



Pope John XXIII Catholic Multi-Academy Company

GIFTS AND HOSPITALITY POLICY

Approved by Finance and Resources Committee: 15th September 2015

Ratified by the Board of Directors:

Date of Review: 1st September 2018

**For: Corpus Christi Catholic Primary Academy
Holy Rosary Catholic Primary Academy
Our Lady and St Chad Catholic Academy
St Mary's Catholic Primary Academy**

Pope John XXIII Multi Academy Company
Gifts and Hospitality Policy

1. Scope and Intent

This is the Pope John XXIII's Catholic Multi Academy Company (MAC)'s Policy relating to the offer and/or acceptance by staff or Directors of gifts and hospitality of whatever nature from outside individuals or organisations. As a general guideline, business gifts and hospitality should not be accepted by any member of staff, Directors or Academy Committee Representatives except as provided for below.

The intention of the policy is to ensure that the MAC 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 MAC. The MAC 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.

Within the terms of the Policy, staff, Directors and Academy Representatives are expected to exercise common sense. If they are in any doubt they must consult the Accounting Officer, Chair of the Board of Directors, Principal or Chair of Academy Committee, as appropriate. In all cases the acceptance of a gift or hospitality must be declared using the MAC's 'Declaration of Gifts and Hospitality' form. The details will be entered into a register of Gifts and Hospitality kept by each Academy within the MAC, or the Register for the Board of Directors.

The Policy also sets out the circumstances governing the giving of gifts on behalf of the MAC.

The process set out is designed to safeguard staff, Directors and Academy Representatives from any misunderstanding or criticism.

The general principles which govern gifts and hospitality are:

- 1.1 Offers of hospitality should only be accepted if there is a genuine need to represent the MAC.
- 1.2 Gifts may be accepted outside these principles only in exceptional circumstances.
- 1.3 This policy applies to all Directors/Academy Representatives and staff of Pope John XXIII Multi Academy Company.
- 1.4 To determine whether a gift or hospitality is acceptable, the following questions may help you consider why the offer being made:
 - Who has made the offer - is the person seeking a favour; or are you involved with making a decision that will affect them? E.g. approving a contract or offering employment.
 - How does the gift sit within the Gifts and Hospitality policy? E.g. is it expensive or inexpensive?
 - Is the offer transparent e.g. would you be comfortable with it becoming public knowledge?
 - Does it fit with the MAC's mission statement and values as a Catholic institution?
- 1.5 Registers are accessible for viewing by the following appropriate officers:
 - Accounting Officer, Directors, Academy Representatives, Principals, Business Director
 - External and internal auditors.
- 1.6 Any request by a member of the public to view the Register of Declarations of Gifts and Hospitality will be referred to the Principal/Business Director. In considering any request, the requirement for the MAC to be open and transparent will be balanced against the requirements of the Data Protection Act 1998.

2. Hospitality

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The following principles should be followed in deciding whether or not to accept hospitality.

- 2.1. Staff and Directors/Academy Committee Representatives should ask themselves whether members of the public, knowing the facts of the situation, could reasonably think that they might be influenced by the hospitality offered. If the answer is yes, the hospitality should be declined. In making judgements, relevant facts to take into account include the person or organisation offering the hospitality, its scale and nature, and its timing in relation to decisions to be made by the school or MAC.
- 2.2 Care should be taken to avoid situations in which an individual Director or Academy Committee Representative or member of staff is the sole person invited to partake of hospitality or where it creates a pattern of receiving hospitality from that organisation.
- 2.3 Examples of when it may be proper to accept hospitality (always depending upon the particular circumstances) are as follows:-
 - 2.3.1 attendance at conferences, events and demonstrations of equipment organised by outside bodies where there is a service interest;
 - 2.3.2 attendance at events or functions where there is a demonstrable need for the MAC to be represented to either give or to receive information or to participate as part of the MAC's corporate image;
 - 2.3.3 attendance at events or functions which are part of the civic, cultural or sporting life of the MAC;
 - 2.3.4 working lunches where this is an appropriate and effective way of conducting business and the refreshments provided are on a reasonable level.

3. Gifts

Gifts should not be accepted if they appear to be disproportionately generous or could be construed as an inducement to affect a business decision.

