



Gifts, Hospitality and Anti-bribery Policy (Ref 09 MPGH)



# Mosaic Partnership Trust

Gifts, Hospitality and Anti-bribery Policy (Ref 09 MPTGH)



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### History of most recent Policy changes

Version	Date	Page	Change	Origin of Change
V1.0	08/04/2024	Whole Document	Adoption by the Mosaic Partnership Trust and Implementation	New Academy Trust requirement of a Gifts, Hospitality and Anti-bribery Policy



## Gifts, Hospitality and Anti-bribery Policy (Ref 09 MPGH)

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## Gifts, Hospitality and Anti-bribery Policy (Ref 09 MPGH)

### 1.0 Introduction

This policy refers to the acceptance of gifts and hospitality only. There is a separate policy for claiming expenses.

This policy applies to all staff, members, directors/trustees, academy community councillor, volunteers, and any other individual acting as a representative of the Mosaic Partnership Trust (MPT).

The MPT is committed to upholding the Nolan Principles, the seven principles of public life that apply to anyone who works as a public-office holder. These are: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership. Representatives of the Trust are expected to maintain high standards of propriety and professionalism in all their dealings, ensuring they are free from any conflict of interest through their business in the name of the Trust and operate with the MPT Values of 'Integrity, Innovation and Partnership' at the heart.

The Gifts, Hospitality and Anti-bribery Policy seeks to protect the reputation of the Trust and its representatives from suspicion of dishonesty, accusations of bribery or corruption and ensure that they are free from any conflict of interest with respect to the acceptance or provision of gifts, hospitality, or any other inducement from any suppliers of goods or services to the Trust.

All representatives must take extreme care that none of their dealings, directly or indirectly, could be deemed as a reward or benefit, in line with the Bribery Act 2010.

This Act makes it a criminal offence to:

- offer, promise or give a bribe,
- request, agree to or accept a bribe
- (by an organisation) fail to prevent bribery by those acting on its behalf ('associated persons') to obtain or retain business or a business advantage for the organisation.

Under this Act, a bribe is 'a financial or other advantage' offered, promised or given to induce a person to perform a relevant function or activity improperly, or reward them for doing so.

### 2.0 Objectives

The objectives of this policy are to ensure that the MPT:

- has due regard to propriety and regularity and its duties under the Bribery Act
- continues to operate and act in a manner that stands up to public scrutiny.
- prohibits the receipt of gifts, hospitality or other expenses that could influence, or be perceived to be capable of influencing, Trust decision making
- ensures all representatives of the Trust are aware of what constitutes acceptable gifts and hospitality, and the process that must be followed if they are presented with any of the same.



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### 3.0 Regulations

This policy has due regard to all relevant legislation and statutory guidance including, but not limited to, the following:

- The Bribery Act 2010
- ESFA 'Academy trust handbook'

This policy operates in conjunction with the following school policies and documents:

- Gifts and Hospitality Register
- Whistleblowing Policy

This policy aligns with the requirements in the Academy Trust Handbook which dictates:

*The academy trust should have a policy and register on the acceptance of gifts, hospitality, awards, prizes or other benefits that might compromise their judgment or integrity and should ensure all staff are aware of it.*

It also aligns with the requirements included in the MPT Financial Regulations.

### 4.0 Definitions

The following definitions apply when accepting gifts or hospitality:

Heading	Definition
Gift	Gifts are any items, cash, awards, prizes, goods or services, offered without expectation of payment or benefit. Gifts also include goods or services offered at a discounted rate, or on terms not available to the public
Hospitality	Hospitality is defined as food, drink, accommodation, or entertainment (such as cultural or sporting events) provided free of charge, heavily discounted or on terms not generally available to the public.

This policy refers to all gifts offered from the following groups. This is not an exhaustive list.

Heading	Definition
Groups	Parents, Pupils, Suppliers, Potential Suppliers, Customers, Partners, Community Groups, Charities, Organisations or Other Public sector bodies.

### 5.0 Roles and responsibilities

The following section outlines the roles and responsibilities for all representatives across the Trust.

