



Anti-Bribery Policy

(Gifts and Hospitality)



Policy	Anti-Bribery Policy (Gifts and Hospitality)
Date of review	September 2021
Date of next review	September 2024
Lead professional	Chief Financial Officer
Status	Statutory

1. Introduction

- 1.1. Trinity Multi-Academy Trust (Trinity MAT) is committed to the values of integrity and accountability. All Members, Directors, Local Governors and staff should conduct themselves with impartiality and honesty at all times. Staff should maintain high standards of propriety and professionalism.
- 1.2. The guiding principles are:
 - The conduct of individuals should not create suspicion of any conflict between their official duty and their private interest.
 - The action of individuals acting in an official capacity should not give the impression to any member of the public, to any organisation with whom they deal or to their colleagues that they have been (or may have been) influenced by a benefit to show favour or disfavour to any person or organisation.

2. Application

- 2.1. This policy applies to Members, Directors, Local Governors and members of staff.
- 2.2. For the purposes of this document, 'staff' applies to all staff and Governors. Procedures apply to gifts from students and their families as well as from potential and current suppliers.

3. Statement of Policy

- 3.1. Hospitality received from, or the giving of hospitality, to a third party is generally not acceptable. The exception to this general principle is where there is a genuine need for the development of legitimate and ethically sound business relationships and the hospitality offered will genuinely assist the development of this.
- 3.2. Even then, only modest hospitality is acceptable AND the following procedures must be complied with at all times. Any gift or hospitality over the value of £50 needs to be declared. Failure to do so can result in disciplinary action and possibly termination of employment, or role.

4. Meaning of words:

- 4.1. For the purpose of this policy:
 - **“Hospitality”** means any form of gift, entertainment, personal reward or favour or anything of value.
 - **“Modest”** means nature, scale, low cost and moderate frequency and level complying with all other company policies.
 - **“Trivial”** means a very small low value item such as a calendar, pen, a small box of chocolates or a very small promotional item.

5. Acceptance of Gifts

- 5.1. Staff should not accept gifts or rewards from any organisation or individual with whom they have contact in the course of their work as an inducement either for doing something or not doing something in their official capacity. Particular care should be taken about any gift from a person or organisation which has, or is hoping to have, a contract with the trust.
- 5.2. Gifts of a trivial or inexpensive nature may be accepted (e.g. diaries, calendars), but more substantial or expensive offerings should be declined.
- 5.3. Gifts are deemed to include:
 - Goods provided for personal or other private use.
 - Personal services.
 - Loans of equipment, vehicles etc. for personal use.
 - The provision of goods/services at preferential cost for personal or other private use.
- 5.4. If unsolicited gifts of a substantial nature arrive from contractors they should be returned with a polite explanation that the trust’s policies do not allow their acceptance.

6. Acceptance of Hospitality

- 6.1. Hospitality can take a variety of forms, some of which staff may accept, some of which should be declined. Staff may be offered hospitality as a normal business practice in a way that is directly linked to their role. Examples of this kind of hospitality include the offer of refreshments at business meetings or the offer of lunch or dinner at the end of an official engagement. This kind of conventional hospitality may be accepted.
- 6.2. Staff may also be offered other forms of hospitality which are not related to their role and are not linked to trust/academy business. This might include substantial offers of social functions, travel or accommodation, offers of tickets and invitations to sporting, cultural or social events. These forms of hospitality should be declined.
- 6.3. If any member of staff is in doubt about whether it is appropriate to accept any offer of hospitality, the advice of the Principal should be sought, who may also seek the advice of the Group Finance Manager or Chief Financial Officer. Staff must never canvas or seek gifts or hospitality.

7. Declaring the acceptance of a gift

- 7.1. Members, Directors, Local Governors and staff must record being offered or accepting any gifts by completing a Declaration of Gifts and Hospitality (Appendix A). The declaration should be approved by the Principal of each academy for staff and Chair of the respective group for Members, Directors or the Local Governing Bodies.
- 7.2. The Chief Financial Officer will maintain the Register for Gifts and Hospitality (Appendix B).

8. Failure to comply

- 8.1. In all instances, where there is a reasonable belief that there has been a failure to declare, the Chair/Principal or delegated individual (Head of HR or Group Finance Manager/Chief Financial Officer) will conduct a formal investigation of the situation. Employees may be subject to disciplinary procedures to pursue potential matters of misconduct.
- 8.2. It is a criminal offence for an employee of the trust to corruptly accept any inducement or reward for doing, promising or refraining from doing anything in the course of their employment, or corruptly showing favour or disfavour, in the handling of contracts. In acting corruptly the employee would demonstrate their intention to purposefully act with a lack of probity and with a disregard for the implications of their actions for the trust or one of its academies.

9. The Bribery Act 2010

9.1. UK anti-bribery law has recently undergone a significant change with the introduction of The Bribery Act 2010, which came into effect in July 2011. The Act applies to all businesses and organisations no matter what their size in terms of numbers of offices or employees. Although most trusts/academies/schools would not expect to have to review their business practices in light of the legislation, The Bribery Act 2010 creates offences which can impact as heavily on trusts/academies/schools as they can other businesses.

9.2. Four new offences created by The Bribery Act are:

- Offering, promising or giving a bribe.
- Requesting, agreeing to receive or accepting a bribe.
- Bribing a foreign public official to obtain or retain business.
- Failing to prevent bribery by not having in place "Adequate Procedures".

9.3. Certain activities, even local practices, may constitute offences under The Bribery Act 2010. Examples are of a catering supplier offering the trust/an academy a financial incentive for the renewal of a catering contract, or parents offering a contribution to the academy if their child is given favourable treatment in any instance (e.g. a student leader).

If in doubt staff should apply the following 'tests':

- Is the 'favour or benefit' payable to an individual?
- Is this individual authorised to receive such benefit?
- Is the individual the decision maker or in a position to influence decisions?
- Is it an incentive for that individual to act improperly or breach a duty of good faith and impartiality?
- It is transparent?
- Is it part of the contract?
- Will it result in obtaining an 'unfair' business advantage?
- Do you feel comfortable with it?
- Could you justify it if challenged (in a court of law, for instance)?

For further information follow the link below:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/832012/bribery-act-2010-quick-start-guide.pdf

Date adopted by Directors	September 2021
Date for full implementation	September 2021
Date for review	September 2024
Lead Professional	Chief Financial Officer

Declaration of Gifts or Hospitality

Please indicate by ticking box A or B whether you have been offered and declined or have accepted a gift or hospitality.

Name:	
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Position:	
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A	I have been offered a gift/hospitality which I have declined
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B	I have been offered a gift/hospitality which I have accepted
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Declaration details

Name of external organisation and their relationship with the academy	Nature of interest/gift/hospitality	Estimated Value if applicable

I believe my objectivity and independence in relation to the above external organisation has not been impaired in any way by the offer of gifts or hospitality.

Signed (Recipient) _____ Date _____

Name (Capitals) _____

Signed (Chief Financial Officer/Group Finance Manager/Principal)

Name (Capitals) _____

Completed forms should be sent to the Chief Financial Officer to enter in the Register.

Entered in Register	Date:	Reference:
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