

**Barrow C E Primary School**

**Gifts & Hospitality Policy**

**November 2023**

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# The Bribery Act 2010

* 1. The Bribery Act 2010 covers bribery and corruption in business activities in the UK and overseas. Under the Act, a bribe is a financial or other type of advantage offered with the intention of inducing or rewarding improper performance of a function or activity, or knowledge or belief that accepting such a reward would constitute the improper performance of such a function or activity.
	2. A criminal offence will be committed under the Act if:
* An employee or associated person acting for, or on behalf of, the school offers, promises, gives, requests, receives or agrees to receive bribes.
* An employee or associated person acting for, or on behalf of the school, offers, promises or gives a bribe to a public official with the intention of influencing that official in the performance of their duties.
* And, in either case, the school does not have the defence that it has adequate procedures in place to prevent bribery.

# Unacceptable practice

* 1. It is not acceptable for school employees to:
* Give, promise or offer a payment, gift or hospitality, with the expectation or hope that an advantage for the school will be received or to reward an advantage already received.
* Give, promise or offer a payment, gift or hospitality to a government official, agent or representative to facilitate or expedite a routine procedure.
* Accept payment from a third party if they know or suspect that it is offered with an expectation of a business advantage in return.
* Threaten or retaliate against another worker who has refused to commit a bribery offence or who has raised concerns under this policy.
* Engage in any activity that may lead to a breach of this policy.

# Acceptable practice

* 1. This policy does not prohibit normal and appropriate hospitality (both given or received) 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 or a business advantage, or in exchange for favours or benefits.
* It is given in the school’s name, not in the individual’s.
* It complies with local law.
* It does not include cash or a cash equivalent, e.g. vouchers, gift certificates.
* It is appropriate in the circumstances, e.g. the giving of small gifts at Christmas time or at the end of the school year.
* The type and value of the hospitality or gift is reasonable given the reason the gift is offered.
* It is given openly, not secretly.
* Gifts should not be offered to, or accepted from, government officials or representatives without the prior approval of the Headteacher.
	1. The school should consider the intention behind the gift and whether, in all of the circumstances, the gift or hospitality offered is reasonable and justified.

# C**haritable donations**

* 1. Charitable donations are considered to be part of the school’s wider purpose. The school supports a number of carefully selected charities.
	2. The school may also support fundraising events involving employees. The school only makes charitable donations that are legal and ethical.
	3. No donation must be offered or made in the school’s name without the prior approval of the Headteacher.

# Gifts and hospitality from parents and pupils

* 1. It is permissible for staff to accept gifts from parents and pupils, for example, before Christmas and at the end of term or school year.
	2. Gifts of a modest monetary value can be accepted from parents and pupils without approval from the Headteacher(providing that these gifts do not satisfy the conditions outlined below in 5.3). These gifts do not need to be recorded in the Gifts and Hospitality Register, (see section 9).
	3. No individual member of staff will accept a sum of cash, or voucher, to a value of over £20 from one family. In addition, staff will not accept:
* Gifts or hospitality offered to their spouse, partner, family member or friend.
* Gifts or hospitality from a potential supplier or tenderer.
* Lavish or extravagant gifts or hospitality.
	1. Staff will consider the following before accepting gifts or hospitality:
* Whether there is any benefit to the school in them accepting the scale, amount, frequency and source of the offer.
* The timing of the offer in relation to forthcoming decisions.
* Whether accepting the offer could be misinterpreted as a sign of their, or the school’s, support or favour.
	1. Where a member of staff believes the offer satisfies one of the conditions in 5.3 or is of a value that could not be expressed as modest under the circumstances, staff will seek prior approval from the Headteacher before accepting the offer. The details of the offer will be recorded as outlined in [section 9](#recordkeeping) of this policy.
	2. Staff will not accept any gifts that they believe to be excessive or more than simply a token gift of gratitude at an acceptable time of year, such as Christmas or end of term or the school year.
	3. If any such gift is received without warning, staff will politely decline the gift. Or, if they feel it would be inappropriate to do this, they will refer the matter to the Headteacheras soon as possible to allow the Headteacher to decide the course of action.
	4. In accordance with 5.9, the Headteacher may decide to return the gift, ask the Headteacher for their view, or donate the gift to a charity or other local cause.
	5. If staff are unsure whether to accept a gift in any situation, they will speak to the Headteacher.
	6. Parents and pupils will be informed of the school’s policy regarding gifts and hospitality and will be encouraged to speak to the Headteacher if they want to give a staff member a gift which is of high value or which may satisfy any of the conditions outlined in 5.3 above.

# Gifts to staff from the school

* 1. The purchasing of excessive or alcoholic gifts is regarded as irregular expenditure.
	2. At the Headteacher’s discretion, the school may provide staff with token gifts to reward efforts beyond their duties such as significant contributions towards extra-curricular activities. These gifts will be non-monetary, non-alcoholic and be of modest value.
	3. Nothing in the policy prevents staff from contributing to the costs of gifts in appreciation of colleagues’ service.

# Gifts to pupils from the school

* 1. At the Headteacher’s discretion, the school may use its school fund to provide pupils leaving the school with token gifts to commemorate their time at the school. Any such gift will be non-monetary, and be of modest value.

# Reporting suspected bribery

* 1. Employees are encouraged to raise concerns about any suspicion of bribery or corruption at the earliest possible opportunity to the Headteacher. Issues that should be reported include:
* Any suspected or actual attempts at bribery.
* Any concerns that an employee may be in receipt of bribes.
* Any concerns that an employee may be offering or delivering bribes.
	1. All concerns should be reported following the procedure set out in the school’s Whistleblowing Policy.
	2. All reports of bribery will be investigated thoroughly and in a timely manner by the Headteacher, (or, if the matter relates the conduct of the Headteacher, the Chair of the governing body), and in the strictest confidence.
	3. Employees who raise concerns in good faith will be supported by the school and the school will ensure that they are not subjected to any detrimental treatment as a consequence of their report. Any instances of detrimental treatment against an employee for reporting a suspicion will be treated as a disciplinary offence.
	4. Any breach of this policy may be viewed as amounting to gross misconduct, and may result in a disciplinary investigation and disciplinary proceedings.

# Record keeping

* 1. Barrow CE Primary School has appropriate internal financial controls (as described in the school’s Manual of Internal Financial Procedures) to provide evidence for the business reasons for making payments to third parties. Employees will make the Headteacher aware of all hospitality or gifts received or offered as described in section 5 of this policy. These will be subject to managerial review.
	2. The Register of Gifts and Hospitality Register is used to account for gifts or hospitality that need to be recorded. The following information will be recorded**:**
* The nature of the gift/hospitality
* The date the gift/hospitality was offered
* Who the gift/hospitality was offered by
* Name of staff member the gift/hospitality was offered to
* Value of the gift/hospitality
* Action taken – for example, whether the offer was refused or accepted
	1. All invoices, accounts and related documents should be prepared and maintained with the highest accuracy and completeness.

# Policy review

* 1. This policy is to be reviewed every two years by the Headteacher and the governing body.
	2. The scheduled review date for this policy is November 2024.