

Gifts, Hospitality & Anti-Bribery policy

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Statement of intent

Briarwood School is committed to maintaining high ethical standards and acting with integrity in all business activities. This policy details the school's position on preventing and prohibiting bribery.

Bribery by, or of, employees, governors, consultants, or any person acting on behalf of the school will not be tolerated. We are committed to implementing effective measures to prevent, monitor and eliminate bribery.

The school takes its legal responsibilities very seriously. Bribery and corruption are punishable by up to 10 years' imprisonment. The School could face an unlimited fine and serious damage to its reputation.

Aims

This Gifts, Hospitality & Anti-Bribery policy complies with:

- Principles of honesty, integrity and transparency and acting in the best interests of students and the School
- Briarwood's Code of Conduct for staff and governors
- Briarwood's Whistleblowing policy
- Bristol City Council's Financial Regulations for Schools with Delegated Budgets, 2024
- Department for Education's Constitution of governing bodies of maintained schools, 2017
- The Bribery Act 2010

This policy forms part of Briarwood's governance arrangements preventing conflicts of interest, bribery, fraud and corruption.

Purpose

This policy outlines the school's procedures on the acceptance of gifts, hospitality, awards, prizes and other benefits that could compromise the judgement or integrity of the school or its staff. The purpose of this policy is to:

- Establish the responsibilities of the school in observing and upholding our position on bribery and corruption
- Provide information and guidance to school staff on how to recognise and deal with bribery and corruption concerns
- Outlines the responsibilities of staff and governors in relation to declaring gifts, describes the practical processes that support this transparency and gives details of documentation that must be completed (Briarwood's Register of Gifts and Hospitality)

This policy applies to all individuals working for the school at all levels, whether permanent, fixed-term or temporary. This includes staff, governors, volunteers and any other person associated with the school.

Roles and responsibilities

Executive Headteacher & Head of Operations

The Executive Headteacher and Head of Operations will instigate investigations in to any reports of suspected bribery. The will also approve the offering, giving or accepting of gifts and hospitality in the necessary circumstances, including:

- where they are being offered to staff from pupils and/or parents
- where they are being offered to or accepted from government officials and representatives
- approving charitable donations offered or made in the school's name

Staff and governors

As part of their commitment to the Briarwood Code of Conduct, all staff and governors are responsible for:

- considering whether gifts and hospitality offered, given or received are appropriate to the circumstances, and reflecting on the intention behind them
- seeking approval from the Executive Headteacher or Head of Operations, as appropriate, to offer, give or accept gifts or hospitality in relevant circumstances
- ensuring any gift or hospitality received is registered and documented in the Gift and Hospitality Register, including the date it was received, who it was sent by and the reason it was accepted or rejected
- reporting instances of known or suspected bribery to the Executive Headteacher at the earliest opportunity.

Bribery

Under the Bribery Act 2010, a 'bribe' is defined as:

'a financial or other type of advantage offered with the intention of inducing or rewarding improper performance of a function or activity'

or

'knowledge or belief that accepting such a reward would constitute the improper performance of such a function or activity'

A criminal offence is committed under the Act if an employee or associated person acting for, or on behalf of, the school:

- offers, promises, gives, requests, receives or agrees to receive bribes
- offers, promises or gives a bribe to a public official with the intention of influencing that official in the performance of their duties

Acceptable and unacceptable practice

Staff and governors should consider, in all circumstances, whether the gift or hospitality is reasonable and justified and to reflect on the intention behind it.

In line with this policy, it will be **unacceptable** for employees to:

- give, promise or offer a payment, gift or hospitality with the expectation or hope that they or the school will receive an advantage
- give, promise or offer a payment, gift or hospitality to reward an advantage they or the school have already received
- give, promise or offer a payment, gift or hospitality to a government official, agent or representative to facilitate or expedite a routine procedure
- accept payment from a third party if they know or suspect that it is offered with an expectation of a business advantage in return

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- threaten or retaliate against another employee who has refused to commit a bribery offence or who has raised concerns under this policy
- engage in any activity that may lead to a breach of this policy

Gifts and hospitality are appropriate and acceptable, both given and received, if the following requirements are met and the gift or hospitality is:

- not given with the intention of:
 - Influencing a third party to obtain or retain business or a business advantage
 - Rewarding the provision or retention of business or a business advantage
- not given in exchange for favours or benefits
- given in the school's name, not in the individual's name
- complies with the law
- not cash or a cash equivalent, e.g. vouchers or gift certificates
- appropriate in the circumstances, e.g. the giving of small gifts at Christmas
- reasonable based on the reason it is offered
- given openly, not secretly

Gifts and hospitality should not be offered to, or accepted from, government officials or representatives without the prior approval of the Executive Headteacher or Head of Operations.

Staff are permitted to accept reasonable gifts up to a value of £30.00 from individuals or groups of pupils or parents without approval from the Executive Headteacher or Head of Operations, provided that these gifts meet the conditions within this policy. These gifts do not need to be recorded in the Gifts and Hospitality Register.

Gifts and hospitality to staff from pupils and parents

It is acceptable for staff to accept gifts from pupils and parents in the appropriate circumstances, at Christmas or the end of the academic year, for example.

