



**AGAPE MULTI ACADEMY TRUST**

*A collaboration of schools which enhances the educational experiences and outcomes for children, maximising the benefits of working together, whilst maintaining the individual culture and ethos of each individual school*

**Gifts, Hospitality and Anti-Bribery Policy**

<b>Author:</b>	CEO/Governance Professional
<b>Approver:</b>	Finance & Resources Committee
<b>Date:</b>	19 <sup>th</sup> March 2024
<b>Next review:</b>	March 2027 or earlier if there are any statutory changes
<b>Category of policy:</b>	Trust Policy

**Changes history**

<b>Version:</b>	<b>Date:</b>	<b>Amended by:</b>	<b>Substantive changes:</b>	<b>Purpose:</b>
1	19.3.2024		New trust policy	

## **1. Introduction**

The principle of integrity requires that the members, trustees, governors and staff of Agape Multi Academy Trust (Trust) 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 must be declared and recorded.

The process set out in this policy is designed to safeguard members, trustees, governors and staff of the Trust from any misunderstanding or criticism.

## **2. Aims**

This policy aims to ensure that:

- Academy trust funds are used only in accordance with the law, its articles of association, its funding agreement and the latest Academy Trust Handbook
- The Trust and those associated with it operate in a way that commands broad public support
- The Trust has due regard to propriety and regularity, and ensures value for money, in the use of public funds
- Trustees fulfil their fiduciary duties and wider responsibilities as charitable trustees and company directors
- Members, trustees, governors and staff are aware of what constitutes acceptable gifts and hospitality, and the process that must be followed if they are presented with any of the same

## **3. Legislation and guidance**

This policy is based on the [Academy Trust Handbook](#), which states that academy trusts should have a policy and register on the acceptance of gifts, hospitality, awards, prizes or any other benefit which might compromise their personal judgement or integrity. This should include members, trustees, governors, staff and/or any other representative of the trust. The handbook states that the trust should ensure that all staff are aware of this policy.

This policy also complies with our funding agreement and articles of association.

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.

## **4. Gifts**

Members, trustees, governors and staff must not accept cash, or personal gifts with a significant monetary value, under any circumstances.

Items of nominal value (£25 or below) or free promotional pens, calendars, diaries or similar items may be accepted. Gifts and hospitality with a value of £25.00 or under do not need to be pre-approved or recorded on the gifts and hospitality register.

The CEO or CFOO of the Trust or Headteacher of the school must be consulted before accepting a gift with a value of over £25.00. All gifts received over the value of £25.00 must be recorded in the respective Trust or School's gifts and hospitality register, which is maintained by the CFOO for the Trust and the Headteacher PA's for the schools. Gifts must be recorded within 7 days of receipt.

Gifts which are intended for the Trust or one of its schools, as an academic body, can be accepted but must not be retained by the individual who receives them. Such gifts should be deposited with the respective Administration Office.

Personal gifts may not be solicited under any circumstances.

When a gift is declined 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.

The CFOO of the Trust will ensure that transactions relating to gifts made by the Trust are disclosed in the trust's audited accounts, in accordance with the Academy Trust Handbook.

## **5. Supplier Special Offer Gifts**

Gifts are sometimes offered by suppliers with the purchase of items. All special offer gifts are the property of the respective Trust or school and must be handed into the Administration Office for use by the Trust/school.

## **6. Hospitality**

Lavish hospitality should not be accepted as this could be interpreted as a way of exerting an improper influence over the way we carry out our duties. Nor should we offer such hospitality to others on behalf of the Trust or its schools. The timing of hospitality in relation to procurement or purchasing decisions that the Trust/schools may be taking is especially sensitive. Such hospitality should never be solicited. As a general rule, hospitality should not be accepted if the Trust/school would not reciprocate in similar circumstances.

Attendance at sporting and cultural events at the invitation of suppliers, potential suppliers or consultants is not normally acceptable. Where it is considered that there is a benefit to the Trust/School in a trustee, governor or member of staff attending a sponsored event, attendance should be formally approved by the Headteacher of the respective school (or the CEO if this relates to a trustee or governor). If necessary, trustees, governors and staff should pay their share of any costs and claim these in the usual way.

When hospitality is declined 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.

Modest working meals and light refreshments may be accepted without making any declaration. All other hospitality must be recorded in the school's gifts and hospitality register.

Other hospitality may be accepted where:

- A person is representing the Trust or one of its schools in the community or are imparting information about the Trust or one of its schools to the public.
- An event is clearly part of the life of the community or where the Trust or one of its schools 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.

## **7. Expense Claims**

Where hospitality is to be provided by the Trust or one of its schools this should be approved in advance by the CEO or CFOO (if the Agape Trust is providing the hospitality) or a member of the School Leadership Team (if it is the school which is providing the hospitality). The CEO, CFOO and School Leadership Teams should review the hospitality in light of the UK Bribery Act 2010. Hospitality is not prohibited by the Act but should be considered in light of it. Any hospitality provided should not be extravagant.

Claims for reimbursement of expenses should be made in the usual way and receipts should always be provided.

## **8. PROVE IT Test**

Please use the following guideline to determine whether an offer of a gift or hospitality is acceptable:

- PURPOSE – Token, thanks or seeing a favour? (token/thanks = yes; favour = no)
- RULES – What are they? Does this situation conform?
- OPENNESS – Is the offer transparent?
- VALUE – Expensive or inexpensive?
- ETHICS – Does the offer fit with School's ethics?
- IDENTITY – Who has made the offer?
- TIMING – Are you about to make a decision affecting the giver?

## **9. UK Bribery Act 2010**

Under the Bribery Act (2010) it is an offence to offer or receive bribes or improper inducements for any purpose.

The Trust defines bribery as 'an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage'.

There are four key offences under the Act:

- bribery of another person
- accepting a bribe
- bribing a foreign official and
- failing to prevent bribery.

Members, trustees, governors and employees must not:

- offer, promise or give a bribe
- request, agree to receive, or accept a bribe
- bribe a foreign public official with the intention of obtaining or retaining business or an advantage in the conduct of business.

It is a criminal offence to use a third party as a means to direct bribes to others. Members, trustees, governors and employees must not encourage bribery either directly or indirectly.

Where you believe that this policy has been breached you should report it to your line manager or the CFOO. For confidential reporting use the whistleblowing policy.

A failure to comply with the terms of this policy could lead to disciplinary action being taken.