All personal gifts should be refused or donated to charity unless they come within the categories set out in 3.1 or 3.2 below.

- 3.1 Gifts of the following type may be accepted:
 - 3.1.1 modest gifts of a promotional character, e.g. calendars, diaries and other similar articles. See also point 4;
 - 3.1.2 gifts on the conclusion of any courtesy visit to an outside organisation of a sort normally given by that organisation.
 - 3.1.3 gifts up to £15 in value.
- 3.2 Gifts which are intended for the MAC as a corporate body or intended for an Academy can be accepted but must not be retained by the individual who receives them. Such gifts should be passed to the MAC or Academy as appropriate.

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4. Registration of Gifts and Hospitality

Staff, Directors and Academy Committee Representatives must, within 28 days of accepting any gift or hospitality with an estimated value in excess of £15, provide written notification to the Principal of the school, or the Business Director of the MAC in the case of a Director, using the 'Declaration of Gifts and Hospitality' form (Appendix A). All offers accepted should be recorded in case of any queries, in particular through FOI requests.

The Declaration of Gifts and Hospitality forms must be completed in full, setting out full details of the offer or the gift and or hospitality received as well as:

- estimated or actual value;
- an indication from the Principal or Business Director (or Chair of the Board of Directors) if appropriate if it involves a Director as to why acceptance of the offer is authorised;
- the employee's or Director or Academy Committee Representative's printed full name and signature; and
- the Principal's or Business Director's printed full name and signature.

5. Monitoring

The Business Director will maintain a register of Gifts and Hospitality for the MAC and the form (see Appendix A) detailing the individual declarations should be kept in the Register. Any concerns/issues identified should be noted and an action plan put in place.

6. Penalties

The MAC's disciplinary procedures may be applied where it is found that the policy has not been followed.

7. Monitoring of Policy

As part of its role in promoting high standards of conduct, the Finance and Resources Committee may request to see the register at any time.

8. Retention of Documentation

Documentation in the Register will be kept for seven years.

9. Tax implication

The MAC recognises the need to raise awareness of possible tax implications relating to the receipt of gifts or hospitality

Giving of Gifts on behalf of the MAC

The MAC is the recipient of public money; therefore it must ensure that such money is accounted for. The giving of gifts by the MAC will be an exceptional circumstance, if it does occur the current guidance of the EFA must be followed:

'When giving gifts, the MAC **must** ensure that the value of the gift is reasonable, is within the MAC's scheme of delegation, the decision is fully documented, and has due regard to propriety and regularity in the use of public funds.' (EFA handbook 2015)

Propriety - the requirement to deal with expenditure and receipts in accordance with Parliament's intentions and the principles of parliamentary control. This covers standards of conduct, behaviour and corporate governance.

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Regularity - the requirement to deal with all items of income and expenditure in accordance with legislation, the terms of the trust's funding agreement and the EFA handbook, and compliance with internal trust procedures. This includes spending public money for the purpose intended by Parliament.

This Policy will be reviewed regularly at least 3-yearly.

Version 1.0	Date approved by Finance and Resources Committee	15 th September 2015
	Date ratified by Board of Directors:	
	Signature of Chair of Board of Directors	

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APPENDIX A

Pope John XXIII Catholic MAC- Form for Declaration of Gifts and Hospitality

Academy Name or Board of Directors		
Name of employee/ Director/ Academy Committee Representative		
Declaration of Gifts or Hospitality Received		
Description of gift or hospitality provided		
Value/Estimated value of gift or hospitality		
Date of offer	Date of receipt of gift or hospitality	
Person / body offering/providing the gift or hospitality:		
Person or body receiving the gift or hospitality (other than/as well as you)		
Any relationship (including potential future relationship) which you or the MAC has with the person or body offering the gift or hospitality		
Why accepting it was in the MAC interests:		
For gifts (including items such as tickets and vouchers): do you seek permission to retain/use it yourself, or will you pass/have you passed it to the Principal/Business Director or other appropriate person to be passed on to charity or deal with it in some other way?		
For hospitality or gifts already enjoyed, used or consumed: Why was prior approval not sought?		
Signed and Print Name and Date		
Signed Principal/ Business Director/Chair of BOD -Print Name Date		
Reason for refusal/approval:		