

Mossley Hollins High School



Gifts and Hospitality Policy

At Mossley Hollins we will ensure that at every level, in all our work and throughout all aspects of the school community and its life, all will be treated equally, with respect and dignity, free from discrimination and harassment. Each person will be given fair and equal opportunities to develop their full potential regardless of their age, disability, gender, gender-identity, race, religion or belief, sexual orientation, pregnancy and maternity (refers to staff / employment), socio-economic background and special educational needs. Our school will tackle the barriers which could lead to unequal outcomes for these protected groups, ensuring there is equality of access and that we celebrate and value the diversity within our school community. The school will work actively to promote equality and foster positive attitudes and commitment to an education for equality

Data Protection Statement

The procedures and practice created by this policy have been reviewed under our Data Protection Policy in line with GDPR.

Date reviewed: October 2021

Next review October 2022

Gifts and Hospitality Policy

Introduction: The receipt of gifts or excessive hospitality can damage the school's reputation and possibly lead to prosecutions for corruption. This policy seeks to protect all Staff and Governors from suspicion of dishonesty and ensure that they are free from any conflict of interest with respect to the acceptance or provision of gift, hospitality or any other inducement from or to suppliers of goods and services to the school. As a general rule all gifts and hospitality should be refused unless they are in line with the subsequent paragraphs.

1. Purpose

1.1 The purpose of this policy is to provide a guide to employees of Mossley Hollins High School about:

- The legal rules on gifts and hospitality and what may happen if they are breached
- When gifts and hospitality may be accepted
- The procedure to follow if you are offered a gift or hospitality
- What to do if you think an employee of Mossley Hollins School has acted inappropriately

1.2 Persons in public service (both employees and elected officials) are expected to act in the interest of the public and to act impartially – and be seen to act impartially. Moreover, they should avoid putting themselves in a position where their integrity is called into question because of any financial or other obligation. As well as avoiding actual impropriety, the appearance of it should also be avoided. Mossley Hollins High School employees should not benefit personally in any way from their position as paid employees of the school

2. Organisational Scope

This is policy and applies to all employees and Governors at Mossley Hollins High School

3. Enforcement

Any employee found to have violated this procedure will be subject to the school's disciplinary procedures, as detailed in the Staff Handbook and also shared on the shared drive "T"/ policies.

4. Definitions

The Legal Rules on Gifts and Hospitality:

Please see annex 1

5. Policy Content and Guidelines

5.1 When gifts and hospitality may be accepted

The legal rules, and the potentially severe penalties for breaking them, mean that Headteachers, Governors and employees must be cautious about accepting gifts or hospitality in the course of their duties.

5.2 Gifts

5.2.1 Employees, Governors and Headteacher should usually refuse gifts offered to them or to a member of their immediate family by any person or body who has or seeks to have dealings with the them. The school must record all offers of gifts and hospitality received with a value of £25 or more. Employees must record all offers of gifts and hospitality regardless of value or whether accepted or not.

5.2.2 However, the following gifts may generally be accepted, although employees notify the school's Business Manager subsequent to accepting:

- (i) A modest gift of a promotional/advertising character given to a wide range of people and not uniquely

- to the employee. The gifts would normally bear the Company's name and/or trademark/ logo and would be the sort of item that would be useful in the every-day working environment e.g. pens, calendars, diaries, note pads, desk sets, tape measures.
- (ii) A modest gift given to a member of staff from a pupil's family. However, cash or monetary gifts should be refused – as should a legacy (a gift given under a will). A legacy however can be given to the school through the Governing Body.
 - (iii) From time to time, as part of a sales promotion drive, firms offer gifts or vouchers exchangeable for gifts, for ordering in excess of certain targets. When this happens Value for Money and the best interests of the School should always be uppermost in an employee's mind. Employees should not over order, over stock, or purchase items not forming part of the Authority's normal requirements.
 - (iv) Modest gifts given in a lottery at Exhibitions, Conferences, Seminars etc, as part of a free raffle or draw.
 - (v) Modest gifts of food (chocolates) or wine, from organisations should be shared within the appropriate team.