#### 5.1 All representatives

- Must not accept gifts or hospitality from a third party where it might be perceived that their personal integrity has the potential to be compromised, or that the Trust might be placed under any obligation because of acceptance.
- Must not use their official position to further their private interests or the interests of others.
- Must not solicit gifts or hospitality.
- Must not accept any gift or hospitality that contravenes the law.
- Must not accept gifts of cash



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5.2 The Executive Headteachers, Headteachers, CEO, CFO and Governance Professional and Compliance Officer will:

- Ensure that staff, volunteers, academy community councillors, trustees and members are aware of and understand this policy, and that it is being implemented consistently.
- Act with the utmost integrity on all matters relating to gifts and hospitality, ensuring that they set a good example to the rest of the school or Trust and to those outside the organisation.
- Ensure that decisions on whether individuals or the Trust can accept gifts or hospitality with a value of over £50 are in line with this policy.

5.3 The CFO will ensure that:

- The Trust maintains a gifts and hospitality register.
- Trustees and Principals are provided with information on gifts and hospitality received on an annual basis
- Decisions are made on whether individuals or the Trust can accept gifts or hospitality with a value of over £50 are in line with this policy.

5.4 Any representative who becomes aware of a breach of this policy must either report this immediately to his or her manager who will instigate investigations as necessary or refer to the relevant Trust policy (Eg Disciplinary/whistleblowing).

### **6.0 General Guidance, Approval and Record Keeping**

#### 6.1 Approval

The general principles for the acceptance of gifts are:

- The gift must be of a nominal or notional value.
- The gift must be given for an appropriate reason (end of an academic year thank you).
- The gift must be given at an appropriate time (e.g. not in advance of the issuing of an opinion or determination, or in advance of the award of a contract).
- The gift must be of a “one-off” or very occasional nature

A gift or hospitality offered under the value of £50 can be accepted providing it complies with this policy and does not fall into the unacceptable gifts list in section 6.2. These do not have to be pre-approved or recorded on the gifts and hospitality register. Generally, gifts of nominal value, such as small tokens of appreciation, may be accepted.

Similarly, hospitality such as working lunches may be accepted to maintain good relationships with key contacts, provided the hospitality is reasonable in the circumstances.

Gifts from pupils generally fall under the £50 limit and can be accepted, provided they do not fall into the unacceptable gifts list in section 6.3. A gift from a class not an individual pupil over £50, would not be classed as a single gift.



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All gifts or hospitality over £50 must be approved as follows:

Value	Approval
Over £50 but under £100	Headteacher or Chief Executive Officer for the Central Team
Over £100 but under £200	Chief Finance Officer and Chief Executive Officer
Over £200	Chief Finance Officer, Chief Executive Officer and Trust Finance Manager and Resources Committee Chair

All gifts and hospitality to the Chief Executive Officer or Chair of the Board (in carrying out Trust duties) above £50 must be approved by the CFO.

All gifts and hospitality to the Chief Finance Officer (in carrying out Trust duties) above £50 must be approved by the Chair of the Finance and Resources Committee.

Approval to accept gifts or hospitality can be completed through the Finance Manager which will be first sent to the CFO and then the Headteacher/Central Team Lead for approval.

### 6.2 Assessing Value

It is not always straight forward to determine the value of a gift. If the value cannot be ascertained, seek approval from the Trust Finance Manager or Chief Finance Officer who can support to identify and agree a value.

### 6.3 Unacceptable gifts and hospitality

Staff will not accept:

- Cash
- Gifts or hospitality offered to their spouse, partner, family member or friend.
- Gifts or hospitality from a potential supplier or tenderer.
- Lavish, extravagant or excessive gifts or hospitality.
- Gifts or hospitality that they believe to be more than a token of gratitude given at an appropriate time, e.g. at the end of the year.

This list is not intended to be exhaustive.

### 6.4 Gifts and Hospitality Register

All gifts or hospitality above £50 must be recorded on the Trust gifts and hospitality register (appendix 1). This must also include any gifts that are refused/returned based on non-compliance with this policy. This is to ensure all data is captured, even when a gift is returned/not accepted.

The register is maintained centrally and is completed via the Trust Finance Manager.

The form requires a minimum of two approvals. Please select the relevant personnel from the drop-down list to seek finance approval. The next stage of approval is the Principal/Central Team Lead. Further approval may be required based on the limits listed in 6.1.



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### 6.5 Declining Gifts and Hospitality

Any Representative of the Trust who is offered any of the unacceptable gifts or hospitality outlined in the section above that are over the £50 value, should politely decline the offer and complete a form for inclusion on the gifts and hospitality register.

If they feel it would not be appropriate for them to decline, they should refer the matter to the Chief Finance Officer who may decline the offer or donate the gift or hospitality to a worthy cause. For example, to use as an end of year pupil reward or prize within an academy or donate to the charity supported by the MPT/academy. The item must also be recorded on the gifts and hospitality register.

### 6.6 Gifts and hospitality to staff from the school

The Trust approach is that there should not be gifts and hospitality to individual staff from school-based funding which is provided to schools for the purposes of education. If a Headteacher perceives that there is a very exceptional circumstance whereby this could be permitted they will seek the approval of the Chief Executive Officer, Chief Finance Officer and the Chair of the Finance and Resources Committee, with a gift limit of no more than £20. Requests should be made in writing and should state very clearly why the request is exceptional and must not include the purchase of alcohol. The default approach with such requests is not to approve unless there is some clear and demonstrable evidence that this is appropriate.

### 6.7 Record keeping

The school maintains up-to-date 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 gifts or hospitality received or offered over the value of £50.00 if received from multiple donors. These gifts and hospitality will be subject to managerial review.

The Gifts and Hospitality Register is used to record the details of gifts or hospitality that need to be recorded. The following information will be recorded:

- The nature of the gift or hospitality
- The date the gift or hospitality was offered
- The name of the person or people who offered the gift or hospitality
- The name of staff member the gift or hospitality was offered to
- The value of the gift or hospitality
- The action taken – for example, whether the offer was refused or accepted

Employees' expenses claims relating to gifts, hospitality or expenses incurred to third parties will be submitted in accordance with the relevant procedures.

Invoices, accounts and related documents will be prepared and maintained with the highest accuracy and completeness. No accounts will be kept "off-book".

In line with its duties under the 'Academy trust handbook', and irrespective of whether ESFA approval is required, the trust will disclose aggregate figures for transactions of any amount, and separate disclosure for individual transactions above £5,000, in its audited accounts for gifts from the trust.





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### 7.0 Examples of Gifts or Hospitality

To support with decision making, the following provide some examples of gifts or hospitality previously provided to the Mosaic Partnership Trust:

Example	Action
End of year gift to a teacher – confectionary	Providing under £50, gift can be accepted and no need to log on the register
4 Rugby Tickets to the Millenium Stadium Cardiff	Likely to be over £50. Consider reason for the hospitality and if it is appropriate to accept. Seek support from the finance team
Branded t-shirt, pens and stationery from a supplier	Providing it is under the value of £50 and does not affect the tender or procurement process nor leads to increased purchases from the supplier, this is fine to accept.

### 8.0 Charitable Donations

Charitable donations will be considered part of the school's wider purpose. The school will support several carefully selected charities and may also support fundraising events involving employees.

The school will only make charitable donations that are legal and ethical. No donation will be offered or made in the school's name without the correct authorisation.

### 9.0 Policy Requirements

The following policy principles will be adhered to:

- The Trust commits to ensuring the contents of this policy is communicated to MPT representatives on a timely basis through annual training.
- The gifts and hospitality register will be shared annually with the Audit and Risk Committee at the first meeting of the academic year.
- This policy will be reviewed every 2 years or where appropriate.

### 10.0 Monitoring and Review

This policy is reviewed by the Finance and Resources Committee and approved by the MPT Trustees. The policy will be reviewed on a biennial basis or where required.

Any changes to this policy will be communicated to all staff and relevant stakeholders.



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### Appendix 1.

*Gifts and Hospitality Register – example.*

Name of school – Gifts and Hospitality Register						
Date gift or hospitality received	Recipient	Gifted by	Description of gift or hospitality	Value	Gift or hospitality accepted or declined	Reason why
					Accepted <input type="checkbox"/> Declined <input type="checkbox"/>	
					Accepted <input type="checkbox"/> Declined <input type="checkbox"/>	
					Accepted <input type="checkbox"/> Declined <input type="checkbox"/>	
					Accepted <input type="checkbox"/> Declined <input type="checkbox"/>	
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