

Ocker Hill Academy



Aim High ● Aim Higher

# **Gifts and Hospitality Policy**

**PROCEDURE FOR THE ACCEPTANCE OF  
GIFTS AND HOSPITALITY BY  
EMPLOYEES**

**Reviewed September 2022**

To be reviewed in line with Ocker Hill Academy Policy Guidelines

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## 1.0 Introduction

These Guidance Notes are intended to advise employees of the correct course of action to be taken when they are offered gifts or hospitality. The guidelines also incorporate the procedures to be followed in respect of Legacies and the offer of inducements.

*Section 117(2) of the Local Government Act 1972 provides that an officer of a Local Authority shall not, under colour of their office or employment, accept any fee or reward whatsoever other than their proper remuneration.*

The National Agreement on Pay and Conditions of Services states that “employees will maintain conduct of the highest standard such that public confidence in their integrity is sustained”.

To a large extent the reputation of Ocker Hill Academy depends on the conduct of its employees and what the public believes about their conduct. Employees are expected to use common sense in assessing any situation where improper influence could be construed, and no employee should do anything which could give rise to accusations of improper influence and which could not be justified publicly.

## 2.0 Gifts

There can be little doubt that the acceptance of gifts by staff from persons who have, or may seek to have, dealings with the Academy would be viewed by the public with grave suspicion and would make the employee concerned and the Academy extremely vulnerable to criticism.

An employee must tactfully refuse any personal gift which is offered to them or to a member of their family which is attributable to their position within the Academy.

The only exception to this rule are:

- a) Small gifts of token value i.e. estimated to be £25 or below given by way of trade advertisements to a wide range of people, e.g. pens, calendars, diaries, key-rings only for use in the office.
- b) Small gifts of token value i.e. estimated to be £25 or below given on the occasion of a courtesy visit, e.g. to a factory or other business premises, for use in the office.
- c) Small gifts i.e. estimated to be £25 or below received from a recipient of a Council service where it would give offence to reject it.

With the exception of items in a) above, the above gifts **must be entered** into the Gifts and Hospitality Register. This is done by the employee notifying the Business Manager or Principal.

A "Thank You" letter including details of action taken should be sent to the person/organisation who have given the gift.

If there is any doubt about whether a gift may be accepted, the gift should be politely and tactfully refused.

In the event of the employee receiving a gift without warning, which does not fall in any of the exceptions mentioned above, this should immediately be reported to the Business Manager or Principal. A decision can then be made as to what action is to be taken. In such cases, the donor should be informed of what has happened to the gift.

In the case of gifts that are offered but are rejected as being outside the guidelines, the Business Manager or Principal should still be notified.

### **3.0 Hospitality - Giving and Receiving**

#### **3.1 Providing Hospitality**

Hospitality provided by employees should be justified as in the public interest and be on a scale appropriate to the occasion – extravagance must be avoided.

#### **3.2 Acceptance of Hospitality**

Employees must refuse offers of hospitality where any suggestion of improper influence is possible. Special caution is necessary where hospitality is offered by a person or body having or seeking business with, or a decision from, the Academy, particularly where the offer is to an individual employee.

Hospitality should only be accepted where it is on a scale appropriate to the circumstances, reasonably incidental to the occasion, not extravagant and where no criticism could reasonably arise from the acceptance of the hospitality.

The following are examples of hospitality which are acceptable/not acceptable:-

#### **3.3 Acceptable**

- a) An offer of a drink following a visit, meeting or site inspection.
- b) A working lunch of a modest standard provided to enable the parties to continue to discuss business.

- c) Invitations to attend functions where the employee represents the Academy (e.g. dinners where they are invited to speak, opening ceremonies, trade shows) or to functions where they attend by virtue of their professional position.
- d) Hospitality offered by other non-commercial public bodies.
- e) Hospitality provided at meetings of professional bodies, which are attended in a corporate capacity.
- f) In the case of the Principal/Assistant Principals and Business Manager, hospitality provided at public events i.e. theatre/sporting occasions, in the West Midlands area, where a formal invitation has been received at the Academy and the attendance is in a civic capacity (must not be a personal invitation).

In very exceptional circumstances, there may be instances where other employees attendance at a sporting or other event as above may be considered acceptable. This should be subject to the employees attending as a representative of the Academy and invitations being formally received at the Academy. All such instances must be fully documented and approved in advance by the Principal.

**Where the hospitality amounts to more than a drink ((a) above) then full details of the circumstances should be recorded in order that the acceptance of hospitality or attendance at the function can be justified (See Completion of Notification) and the details recorded in the Gifts and Hospitality Register.**

### **3.4 Unacceptable**

- a) Free or subsidised holidays or travel.
- b) Personal invitations to the theatre, cabaret, light entertainment or sporting events.
- c) Personal invitations to socialise with representatives from a Company or organisation who have business or other dealings with the Academy.
- d) Offers of any free or subsidised accommodation (i.e. hotel, flat, villa, holiday home).
- e) Any offer, whatsoever, of free services.

The above examples of hospitality **must** always be refused.

In the case of any hospitality offered but rejected as being outside the guidelines it should still be notified to the Principal or Business Manager.

## **4.0 Considerations**

Employees should consider the following questions before accepting gifts or hospitality.

- a) Is the nature of the gift or the extent of the hospitality appropriate?
- b) Are you expected to attend a function because of your position within the Academy?
- c) What is the motive for the gift of hospitality?
- d) How will you respond to the gift or hospitality?
- e) Would acceptance of the gift or hospitality be inappropriate or compromise you in respect of any current or future issue involving the Academy?
- f) Could you justify your action to the Academy, press and public?
- g) Do you feel comfortable with your decision?

