

drb Ignite Multi Academy Trust

Gifts, Hospitality and Bribery Policy

drb Ignite Multi Academy Trust Vision _____

drb Ignite Multi Academy Trust has been established through a shared belief that lives can be transformed by what goes on in schools. We believe that the process of teaching and learning shapes futures. To this end our vision is to give every child learning experiences that excite them and give them the power to begin to shape their own lives.

Vision

All pupils achieve the highest standard of educational outcomes regardless of circumstances or background.

1. Gifts and Hospitality

Purpose

This Policy sets out the procedure Trust staff must follow when giving or receiving gifts and hospitality.

Scope

The Policy applies to all employees whether on substantive or fixed-term contracts and to associated persons such as consultants, agency staff, contractors and others employed under a contract of service as well as members, trustees and Executive Governance Group members.

Policy Statement

All staff, members, trustees and Executive Governance Group members must declare all offers of gifts and hospitality, made to or by them, regardless of value. All such offers must be declared whether accepted or declined. Offers of gifts and hospitality may include items ranging from diaries, wall charts, and boxes of chocolates, to free international travel and accommodation.

Declarations must be recorded in the Trust's Gifts and Hospitality Register. The Register is maintained by the Trust's Operations Manager and is publicly available.

It is the responsibility of all staff and trustees/members to ensure that they are not placed in a position that risks, or appears to risk, compromising their role or the public and statutory duties of the Trust.

Staff and members/trustees should not be seen to be securing valuable gifts and hospitality by virtue of their job or position. Gifts or hospitality should not be accepted or provided, if acceptance/provision gives the impression that staff and members/trustees have been influenced or are deemed to be influencing while acting in an *official Trust capacity*.

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 an individual's role and circumstances.

Receiving gifts

Staff and members/trustees may retain all gifts valued at £10.00 or under.

For gifts of minimal value 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.

Accepting offers of hospitality

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
- attending at a free training course
- attending a reception to network.

It is recognised that, in the course of carrying out duties, individuals may need on occasion to ensure good relationships and build partnerships with existing and future stakeholders. 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.

Any such invitations should be recorded in the register whether received or declined.

Gifts and hospitality offered by the Trust

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

In exceptional circumstances it may be appropriate for the Trust to provide a gift of up to £40.00 in value.

For example:

- providing a bouquet of flowers to a seriously ill employee, or to a longstanding employee who is retiring
- making a small contribution towards staff Christmas festivities.
- providing modest hospitality in the way of working lunches and/or dinners for staff and stakeholders subject to a genuine business reason.

Declaration

All staff/members/trustees should make a declaration as soon as possible after the offer or receipt of gifts or hospitality. All declarations should be passed to the Trust Operations Manager.

The Operations Manager will record all declarations in the Register. The Register is an annual document and will be maintained on a calendar year basis and reported quarterly to the Trust Board. It is recommended that declarations are made by email with a copy retained for personal records.

All declarations should include the following information:

- date of offer of gift or hospitality and date of event where relevant
- name, job title and school of recipient/provider
- nature and purpose of gift or hospitality received or declined
- the name of any other organisation involved
- estimated value of gift.

Staff/members/trustees should consult the Operations Manager or Chief Finance Officer for any guidance required on this Policy. In general terms, if staff/members/directors have any doubt about whether an item should or should not be declared they are advised to declare it.

Monitoring

The Register will be reviewed quarterly by the Trust Board.

Staff/members/trustees will be reminded periodically of their requirement to declare gifts and hospitality provided/accepted/declined in accordance with this Policy.

Policy breach

Staff/members/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 Trust's Discipline Policy.

2. Anti-Bribery

Definition of Bribery

Bribery is an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage

Background

The Bribery Act became law on 1 July 2011. It is designed to address bribery and corruption in both public and private sectors and will mean that any incorporated organisation, including the Trust could be liable to serve penalties if they fail to implement adequate procedures to prevent bribes being paid or received on their behalf.

There are four key offences under the Act:

- Bribing another person
- Taking a bribe
- Bribing a foreign public official
- Failing to prevent bribery

The Bribery Act applies to all staff in the Trust. The Trust may be guilty of bribery even if only the individual offender knew of the bribery.

The Bribery Act introduces serious penalties such as unlimited fines for organisations and up to a maximum jail term of 10 years for the individuals involved.

Organisations will have a defence against prosecution if they can demonstrate that they had *adequate procedures in place to prevent bribery*.

The Trust recognises that bribery is a serious criminal offence and does not and will not, pay bribes or offer improper inducement to anyone for any purpose. Equally the Trust does not and will not accept any bribes or improper inducements.

Objective of the Policy

The objective of the policy is to provide a coherent and consistent approach to ensuring compliance with the Bribery Act. It will enable all employees, members, trustees and any person who performs services for and on behalf of the Trust and its schools to understand their responsibilities and allow them to take the necessary action, for example, reporting any potential breaches of the Policy.

The Trust and its schools are committed to countering bribery and corruption in all forms and will not tolerate it in any of its activities.

The Trust requires that all working or performing any service on or on behalf of the Trust and/or its schools neither accept nor give bribes.

Responsibilities

All associated or acting for the Trust must:

- act honestly with integrity at all times to safeguard the Trust's resources for which they are responsible.
- comply with the law *both in spirit and in the letter*
- abide by this Policy.

In the Trust it is unacceptable to

- give, promise to give, or offer payment, gifts or hospitality with the expectation or hope that a favourable advantage will be reached, or to reward a favourable advantage already given.
- give, promise to give, or offer payment, gifts or hospitality to a government official, agent or representative to facilitate or expedite a routine procedure.
- accept payment from a third party that is offered with the expectation that it will obtain a favourable advantage for them, whether known or suspected.
- accept a gift or hospitality from a third party if it is offered or provided with an expectation that a favourable advantage will be provided by the Trust/school in return, whether known or suspected.
- retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy
- engage in any activity in breach of this Policy.

Bribery in relation to gifts and hospitality

The giving or receipt of gifts or hospitality is not prohibited, if the following requirements are met:

- it is not made with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business advantage, or in explicit or implicit exchange for favours or benefits.
- it is given in drb Ignite Trust name, not in personal name.
- it does not include cash or cash equivalent (such as gift certificates or vouchers).
- it is appropriate in the circumstances. For example, in the UK it is customary for small gifts to be given at Christmas time.
- taking into account the reason for the gift, it is of an appropriate type and value and given at an appropriate time.
- it is given openly, not secretly.
- gifts should not be offered to, or accepted from, government officials or representatives without prior approval of the Trust.

The practice of giving professional gifts varies and what may be normal and acceptable in one Trust may not be in another. The test the drb Ignite Trust will apply is whether in all the circumstances the gift or hospitality is reasonable and justifiable. The intention behind the gift should always be considered.

Action and accountability: _____

Prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working and acting for the Trust.

All staff, members and trustees including third parties working or performing any service on or behalf of the Trust are to avoid activity that breaches this Policy and must:

- ensure that they read, understand and comply with the Policy
- raise concerns as soon as possible if they suspect that this Policy has been breached.

Adequate Procedures _____

Procedures will be applied proportionately based on the level of risk of bribery to the Trust and its schools.

Adequate procedures include:

Risk Assessment

That the Trust and its schools assess the nature and extent of exposure to potential bribery from inside and outside. The Trust should know who it is doing business with and whether this has risk implications.

High level of commitment

That the Trust is committed to preventing bribery. That there is a clear statement that bribery is not acceptable. That the Anti-bribery Policy is clearly communicated to all members, trustees, staff and partners.

Due diligence

That the Trust has policies in place and is aware of who it does business with. That the Trust is confident its business relationships are transparent and ethical.

Clear, practical and accessible policies and procedures

That the Trust policies and procedures to prevent bribery being committed on its behalf are clear, practical, accessible and enforceable.

Effective implementation

That Anti-bribery Policy and procedures are embedded throughout the Trust and its schools. This means that anti-bribery statements are embedded in the recruitment, retention, and operational policies and in training programmes.

Monitoring and Review

That the Trust monitors and reviews policies and procedures on a regular basis to ensure that there is full compliance.

Monitoring and Review

Representatives from the Trust’s Risk and Audit Committee will review implementation and compliance.

Sanctions and Redress

Members, trustees and staff who breach this Policy face the possibility of civil and criminal prosecution. They also face disciplinary action, which could result in dismissal for gross misconduct.

The Trust will decide whether any matter is referred to the police for further investigation.

Monitoring and review	Risk and Audit Committee
Links	Staff Code of Conduct Trustee Code of Conduct Conflict of Interest Policy Anti-Fraud Policy Disciplinary Policy
Staff responsible	Headteachers CEO and CFO
Committee responsible	Risk and Audit Committee
Date reviewed	November 2019
Sign off – Trust Chair	 Date: November 2019
Review date*	November 2021

*Please note that should there be any changes/further national guidance issued relevant to this policy, it will be updated accordingly prior to the review date shown above and referred to the next Trust Board meeting.

Issue No.:	Change date:	Change description:
1.0	Sept'17	Initial release
2.0	Nov'18	Rebranded and Signed off for release
3.0	Nov'19	Checked, no content changes, signed off and published