



# PETERBOROUGH KEYS ACADEMIES TRUST

## GIFTS & HOSPITALITY POLICY

**Version 1.0**

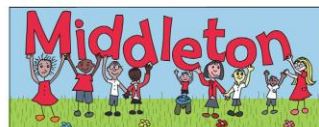
**March 2021**

**Trustee Committee: Finance, Risk and Audit Committee 15 March 2021**

**Reviewed by Leadership Group: N/A**

**Date Policy Reviewed: February 2021**

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## **I. Purpose**

- 1.1 The intention of the Policy is to ensure that Peterborough Keys Academies Trust (“**the Trust**”) can demonstrate that no undue or improper influence has been applied, or could be perceived to have been applied, by any supplier or anyone else dealing with the schools within the Trust.
- 1.2 Schools in the Trust must be able to show that all decisions made have due regard to propriety and regularity, whether educational, financial or otherwise. It must also evidence that decisions are reached on the basis of the proper application of laid-down procedures and for no other reason.
- 1.3 As a general guideline, gifts, hospitality or other personal benefits (hereinafter referred to as “Gifts”) should not be accepted or offered by any member of staff, governor or Trustee, except as provided for below.
- 1.4 Any breach of this Policy could lead to disciplinary action and may constitute gross misconduct.

## **2. Restricted and Unrestricted Funds**

- 2.1 Restricted funds are defined as any fund, provided by the Education and Skills Funding Agency (“ESFA”), Local Authority (“LA”) or other body to meet the statutory requirements to provide education. Examples of such funds include:
  - (a) School Budget Share (Schools Block DSG)
  - (b) General Annual Grant (GAG)
  - (c) Pupil Premium Funding
  - (d) Educational Visits
  - (e) Music Tuition
- 2.2 Restricted funds may also include other monies received by schools for specific projects which are required, as conditions of the funds, to be dealt with through the Trust’s official accounting system.
- 2.3 Unrestricted funds are defined as funds operated, wholly or in part, by any employee of the school because of his/her employment, for which the ESFA and/or LA does not have a statutory requirement to provide the resources for which the fund is being used. Examples of such funds include:
  - (a) PKAT Trading Account
  - (b) Alumni Funds

- (c) Vending Machine Funds
- (d) PTA Funds

### **3. Gifts and Hospitality Given**

- 3.1 As a general rule, restricted or unrestricted funds should not be used for buying gifts for school staff or other people who may assist the Trust's schools in a voluntary capacity. However, Headteachers can authorise gifts for colleagues and other stakeholders who:
- (a) are ill,
  - (b) are in hospital,
  - (c) have had a baby,
  - (d) are due to marry,
  - (e) are leaving the school,
  - (f) have had significant loss, etc.
- 3.2 Headteachers may authorise the giving of staff rewards such as, but not limited to, vouchers, electronic devices, flowers or greetings cards up to the value of £50.
- 3.3 As a general rule, restricted or unrestricted funds should not be used for providing hospitality or meals for staff. However, refreshments will be provided for training days, Christmas lunch, celebration events, development activities, the end of the school year and parents' evenings only. Lunch may be provided for Reception Teachers who eat with their new pupils at the start of the new academic year.
- 3.4 A pool of refreshments such as tea, coffee, milk and sugar for consumption by visitors to the schools is permitted and the purchase of these items can be made through the school budget. 'Hospitality' and 'Student Refreshments' are separately accounted for in the Peterborough Keys Academies Trust financial package so that there is a clear audit trail for expenditure of this type, and a differentiation between 'hospitality', pertaining to non-student subsistence and 'student refreshments', such as pizza purchased for after school revision classes.
- 3.5 A pool of refreshments such as tea, coffee, milk and sugar for consumption by staff is also permitted subject to budget constraints. Expenditure for this item will be approved, by each school's Governors, as part of the annual budget approval process.
- 3.6 If meetings/ interviews with visitors to the schools extend through the lunch period it is usually acceptable to provide a light lunch and non-alcoholic drinks, all of which may be purchased through the school budget.

- 3.7 There may be occasions when more than light refreshments are required to entertain visitors to the schools.
- 3.8 **Under no circumstances** should alcohol be purchased using restricted or unrestricted funds
- 3.9 Restricted and unrestricted funds must not be used for the purchase of food or beverages at restaurants or hotels for school or Trust staff and/or their families
- 3.10 Where Trust or school staff are on residential training courses, any personal expenditure incurred during an overnight stay such as mini bar, newspapers, private telephone calls etc is the responsibility of the individual employee and this must be paid for in full before leaving the hotel/venue.
- 3.11 Reasonable normal travel expenses and subsistence is payable by the school on completion of the appropriate form and provision of receipts and supporting evidence.

