



FULBROOK MIDDLE SCHOOL

GIFTS & HOSPITALITY POLICY (PURCHASED AND RECEIVED)

Issue No.	Author/Reviewer	Date Written/Reviewed	Approved by FES	Approved by FGM	Review Date
V1	Lin Diaby – SBM	29 February 2016	11 March 2016	March 2016	March 2017
V2	Lin Diaby – SBM	2 February 2018	23/03/2018	05/06/2018	February 2020

Background

This policy sets out the requirements and guidelines for purchasing gifts for staff, governors and volunteers and for staff receiving gifts and hospitality, whilst being mindful of Government regulations and to address audit recommendations.

Specific Direction from the Academies Financial Handbook 2017

3.1.2 Principles

3.1.3 Academy trusts **must** ensure that:

- spending has been for the purpose intended and there is probity in the use of public funds
- spending decisions represent value for money, and are justified as such
- internal delegation levels exist and are applied within the trust
- a competitive tendering policy is in place and applied, and Official Journal of the European Union (OJEU) procurement thresholds are observed
- relevant professional advice is obtained where appropriate, including that of their external auditor where necessary

3.5 Gifts

3.5.1 The academy trust should have a policy and register on the acceptance of gifts, hospitality, awards, prizes or any other benefit which might be seen to compromise their personal judgment or integrity; and should ensure that all members of staff are made aware of this. When giving gifts, the trust must ensure that the value of the gift is reasonable, is within the trust's scheme of delegation of financial powers, the decision is fully documented, and has due regard to **propriety** and **regularity** in the use of public funds.

Annex A: Definitions

Propriety	The requirement to deal with expenditure and receipts in accordance with Parliament's intentions and the principles of parliamentary control. This covers standards of conduct, behaviour and corporate governance.
Regularity	The requirement to deal with all items of income and expenditure in accordance with legislation, the terms of the trust's funding agreement and Academies Financial Handbook, and compliance with internal trust procedures. This includes spending public money for the purpose intended by Parliament.

Receipt of Gifts and Hospitality

Purpose

The receipt of gifts, money or hospitality can damage the reputation of the school and lead to possible prosecutions for corruption.

This policy seeks to protect staff from suspicion of dishonesty and ensure they are free from any conflict of interest with respect to acceptance or provision of gifts, hospitality or any other inducement from or to suppliers of goods or services to the school.

Definitions

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.

Staff is taken to mean all permanent and fixed term staff employed by Fulbrook Middle School and by any other contractors, consultants or other persons, including Governors, acting under Fulbrook Middle School's name.

Principles

Fulbrook Middle School expects staff to exercise the utmost discretion in giving and accepting gifts and hospitality when on school business. Particular care should be taken with regard to a person or organisation that has, or is hoping to have, a contract with the school.

Staff must not accept gifts, hospitality or benefits in kind from a third party where it might be perceived that their personal integrity is being compromised or that Fulbrook Middle School might be placed under an obligation with that third party.

No favour or preference which is not generally available should be sought, accepted or given.

Staff must not make use of their official position to further their private interests or those of others.

Gifts and Hospitality

The individual should consider carefully whether it is appropriate to accept or decline a gift or hospitality.

If in doubt, advice should be sought from a member of Senior Leadership Team.

Gifts of low intrinsic value such as promotional calendars or diaries or small tokens of gratitude can be accepted.

Any gift or hospitality with a value of £25 or over must be recorded in the Register of Gifts and Hospitality. This will be held by the School Business Manager.

It is each individual's responsibility to inform the School Business Manager by email of any gifts or hospitality that is offered.

Contracts with Suppliers

Staff must base all purchasing decisions and negotiations for contracts solely on achieving best value for money.

Fulbrook Middle School requires staff who have official dealings with contractors and other suppliers of goods and services to Fulbrook Middle School to avoid conducting any private business with them by any means other than through normal commercial channels.

Staff should be aware of the Prevention of Corruption Act 1916 which states that any money, gifts or consideration received by an employee in public service, from a person or organisation holding, or seeking to obtain a contract, will be deemed by the courts to have been received corruptly unless the employee proves otherwise.

