this policy and procedure is designed to safeguard employees from any misunderstanding or criticism.

This policy takes into consideration the requirements under the UK Bribery Act 2010, which came into effect 1 July 2011. The Ministry of Justice has published guidance which provides the basis for inclusion in this policy. This guidance is under section 9 of the Act.

SCOPE

This policy applies to all Plymouth CAST employees. For the purposes of this policy, 'Employees' include everyone working at Plymouth CAST, whether on a permanent, temporary or casual basis and whether or not treated as employed for tax and employment law purposes. It also includes all volunteers, including Governors when acting for the Trust.

PROCEDURE

GIFTS

You must not accept personal gifts with a significant monetary value nor any amount of cash, however small. Items of nominal value (approximately £25 or below) or free promotional pens, calendars, diaries or similar items may be accepted, subject to the rules outlined below.

Gifts which are intended for the Trust as an institution can be accepted but must not be retained by the individual who receives them. Such gifts should be deposited with the Finance Office for use by the Trust.

Personal gifts may not be solicited under any circumstances. To do so would be in contravention of the Bribery Act 2010 and the Trust's Anti-Corruption Policy, and would be a disciplinary offence which could lead, depending in the circumstances, to **summary dismissal**.

When you have to decline a gift, you should be courteous but firm, and draw the attention of the person making the offer to the existence of this policy and the UK Bribery Act 2010. Exceptionally, if a gift of money (of any value) or of items worth more than £25 cannot be refused without causing offence, it must be made clear to the donor that it is being accepted for the use of the Trust (for which many thanks), and not as a personal gift. The gift must then be declared (see below) and deposited with the Finance Office for Trust use; this must be done immediately to ensure that there is no impression that the gift is being retained for personal use.

Low-value gifts of items (up to about £25) need not be declared. All gifts of money and gifts of items worth more than £25 must be recorded in the Trust's gifts and hospitality register, which is maintained in the Finance Office, within five working days. If the gift is not registered within this time and it comes to light later, it may be assumed by the Trust that the failure to register was deliberate if there is any cause to question how the gift was dealt with. Retention by an individual of gifts intended for the Trust's use under 3.1.2 or 3.1.4 will be treated as a disciplinary offence which could lead, depending in the circumstances, to **summary dismissal**.

SUPPLIER SPECIAL OFFER GIFTS

Gifts are sometimes offered by suppliers with the purchase of items. All special offer gifts are the property of the Trust and must be turned into the Finance Office for use by the Trust. Such gifts should never sway the decision as to which supplier to use.

GIFTS TO STAFF FROM THE TRUST

Where the school wishes to provide a gift to an individual (e.g. on retirement) the maximum amount to be spent is based on the length of service for the individual. The basis for this is £10 per year up to a maximum of £100. Any gift must be purchased from unrestricted funds and can be topped up through additional contributions from individuals (staff or parents).

Gifts to celebrate birthdays, weddings or childbirth must at all times be funded from contributions by staff and parents.

RECEIVING HOSPITALITY

You should never accept lavish hospitality that could be interpreted as a way of exerting an improper influence over the way you carry out your duties. Nor should you offer such hospitality to others on behalf of the Trust. You should **never** solicit hospitality.

As a general rule, you should think carefully before accepting hospitality that the Trust would not reciprocate in similar circumstances. If you wish to accept hospitality which exceeds this level of expense, but which does not appear to you to be lavish in the context of the offerer's situation or business, you should seek advice from the Director of Finance or the Finance Manager.

The timing of hospitality in relation to procurement or purchasing decisions that the Trust may be taking is especially sensitive. You should **never** accept a gift or hospitality from any organisation where you can reasonably foresee that you will be involved in deciding whether or not to they should be awarded a contract or order.

When you have to decline hospitality, you should be courteous but firm, and draw the attention of the person making the offer to the existence of this policy **and the UK Bribery Act 2010**.

You may accept modest working meals and light refreshments without making any declaration. All other hospitality must be recorded in the Trust's gifts and hospitality register which is maintained in the Finance Office.

Other hospitality may be accepted where:

- You are representing the Trust in the community or are imparting information about the Trust to the public.
- An event is clearly part of the life of the community or where the Trust should be seen to be represented.
- The hospitality concerns attendance at a relevant conference or course where it is clear the hospitality is corporate rather than personal.

OFFERING HOSPITALITY

External hospitality is generally not appropriate. Where it is desired that the Trust pays for external hospitality, this should be approved in advance by the Principal or Director of Finance, who should review the request in light of the UK Bribery Act 2010.

Any hospitality provided, whether internal or external, should not be extravagant.