## **5.0 Legacies**

Not applicable.

## **6.0 Offers of Inducement**

Should any supplier/contractor make any offer of goods, materials, equipment, cash, holidays, accommodation, services etc. to an employee for personal use or to their family, then the offer must immediately be refused and the supplier informed that the matter will be reported to the Principal.

The goods or services must be disclosed to the Business Manager or Principal. The Principal, in conjunction with the Governing Body should determine what action, if any, is to be taken against the supplier/contractor.

Occasionally, suppliers will offer promotional incentives in the forms of gift vouchers and discount schemes. These offers are acceptable, providing the Academy, and not individual employees, benefit from the scheme.

Similarly, individual employees must not seek or accept preferential rates or benefits in kind for private transactions carried out with

supplier/contractors, with which they have had, or may have, official dealings on behalf of the Academy.

## **7.0 Completion of Notification (gifts, hospitality, legacies, inducements)**

1. In order to get the details recorded in the Gifts and Hospitality Register and to ensure that any inducements or legacies are documented/held on file, the appropriate Notification Form should be completed. The Form should initially be passed to the Business Manager or Principal who will discuss the situation with you, comment accordingly and subsequently arrange for the Notification Form to be dealt with. It should be noted that the Notification Form provides for disclosure of the details of “offers” made.
2. The Notification Form should be given to the Business Manager or Principal.
3. A Notification Form should be completed where the Principal receives a gift, hospitality, legacy or inducement and the Form passed to the person responsible for keeping the Register for entry.

## **8.0 Completion of Gift and Hospitality Register**

1. The Governing Body are responsible for the maintenance of the Gifts and Hospitality Register. The day to day completion of the Register should be allocated to a “designated officer” as nominated/agreed by the Principal. Separate sections in the Register should be established for gifts and hospitality.
2. There is no requirement for registers to be maintained for legacies or inducements. The completed Notification Forms received relating to these areas should, however, be retained on file.

Similarly, in respect of Gifts and Hospitality offered but rejected as being outside the guidelines, there is no requirement for the details to be entered in the Register. The completed Notification Forms received relating to such instances should, however, also be retained on file.

3. Once a Notification Form is received relating to accepted gifts or hospitality which has been appropriately authorised, it should be entered into the Gifts and Hospitality Register. The Notification Form should be signed by the Principal.

4. For each gift the following information should be entered into the appropriate Register:
  - Name of employee involved
  - Date of event
  - Type of gift received
  - Estimated value of the gift
  - Reason for the gift
  - Name of the provider of the gift.
  
5. The following information should be entered into the Hospitality Register:
  - Name of employee involved
  - Date and time hospitality was received
  - Nature of the hospitality
  - Estimated value of the hospitality
  - Why the hospitality was given
  - Name of the organisation/company that has provided the hospitality.
  
6. On an annual basis the Governing Body should review the Gifts and Hospitality Register and should evidence their review by signing the Register in the box provided.
  
7. There is also provision in the Gifts and Hospitality Register for the Principal to acknowledge any reviews he has undertaken.





## GIFTS & HOSPITALITY REGISTER NOTIFICATION FORM

This form should be used for entering GIFTS/HOSPITALITY received or offered and declined.

<b>Date of event:</b>	
<b>Name of Employee:</b>	
<b>Designation/Theme:</b>	
<b>Description of gift/hospitality received/offered:</b>	
<b>Estimated value of gift/hospitality received/offered:</b>	
<b>Name of the provider of the gift/hospitality:</b>	
<b>Reason for the gift/hospitality:</b>	
<b>Action Taken</b>	<b>ACCEPTED/REJECTED</b> (delete as appropriate)

**NOTE-** any gift/hospitality accepted **MUST** be within the Guidelines issued by the Academy

**Employee signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

**Comments from the Designated Person**

**Signed** \_\_\_\_\_ **Print Name & Designation** \_\_\_\_\_ **Date** \_\_\_\_\_

**Comments from Designated Officer**

**Signed** \_\_\_\_\_ **Print Name & Designation** \_\_\_\_\_ **Date** \_\_\_\_\_

**Details of acceptance(s) entered into the Gifts and Hospitality Register**

**Signed** \_\_\_\_\_ **Print Name & Designation** \_\_\_\_\_ **Date** \_\_\_\_\_

**Distribution:** The original plus a photocopy – To Designated Person for review/certification

A further copy should be retained by the employee / office file, as proof of declaration.

The photocopy is returned to the employee within 2 weeks to confirm the details have been registered.

**NB.** If an acknowledgement has not been received two weeks after this Notification Form is completed then this should be followed up by the employee.



## Appendix 2

### GIFTS & HOSPITALITY REGISTER NOTIFICATION FORM

This form should be used for entering **INDUCEMENTS/LEGACIES** received or offered.

<b>Date of event:</b>	
<b>Name of Employee:</b>	
<b>Description of inducement/legacy received/offered:</b>	
<b>Estimated value of inducement/legacy received/offered:</b>	
<b>Name of the provider of the inducement/legacy:</b>	
<b>Circumstances:</b>	

**NOTE: any gift/hospitality accepted MUST be within the Guidelines issued by the Academy**

**Signed by Employee:** \_\_\_\_\_ **Date:** \_\_\_\_\_

<b>Comments from the Designated Person</b>		
<b>Signed</b> _____	<b>Print Name &amp; Designation</b> _____	<b>Date</b> _____

**Distribution:** The original plus a photocopy – To Designated Person

A further copy should be retained by the employee / office file, as proof of declaration

The photocopy is returned to the employee within 2 weeks to confirm the details have been registered.

**N.B.** If an acknowledgement has not been received two weeks after this Notification Form is completed then this should be followed up by the employee.