#### **4. Gifts and Hospitality Received**

- 4.1 School and Trust staff should consider if the acceptance of any gift and/or hospitality could be regarded by a third party as compromising or likely to compromise the impartiality or integrity of a public servant.
- 4.2 If in doubt, the offer should be declined in a polite manner so as not to offend the giver of the gift and/or hospitality and so that they understand there are high corporate and ethical standards to be maintained.
- 4.3 Personal gifts from Senior Leaders could put colleagues in an uncomfortable position and they may feel as if they cannot decline this. All colleagues are reminded that they do not have to accept any gift for personal reasons not covered in this policy.
- 4.4 During the course of undertaking their duties it is inevitable that Trust and school staff will be offered some gifts and/or hospitality at some point and in particular this may apply to staff with financial responsibility – Chief Finance Officer, Chief Operating Officer, Headteachers, Finance Managers, Business Managers, Budget Holders etc. Accordingly, all such staff should lead by example and uphold high standards of integrity.
- 4.5 Where any gift and/or hospitality is offered by a person or organisation seeking to do business with the school or Trust, particularly where the offer is made to an individual member of staff, it is necessary to exercise extreme caution. The expectation is that as a minimum the individual should consult either the Head Teacher or in the case of the offer being made to the Head Teacher, the Chair of Governors or Chief Executive or in the case of the Chief Executive receiving the offer, the Chair of Trustees

- 4.6 A 'modest gift' which her Majesty's Revenue and Customs refer to as 'a trivial gift' (see point 6.4) of a promotional nature given to a wide range of people and not uniquely to one individual may be deemed as acceptable. Such gifts may include calendars, diaries, pens or other small items and in such cases do not need prior approval for acceptance and do not need to be recorded in the Gifts and Hospitality Register
- 4.7 Hospitality is sometimes offered to representatives of schools or the Trust and in such cases extreme caution is needed particularly where the host is seeking to do business with the school or Trust to obtain a decision from it. It is important to avoid any suggestion of improper influence.
- 4.8 A working lunch of a modest standard may be acceptable to allow parties to continue a business discussion but extreme caution is needed if any such working lunches are taken with the same company on a frequent basis. Any such hospitality should be recorded in the Gifts and Hospitality Register (See Appendix I)
- 4.9 It is not acceptable to receive hospitality in the form of holidays or weekends away, tickets to theatres or other entertainment events or the use of company flats, hotel suites or hospitality boxes at sporting and other events.
- 4.10 If any gift and/or hospitality are accepted they must be recorded, within 7 days of the offer of the gift and/or hospitality being made, within the schools Register of Gifts and Hospitality (See Appendix I). This Register should be presented to the Governing Body or Finance Audit and Risk Committee for staff with Trust roles on a termly basis. Failure to record the receipt of any gifts or hospitality will be deemed as a disciplinary matter.
- 4.11 Please note that where hospitality is provided at an official function of the Trust or Local Authority there will be no need to declare it within the Gifts and Hospitality Register.
- 4.12 If schools are in any doubt over any gift or offer of hospitality they should seek appropriate advice from the Trust executive, principally the Chief Finance Officer in the first instance. Corruption and bribery are criminal offences and the Trust will not hesitate to refer such issues to the police for prosecution.

## **5. Gifts and Hospitality Register**

- 5.1 High ethical standards, along with open and transparent arrangements, are essential to ensure integrity of all staff employed by the school. Accordingly gifts and/or hospitality must be discussed with the Headteacher or the Chair of Governors and if a decision to accept is taken, the details should be recorded in the Gifts and Hospitality Register.

5.2 The Gifts and Hospitality Register is held and maintained by the school Finance Manager and CFO for Trust roles. It is freely available for inspection by governors, staff, parents, Trustees and Local Authority representatives.

## 6. Liability for Income Tax and National Insurance Contributions

6.1 In theory, the provision of any gift or reward to an employee may create some form of liability for the employee.

6.2 ALL gifts in the form of money or 'cash vouchers' (vouchers which can be exchanged for cash e.g. premium bonds or savings stamps) are subject to deductions of Income Tax and National Insurance Contributions.

6.3 'Non Cash Vouchers' (vouchers redeemable for goods and services) must be reported on Forms P11D and are also liable to National Insurance Contributions.

6.4 Her Majesty's Revenue and Customs acknowledge that some gifts may fall under the heading 'Trivial Gifts', which the Trust prefers to refer to as 'Modest Gifts'. There is no legal definition of a trivial gift but some examples may include:

- (a) Seasonal gifts such as a small box of chocolates or bottle of wine
- (b) A diary or a key ring

6.5 Schools providing gifts/rewards to employees are advised to apply caution as there may be a tax liability to the employee. If in doubt schools should seek advice from the Chief Finance Officer.

## 7. Version History

7.1 Table of Versions

VERSION	ACTION	RESPONSIBLE	DATE
1.0	Draft compiled using legacy school policies	Matthew DEERE	01/03/2021

**8. Appendix 1 – Register of Gifts and/or Hospitality**

<b><u>REGISTER OF GIFTS AND/OR HOSPITALITY</u></b>				
<b><u>SCHOOL NAME</u></b>				
Please use this sheet to record <b>any</b> gift or hospitality received from dd/mm/yyyy				
Date upon which the Gift and/or Hospitality was offered / received	Person / Organisation offering or providing the Gift and/or Hospitality	Brief details of Gift and/or Hospitality offered / received	Estimated or actual value of the Gift and/or Hospitality	Any reasons for accepting the Gift and/or Hospitality

**Name of person:** ..... **Date placed on Register** .....

It is acceptable to e-mail the above information rather than complete the form but the e-mail must include all of the headings on the form.