



# Willow Wood Community Primary School



Acceptance of Gifts and Hospitality Policy



## **Contents**

Statement of intent

1. The Bribery Act 2010
2. Unacceptable practice
3. Acceptable practice
4. Charitable donations
5. Gifts and hospitality from parents and pupils
6. Offering gifts and hospitality from the School
7. Record keeping
8. Breach of Policy

## **Statement of intent**

Willow Wood Community Primary School is committed to the highest ethical standards and acting with integrity in all business activities. This policy details the school's position on preventing and prohibiting bribery.

Bribery by, or of, employees, agents or consultants, or any person acting on behalf of the school will not be tolerated. The SLT is committed to implementing effective measures to prevent, monitor and eliminate bribery.

Bribery and corruption by individuals are punishable by up to 10 years' imprisonment and the school could face an unlimited fine and serious damage to its reputation; therefore, the school takes its legal responsibilities very seriously.

The purpose of this policy is to:

- Establish the responsibilities of the school in observing and upholding our position on bribery and corruption.
- Provide information and guidance to school staff on how to recognise and deal with bribery and corruption concerns.

This policy covers all individuals working for the school at all levels (whether permanent, fixed-term or temporary), and includes governors, volunteers, agents and any other person associated with the school (known throughout the policy as employees).

## **The Bribery Act 2010**

The Bribery Act 2010 came into force on 1 July 2011. It covers bribery and corruption in business activities in the UK and overseas. Under the Bribery Act 2010, 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.

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.

## **Sexual Harassment**

Sexual Harassment is a specific type of harassment under the law. It is unlawful and the school will not tolerate any type of unwanted behaviour of a 'sexual nature'. Any complaint of sexual harassment will be taken seriously by the person receiving the complaint and dealt with sensitively and as quickly as possible.

## **Unacceptable practice**

It is not acceptable for 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**

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.
- The type and value of the 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

The advice of the school is to, in all circumstances, consider whether the gift or hospitality is reasonable and justified and to consider the intention behind the gift.

### **Charitable donations**

Charitable donations are considered to be part of the school's wider purpose. The school supports a number of carefully selected charities.

The school may also support fundraising events involving employees. The school only makes charitable donations that are legal and ethical.

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**

It is permissible for staff to accept gifts from parents and pupils, for example, before Christmas and at the end of term/year.

Gifts of a value of £25 or less can be accepted from parents and pupils without approval from the Headteacher (providing that these gifts do not satisfy the conditions outlined below). These gifts do not need to be recorded in the **Gifts and Hospitality Register**.

Staff are permitted to accept gifts from groups of pupils or parents up to the value of **£50** (providing that these gifts do not satisfy the conditions outlined below). These gifts do not need to be recorded in the **Gifts and Hospitality Register**.

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.

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.

Low-value gifts of items (up to about £25) need not be declared. All gifts of money and gifts of items worth more than £25 from an individual or £50 from a group of parents or pupils must be recorded in the School's gifts and hospitality register, which is maintained in the School Office, within five working days. If the gift is not registered within this time and it comes to light later, it may be assumed by the School that the failure to register was deliberate if there is any cause to question how the gift was dealt with.

Retention by an individual of gifts intended for the School's use will be treated as a disciplinary offence which could lead, depending in the circumstances, to summary dismissal.

Gifts are sometimes offered by suppliers with the purchase of items. All special offer gifts are the property of the School and must be turned into the Headteacher for use by the School. Such gifts should never sway the decision as to which supplier to use.

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/year.

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 may satisfy any of the conditions outlined above.

### **Offering Gifts and Hospitality from the School**

The School encourages and seeks co-operative relationships between staff, governors, stakeholders and external organisations. Accordingly, there can be occasions where it is appropriate for the School to provide and fund limited gifts, in particular hospitality, which will principally be dealt with in-house. Likewise, it may be appropriate for leaving gifts to be provided to staff leaving the employment of the school, particularly after

a long period of service. Such gifts are often supplemented with private contributions from continuing members of staff.

Where it is desired that the School pays for external hospitality, this should be approved in advance by the Headteacher or Business Manager, who should review the request in light of the UK Bribery Act 2010.

Any hospitality provided, whether internal or external, should not be extravagant.

The purchasing of excessive or alcoholic gifts is regarded as irregular Expenditure and must not happen.

The school may, at the Headteacher's discretion, 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 cost less than £20.

### **Record keeping**

Willow Wood Community Primary School keeps financial records and has appropriate internal controls 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 over the value of £25, or £50 if received from multiple recipients, these will be subject to managerial review.

The **Register of Gifts and Hospitality** is used to record gifts or hospitality that needs 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

### **Breach of Policy**

The School wishes to encourage anyone having reasonable suspicions of breach of this policy to report them as per the whistleblowing policy. Which will be rigorously enforced, is that no individual will suffer any detrimental treatment as a result of reporting reasonably held suspicions.

Any unfounded or malicious allegations will be subject to a full investigation and appropriate disciplinary action.