

# drb Ignite Multi Academy Trust

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## **Gifts, Hospitality and Bribery Policy**

## Trust Vision

*'all pupils achieve the highest standard of educational outcomes regardless of circumstances or background.'*

The Trust has been established through a shared belief that lives can be transformed by what goes on in schools. The Trust believes that the process of teaching and learning shapes futures. To this end the Trust's vision is to give every pupil learning experiences that excite them and give them the power to begin to shape their own lives.

### 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 and Trustees.

#### Policy Statement

All staff, Members and Trustees 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 Office Manager and is a public document.

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

Staff, Members and 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 either staff, Members or Trustees have been influenced or are deemed to be influencing while acting in an official Trust capacity.

In exercising judgement as to whether to accept a gift or hospitality the following question should be asked:

*What would the general public perception be if the information was published given an individual's role and circumstances?*

## Receiving gifts

Staff, Members and 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 a free professional development or training course.
- attending a professional reception to network.

It is recognised that, in the course of carrying out duties, individuals may, on occasion, need 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 case.

Any such invitations should be recorded in the Trust's Gifts and Hospitality 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 is 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 Office Manager to add to the Gifts and Hospitality Register.

The Register is reviewed annually and reported annually 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 or 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 Trust Office Manager or Chief Finance Officer for any guidance required on this Policy. In general terms, if staff/Members/Trustees 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 annually 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

For the purposes of this Policy, bribery is considered to be an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage. 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.

### 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 means that the Trust could be liable to serve penalties if it fails to implement adequate procedures to prevent bribes being paid or received on its behalf. There are four key offences which are considered 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 as the Trust may be found 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 any individuals involved.

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

### Policy aim

The aim of the Policy is to provide a coherent and consistent approach to ensure Trust 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 any necessary action, for example, reporting 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.

### Responsibilities

All associated or acting for the Trust must:

- act honestly and with integrity at all times to safeguard the Trust's resources for which they are responsible.
- comply with the law.
- adhere to 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, (see Section 1 above), 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 the drb Ignite Trust name not in a personal name.
- it is appropriate in the circumstances.
- 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.

## **3. Adequate Procedures**

### **Risk Assessment**

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

### **High level of commitment**

The Trust is committed to preventing bribery. The Trust will maintain a clear statement that bribery is not acceptable. The Anti-Fraud Policy will be clearly communicated to all members, trustees, staff and partners.

### **Due diligence**

The Trust has due diligence procedures in place and is aware of who it does business with. The Trust is confident its business relationships are transparent and ethical.

### Clear, practical and accessible policies and procedures

The Trust policies and procedures to prevent bribery being committed on its behalf will be reviewed regularly to ensure they are clear, practical, accessible and enforceable.

### Effective implementation

That Anti-Fraud 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.

### Sanctions and Redress

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

### Monitoring and Review

Representatives from the Trust’s Audit and Risk Committee will monitor and review this Policy on an annual basis.

<b>Monitoring and review:</b>	CEO Trust Board
<b>Links:</b>	Staff Code of Conduct Trustee Code of Conduct Conflict of Interest Policy Anti-Fraud Policy Disciplinary Policy
<b>Staff responsible:</b>	Director of Finance (CFO)
<b>Committee responsible:</b>	Audit and Risk Committee
<b>Date reviewed:</b>	March 2023
<b>Sign off by Chair of Trust:</b>	 Date: March 2023
<b>Review date:</b>	March 2024

- 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.

### Change Management

Issue No:	Change date:	Change description:
1.0	Sept 2017	Initial release
2.0	Nov 2018	Rebranded and Signed off for release
3.0	Feb 2020	Review and update
4.0	Mar 2022	Review and update
5.0	Mar 2023	Review and update