5.3 Hospitality

- 5.3.1 Hospitality above and beyond simple refreshments/working meal should in general be declined. Employees should never accept any such hospitality without the consent of the Headteacher or the Finance Director.
- 5.3.2 The following are examples of what is generally acceptable:
 - (i) A working meal provided to allow the parties to discuss or continue to discuss business. Employees are reminded they must not claim subsistence unless money has actually been expended by them on paying for their share of the meal or purchase of drinks. Employees should endeavour to pay their share of the cost where practicable; for example, where the meal is taken in a café/restaurant.
 - (ii) An invitation from an established or prospective trading partner to a function that is part of a wider gathering e.g. conference lunches or dinners, where contacts beneficial to the school and its pupils may be made or maintained. For example, where other local government employees connected with the service provided by the trading partner are also invited.
- 5.2.3 The following would never be acceptable:
 - (i) Holidays or free accommodation.
 - (ii) Offers of hotel vouchers, theatre tickets, free travel etc (this should be treated as a gift)
 - (iii) Tickets for football matches or other sporting events provided by a non-authorised partner of the school; and
 - (iv) Use of a company flat or hotel suite
- 5.3.4 If you are unsure then you should contact the Headteacher or the Finance Director
- 5.3.5 When a firm is participating in a tendering exercise or in a dispute with the School about an existing contract then clearly offers of hospitality should be refused even if in normal times they would be acceptable.

5.4 The procedure for responding to offers of gifts or hospitality

- 5.4.1 The form must be completed as soon as the offer has been received. Employees must complete the form even if the offer is rejected.
- 5.4.2 Employees must not accept the gift or hospitality (above basic immediate refreshments/working meal) without the written permission of the Headteacher, or Finance Director. They must therefore complete the form and give it to any one of them. Once a decision has been made a copy of the form will be kept for school records.
- 5.4.3 There may be occasions where an offer of hospitality is received where approval by the Headteacher,

or Finance Director cannot be received in advance, for example if you are visiting a client's premises and they offer you some form of hospitality over and above usual refreshments/modest working meal. On these occasions the employee or member should refuse this offer as prior approval has not been obtained.

5.4.4 The register of gifts and hospitality will be open to inspection by the Governors and by Internal Audit.

5.5 What should I do if I think that someone isn't following this procedure?

5.1 If you have a concern that any gifts or hospitality are being inappropriately accepted, then you should raise it with the Headteacher.

6. School hospitality to visitors

6.1 Mossley Hollins High School believes that it is in the interest of pupils to present and promote the school to visitors in a professional and hospitable manner. The school notes that this is also the case within the business community in the interest of private companies. Therefore Mossley Hollins High School will provide visitors with refreshments including tea, coffee, biscuits and other suitable snacks and, where visitors are present over a meal-time period, a light meal of sandwiches and/or other finger food. Staff may partake of hospitality provided to visitors whilst in their company.

7. Governors' pastoral support for staff

7.1 Mossley Hollins High School believes that it is in the interest of pupils to show support for staff- particularly through trying circumstances and for substantial length of service. Therefore the management of the school are authorised to approve expenditure to purchase a card and flowers or other suitable token of support for instances such as a close bereavement and for staff with substantial service on the occasion of their leaving employment with school. As a token of appreciation for the good will and efforts of staff throughout the year – often above and beyond the limits of regulation- the governors approve the purchase of refreshments for staff during In Service Training sessions. This will include a meal when the INSET is over a meal period- including a sandwich and a cake (or equivalent) for full day training days.

7.2 Governors note the reported benefits of occasional training or working on strategic planning for the school, off the school site, and therefore authorise the management of the school to purchase such sessions as they deem suitable and beneficial to developing the skills, knowledge and attributes of the staff team of the school. Governors will be notified of all such expenditure.

