

The Mercian Trust

Gifts and Hospitality Policy

Policy Owner	The Mercian Trust
Date Ratified by Trust Board	October 2020
Date to be Reviewed:	October 2021
Date Adopted	November 2020

1. Introduction

As a general guideline, business gifts and hospitality should not be accepted by any member of staff, except as provided for below.

The intention of this Policy is to ensure that the Trust/school can demonstrate that no undue influence has been applied or could be said to have been applied by any supplier or anyone else dealing with the Trust/school. The Trust/school should be able to show that all decisions are reached on the basis of value for money and for no other reason. Any consideration of whether or not the principles of this Policy have been breached will be determined by reference to this provision.

Any breach of this Policy could lead to disciplinary action and may constitute gross misconduct.

2. General principles

Employees shall not use their authority or office for personal gain and shall seek to uphold and enhance the standing of the Trust/school by:

- maintaining an unimpeachable standard of honesty and integrity in all their business relationships;
- complying with the letter and spirit of the law, and contractual obligations, rejecting any business practice that might be deemed improper;
- at all times in their business relationships acting to maintain the interests and good reputation of the Trust/school.

Any employee who becomes aware of a breach of this policy must report it immediately to his or her manager who will instigate investigations as necessary.

3. Register of interests

Any personal interest that may impinge or might reasonably be deemed by others to impinge on an employee's impartiality or conflict with the duty owed to the Trust/school in any matter relevant to an employee's duties (such as conflicting business interests) should be declared in writing. Any member of staff who is aware of any business dealings conferring personal gain, or involving relatives or associates of members of staff must supply details of such transactions to the local assigned person for entry into the Register of Business Interests.

Trustees, local governors and key management personnel are required to complete a Declaration of Interests Form annually. This should be declared at the start of each academic year. Any changes should be notified to the Principal/Headteacher and all new members of staff falling into this category of trustees, governors and key management should complete a declaration when they commence employment or office.

4. General guidance

Always say "no" if you think the donor has an ulterior motive. Be sensitive to the possibility that the giver may think that even small gifts or simple hospitality will elicit a more prompt service or preferential treatment.

Never accept a gift or hospitality from anyone who is, or may in the foreseeable future be tendering for any contract with the Trust/school, seeking employment with the School or is in dispute with the School, even if you are not directly involved in that service area. If you are in doubt about the acceptability of any gift or offer of hospitality it is your responsibility to consult the CEO/Principal/Headteacher.

5. Acceptance of gifts

Employees are permitted to accept gifts, rewards or benefits from members of the public or organisations the Trust/school has official contacts with only where they are isolated gifts of a trivial character (such as a diary, calendar or bunch of flowers). Gifts should not therefore be accepted if they appear to be disproportionately generous or could be construed as an inducement to affect a business decision.

Any gift other than of a nominal value (up to £50) or facilities provided during the normal course of business should be reported to the local assigned person for entry in the Trust's Register of Gifts and Hospitality, which will be maintained at each school

Where items purchased for the Trust/school include a 'free gift', such a gift should either be used for School business or handed to the local assigned person to be used for charity raffles.

6. Acceptance of hospitality

Hospitality (lunches, outings, tickets for events, etc.) provided it is normal and reasonable in the circumstances they may be accepted. Such invitations should not be accepted if there is no reasonable business justification, or an invitation is disproportionately generous, or where the invitation could be seen as an inducement to affect a business decision.

A gauge of what is acceptable in terms of hospitality is whether the Trust/school would offer a similar level of hospitality in similar circumstances. Examples are:

- occasional working lunches with customers or suppliers are generally acceptable as a way of doing business provided they are not to an unreasonable level/ cost
- acceptability depends on the appropriateness of the invitations, in terms of the level of hospitality, the frequency and the status of the invited employee. In all such cases the CEO/Principal/Headteacher must be consulted;
- paid holidays or concessionary travel rates are not acceptable. Neither are offers of hotel accommodation, nor the use of company villas/apartments;
- if visiting a company to view equipment that the Trust/school is considering buying, you should ensure that expenses of the trip are paid by the Trust/school. Acceptance of refreshments and/or a working lunch may be acceptable, but care must be taken to ensure that the Trust's purchasing and/or tender procedures are not compromised;
- acceptance of sponsored hospitality that is built into the official programme of conferences and seminars related to your work are acceptable;
- offers to speak at corporate dinners and social gatherings, or events organised by, for example, a professional body, where there is a genuine need to impart information or represent the Trust/school must be agreed in advance with a Principal/Headteacher. Where your spouse or partner is included in the invitation, and approval has been given for you to attend, it will be acceptable for your spouse or partner to attend as well, but if expenses are incurred, these must be met personally;
- any invitation you accept should be made to you in your professional/working capacity as a representative of the Trust/school.
- invitations to corporate hospitality events must each be judged on their merit. Provided the general rules have been taken into account, it may be acceptable to join other company/organisation guests at:
 - a. sponsored cultural and sporting events, or other public performances, as a representative of the Trust/school;
 - b. special events or celebrations.

Staff should consider the number of such events, and always take into account what public perception is likely to be if they knew you were attending.

Any offer of hospitality other than of a nominal value (up to £50) including value of facilities provided should be reported to the local assigned person for entry in the Trust's Register of Gifts and Hospitality.

THE MERCIAN TRUST

DECLARATION OF GIFTS AND HOSPITALITY RECEIVED

NAME:

ROLE:.....

DESCRIPTION OF GIFT/HOSPITALITY RECEIVED:

ESTIMATED/ACTUAL VALUE: £

Signature of Employee:

Date:

Note by CEO/Principal/Headteacher:

I have authorised acceptance of this gift/hospitality because:

Signed: