

Gifts and Hospitality Policy

This policy applies to all staff and governors of Halesowen College to ensure that individuals do not accept gifts or hospitality or receive other benefits which might reasonably be seen to compromise their personal judgement or integrity. Offers of gifts and hospitality are seen in the private sector as normal business practice to provide contacts and develop working relationships. Such contacts and relationships may also further the interests of the College, but they can place staff in a difficult position. It is therefore extremely important that staff adhere to the conditions in this policy, given that refusal may cause misunderstanding or offence, but acceptance could result in criminal liability.

The Bribery Act 2010 states bribery offences as offering or receiving bribes, bribing a foreign public official and failure to prevent bribery.

These guidelines reinforce the requirements of Financial Regulations and the Anti-Bribery Policy setting out that the College will not tolerate bribery in any form, and provides a framework for the receipt and offer of gifts and hospitality. As such, staff must not offer, promise or give an advantage nor request, agree to or accept an advantage.

Principles

Dealing with offers of gifts, benefit or hospitality is largely a matter of common sense but if in doubt a polite but firm refusal is the correct course of action.

Staff may accept low value gifts such as business diaries, chocolates, branded stationery and calendars etc produced for the purpose of a token and/or being given away. Outside of this framework gifts including vouchers and cash equivalents should not usually be accepted. The recipient of any unsolicited gifts should return them with a polite explanation that College policy does not allow their acceptance and making clear that no College staff have benefit. However, should any supplier et al attempt to bribe a member of staff they must report this immediately to the Director of Finance and Corporate Services who will take the necessary action in accordance with the anti-bribery policy.

It may be acceptable for staff to accept proportionate gifts and donate them to Halesowen College or The Halesowen Foundation or similar for fundraising purposes. This must still be declared and the company informed of the action taken to ensure transparency. Members of College staff must not accept any gift or consideration as an inducement or reward for doing, or refraining from doing, anything in an official capacity or showing favour or disfavour to any person in an official capacity. Thus, members of staff should not accept any gifts, rewards or hospitality (or have them given to members of their families) from any organisation or individual with whom they have contact in the course of their work that would cause them to reach a position whereby they might be, or might be deemed to by others, to have been influenced in making a business decision as a consequence of accepting such gifts or hospitality.

There may be exceptional cases where refusal would offend a donor, cause embarrassment or appear discourteous. Such cases should be referred to the Director of Finance and Corporate Services to evaluate whether to allow the recipient to accept and declare the gift.

Hospitality

Individuals should only accept hospitality in the course of a courteous business relationship; the frequency and nature of this not being significantly different to that which the Corporation would provide.

It is sometimes difficult to assess the level of hospitality that must be declined. The table below sets out the different categories and the requirement for declaration.

| Event | Approval Required | Record in Register |
|---|-------------------|--------------------|
| Category 3: working meals/conferences | No | No |
| Category 3: receptions and mixed purpose meals (part social, part business) | No | Yes |
| Category 1: social entertaining | Yes ¹ | Yes |

In such instances advice should be sought from the Director of Finance and Corporate Services.

Hospitality will be recorded in the register.

Similarly, staff must not attempt to bribe anyone by offering financial or other advantage to another person. Any hospitality provided must be modest and organised through the College's catering function, South Black Country Education (SBCE) or approved suppliers.

All hospitality arranged through the College catering function must be approved by a member of the College Leadership Team (CLT).

Catering team must provide a price list for hospitality which must be approved annually in accordance with financial regulations.

Requests for hospitality should, wherever possible, be actioned at least five working days prior to the event.

The internal trading hospitality form must be used.

Senior staff hold nominal budgets for hospitality and the appropriate budget will be charged.

Events at Coombs Wood and Shenstone House may require an external catering service to be used. CLT members may authorise outside catering from approved suppliers.

CLT members will each hold a prepaid visitors hospitality card loaded with £50 credit which may be used by the CLT member or assigned temporarily to another member of staff to buy food and drink at the retail outlets for visitors.

HR will issue all cards which will be loaded with £3.50 and given to interview candidates as appropriate. These cards will be activated and written back to zero as required.

Appropriate records must be kept to account for usage.

¹Staff should seek permission from the Director of Finance and Corporate Services except CLT members who must get permission from the Principal. The Chair must approve any Category 1 hospitality received by the Principal.

Trade or Discount Cards

Trade or discount cards other than those negotiated by the College on behalf of the staff, by which an employee may benefit from the purchase of goods or services at a reduced price are classified as gifts and should be politely declined/returned.

Reporting Gifts and Hospitality

All gifts received in accordance with this policy must be recorded. The Director of Finance and Corporate Services maintains a gifts and hospitality register which includes the following information:

- when the gift was received
- donor
- details of the gift
- estimated value
- whether gift is to be retained/donated/shared

A record will also be kept by the Director of Finance and Corporate Services of all gifts, hospitality and benefits refused.

Gifts to/from Students²

Staff need to take care that they do not accept any gift from a student/parent or carer that might be construed as a bribe by others, or lead the giver to expect preferential treatment.

There are occasions when students or parents wish to pass small tokens of appreciation to staff eg at Christmas or as a thank-you and this is acceptable. However, it is unacceptable to receive gifts on a regular basis or of any significant value. It is unacceptable to receive cash/cash equivalents.

Staff should not give personal gifts to students. This could be misinterpreted as a gesture either to bribe, or single out the young person. It might be perceived that a 'favour' of some kind is expected in return and may contravene safeguarding responsibilities.

Any reward given to a young person should be agreed practice within the College, consistent with the College policies, recorded and not based on favouritism, eg student achievement awards, competitions and attendance awards.

This means that adults should:

- ensure that gifts received or given are declared.
- only give gifts to an individual young person as part of an agreed reward system/competition.
- where giving gifts other than as above, ensure that these are of insignificant value and given to all students equally.

The reputation of the College depends on the conduct of its staff and what the public believes about their conduct. Staff are expected to use common sense in assessing any situation where improper influence could be construed. No member of staff should do anything which could give rise to accusations of improper influence and which could not be justified publicly.

² Based on the IRSC/Safe Practice Guidance/February 2005

Governors

The principles of this policy also apply to governors, with the Clerk maintaining a register. The Clerk is the governors' prime contact regarding declaration of gifts and hospitality.

Review

| Reviewed/Approved | By | Date |
|---|---------------|----------------------|
| Updated by | Jacque Carman | 25.10.17 |
| CLT | | 2.11.17 |
| Audit and Assurance Committee / Corporation | | 16.11.17 28.11.17 |