8. Governor refreshments

8.1 Governors give of their time without any payment. Governors often come to meetings directly from work and as meetings can often last for more than 4 hours the school believes that they are entitled to be respected as valued visitors to the school and the same hospitality should apply- see above.

9. Support for pupils' families

9.1 Mossley Hollins believes that it is in the interest of all pupils to show support for individual pupils' families- particularly through trying circumstances. Therefore the management of the school are authorised to approve expenditure to purchase a card and flowers or other suitable token of support for instances such as a close bereavement within the family. The Governors will be notified of all such expenditure.

The Legal Rules on Gifts and Hospitality:

Title of rule	Applies to	What the rule says	Consequences of breach
The Bribery Act 2010	Headteachers and employees	<p>Four offences are introduced in the Act:</p> <p>A. Bribing another person Offering or giving a financial or other advantage to a person, a) intending to induce (or to reward) them, or another person, to perform improperly a public function or business activity; or b) knowing or believing the acceptance in itself would constitute improper performance</p> <p>B. Being bribed a) requesting or accepting an advantage or reward intending personally, or through another, to perform improperly a public function or business activity; b) requesting or accepting such advantage when the request or acceptance would constitute improper performance of a public function or business activity; c) improperly performing such a function or activity in anticipation of receiving such an advantage</p> <p>C. Bribery of foreign public officials Offering or giving to (or with the assent of) a foreign public official any advantage that is neither permitted nor required by the written law applicable to that official intending a) to influence them in their capacity as a public official and, b) to obtain or retain business or business advantage</p> <p>D. Failure of commercial organisations to prevent bribery A relevant commercial organisation will be guilty of an offence if an associated person (including an employee, agent or subsidiary providing services for the organisation) bribes another person intending a) to obtain or retain business for the organisation or b) to obtain or retain an advantage in the conduct of business for the organisation.</p>	<p>Criminal offence – prosecution Offences A - C carry a maximum of 10 years imprisonment and/or unlimited fine If the offence is committed with the consent of a senior officer, that person is also personally guilty</p> <p>Offence D carries an unlimited fine to the organisation as well as debarment from public contracts.</p>

Local Government Act 1972	Employees only	S117 Local Government Act 1972 states that an employee of a local authority shall not, under colour of their office or employment, accept any fee or reward whatsoever other than their proper remuneration.	Criminal offence - prosecution
Local Authority Employees Conditions of Service ("the Green Book")	Employees only	Employees will maintain conduct of the highest standard such that public confidence in their integrity is maintained.	Breach of contract of employment – disciplinary action/ dismissal
Code of Conduct for Headteacher	Headteacher and co-opted members only	Headteachers must not use or attempt to use their position as a Headteacher improperly to confer on or secure for them self or any other person, an advantage or disadvantage. Headteachers must register with the Monitoring Officer the name of any person from whom they have received a gift or hospitality with an estimated value of at least £25.	Suspension or disqualification by Standards Committee or a Case Tribunal

Mossley Hollins High School

Receipt of Offers of Gifts or Hospitality.
All offers (whether accepted or refused) of Gifts or Hospitality

Name of Employee (Recipient)	
Job Title and Department	
Description of Gift/Hospitality Offered (including Date Received/Date	
Name and address of the external organisation that has made the offer	
Relationship to the Company	
Estimated value	
Accepted/ Declines (individual/group)	
Reason for acceptance/decline	
Employee's signature	
Date of notification	
Acceptance of offers of non-trivial gifts only	
Headteacher's signature confirming receipt of non-trivial gift	
Date of receipt by Headteacher	
Action taken by Headteacher	
Acceptance of offers of hospitality only	
Appropriate Manager's name/Headteacher	
Manager's/Headteacher's comments (e.g. on frequency) where appropriate	
Manager's / Headteacher's signature	
Date of approval	