<http://www.legislation.gov.uk/ukpga/Geo5/6-7/64/introduction>

Gifts to and from Pupils

Given the nature of the professional responsibilities of staff, they are strongly advised not to give or accept gifts/hospitality exceeding £25 in value from pupils.

Any gifts or hospitality from pupils exceeding £25 in value must be entered in the Register of Gifts and Hospitality.

Register of Gifts and Hospitality

The School Business Manager has responsibility for the ownership of the policy and the Register of Gifts and Hospitality. Individual staff are personally responsible for reporting any gifts and/or hospitality, exceeding £25 in value, offered and whether these have been accepted or declined. The School Business Manager will record this information in the register.

The following information should be recorded:

- Nature of gift/hospitality
- Value of gift/hospitality
- Name of person/company offering the gift/hospitality
- Date gift/hospitality accepted/refused
- Name of employee.

Purchase of Gifts and Provision of Hospitality

The main school budget is primarily funded from Central Government Public Funding and any expenditure from this budget must be in line with the conditions of that funding and for the purpose for which it was intended.

The school fund is used mostly for income and expenditure on trips, fundraising activities, school photo sales, stationery sales etc. The majority of these activities are non-profit making.

Main School Budget

No gifts for individuals may be purchased from the main school budget with the exception of prizes or incentives for pupils.

For staff and governors, a card and flowers, or other suitable token of support, may be given for the following purposes:

- Bereavement
- Serious illness/accident
- Retirement
- Qualification achievements
- Long service awards i.e. 10 years, 15 years and 20 years.

The total cost of the gift must not exceed £50. Above this level it becomes a taxable benefit to the individual and must be declared to HMRC as such. Any individual receiving gifts in excess of £50 in any one tax year is liable to pay tax on those gifts.

Gifts for birthdays, weddings, birth of a child, leavers and other events should be paid for from staff contributions.

Food and refreshments may also be provided to staff and governors for the following events:

- Staff/governor training events.
- Parents/open evenings.
- Christmas lunch.

(Tea, coffee, sugar and milk is provided for all staff, governors and visitors).

The value of these events must not exceed £150 per tax year as above that they become a taxable benefit.

Any payments to staff should be made through the payroll system.

Alcohol must not be purchased from the main school budget unless it is used for events which promote and market the school. It is recommended that the school caters for no more than one glass per adult. Alcohol must not be sold at these events without a licence.

Alcohol must not be purchased from the main school budget for any events other than those promoting and marketing the school.

A full description for the purpose of the gift should be kept in a purchased gifts register.

The following information should be recorded:

- Nature of gift/hospitality
- Value of gift/hospitality
- Name of person being given the gift/hospitality
- Date gift/hospitality given
- Person authorising the gift/hospitality.

School Fund Budget

Gifts may be purchased from the School Fund Budget, including alcohol, as a thank you or for a school function provided that:

- The total cost of the gift does not exceed £50. The funding used to purchase gifts comes from School Fund generated income, (i.e. bank interest, school photo commission) and not funding raised in the name of the school where the public assume that it will be used for the support of the pupils (i.e. contributions towards trips, charity fundraising activities).
- A full description for the purpose of the gift should be kept in a purchased gifts register.

The following information should be recorded:

- Nature of gift/hospitality
- Value of gift/hospitality
- Name of person being given the gift/hospitality
- Date gift/hospitality given
- Person authorising the gift/hospitality.

Register of Gifts and Hospitality Received

Description of Gift/Hospitality	Date Offered	Offered To	Offered By	Value £ (if over £25)	Accepted or Declined	If Accepted – Approved By

Notes and extract from the Gifts and Hospitality Policy

This register supports the Gifts and Hospitality Policy approved by the Governing Body in January 2016.

The register will be kept by the School Business Manager. Details as required in the table above should be emailed to the School Business Manager.

The information recorded in this register will be requested by and provided to our auditors and Finance, Estates and Staffing Committee.

Acceptance of gifts or hospitality with a value exceeding £25 must be subject to prior approval by a member of SLT and recorded in this register.