However, staff and governors **must not** accept:

- cash or monetary gifts, including tokens and gift certificates
- 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

If a gift meeting the above conditions is offered without warning, the member of staff will politely decline the gift. If the member of staff feels it would be inappropriate to decline the gift, they will refer the matter to the Executive Headteacher and or the Head of Operations as soon as possible. They will then decide on an appropriate course of action which may include returning the gift, asking the Chair of Governors for their view, or donating the gift to a charity or other local cause.

Before accepting gifts or hospitality from parents and/or pupils, staff must consider the following:

- whether there is any benefit to the school in them accepting the scale, amount, frequency and source of the offer
- the timing of the offer in relation to any relevant forthcoming decisions

- whether accepting the offer could be misinterpreted as a sign of their, or the school's, particular support or favour

Where staff believe the offer may satisfy one of these conditions, they will seek prior approval from the Executive Headteacher or Head of Operations before accepting the offer.

Where the gift or hospitality exceeds £30.00, staff will seek prior approval from the Executive Headteacher or Head of Operations before accepting the offer. Details of the offer will be recorded in line with the 'Record keeping' section of this policy.

If staff are unsure whether to accept a gift in any situation, they should speak to the Executive Headteacher or Head of Operations.

Gifts and hospitality to staff from suppliers

Gifts from outside contractors or organisations valued at £30.00 or more, should be returned with a suitable formal letter, regardless of whether this is a gift for Briarwood or for an individual.

If it is not possible to return gifts, the employee who deals with that supplier or organisation must declare the gift to the Governing Body who will keep a record of it and decide how the gift should be used. Such gifts remain the property of the School and should be included in the Register of Gifts and Hospitality.

Visits to exhibitions, demonstrations, conferences, business meals and social functions in connection with school duties will be paid for by Briarwood School.

Offers of hospitality to specific events, such as a dinner or sporting event, should only be accepted after authorisation from the Governing Body. These would normally only be approved where there is a clear and demonstrable benefit to the School and the hospitality would not expose Briarwood to criticism that the business contact was exerting undue influence.

Where hospitality in the form of meals and drinks is offered by a business contact, this is acceptable if it forms part of a normal business meeting (for example, refreshments at training events or meals at evening meetings).

Employees should not accept a financial payment from any person, body or organisation with which the School is involved. Employees should not accept secondary employment from a body or organisation which the School is directly involved with without permission from the Executive Headteacher (see Code of Conduct).

Gifts and hospitality to staff from the school

The school may, at the discretion of the Executive Headteacher, provide staff with token gifts to reward efforts beyond their duties, e.g. significant contributions towards extracurricular activities, to celebrate events such as Christmas. These gifts will be non-monetary, non-alcoholic and cost up to the value of £30.00.

Gifts and hospitality to pupils from staff or the school

Personal gifts must not be given to pupils or their families/carers. This could be misinterpreted as a gesture either to bribe or to groom. It might be perceived that a "favour" of some kind is expected in return. The only exception to this is a small token gift at significant events, such as at Christmas, and where all pupils are receiving a gift. This is at the school's expense.

Reporting and investigating bribery

Staff and governors are encouraged to raise concerns about any known or suspected bribery or corruption to the Executive Headteacher or Head of Operations at the earliest possible opportunity.

Issues that should be reported include any:

- suspected or actual attempts at bribery
- concerns that an employee may have received or accepted a bribe
- concerns that an employee may be offering or delivering bribes

Concerns should be reported following the procedure set out in the school's Whistleblowing Policy. Reports of known or suspected bribery will be investigated thoroughly and in a timely manner by the appropriate member of the SLT and in the strictest confidence.

Employees who raise concerns in good faith will be supported by the school, and the school will ensure that they are not subjected to any detrimental treatment as a consequence of their report. Any instances of detrimental treatment against an employee for reporting a suspicion will be treated as a disciplinary offence.

Following investigation, the school will invoke disciplinary procedures where any employee is found guilty of bribery. This may result in the finding of gross misconduct and immediate dismissal. The school may terminate the contracts of any associated persons, including consultants or other employees acting for, or on behalf of, the school who are found to have breached this policy.

Record keeping

The gifts and hospitality register

All gifts and hospitality offered or received, and valued at over £30.00 must be recorded on the school's gifts and hospitality register.

The following information will be recorded:

- the nature of the gift or hospitality or a description (e.g. large bouquet of flowers)
- 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

The gifts and hospitality register can be updated via a dedicated Google form accessed via the school's website (please see: Staff > Finance > Gifts & hospitality register at <https://www.briarwoodschool.org.uk>)

The questions related to the register can be seen in Appendix 1.

Data from the register may be downloaded at any time and is subject to regular review by the Executive Headteacher and Head of Operations. At the end of every academic year, the register is downloaded by the Contracts and Compliance Officer, for review by the governing body. The register is filed annually as part of wider financial record keeping and the school's governance arrangements.

Financial processes & records

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

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

References and links

Links with other policies & documents

- Briarwood School's Code of Conduct
- Briarwood School's Whistleblowing policy
- Briarwood School's Anti-Fraud and Corruption policy
- Briarwood School's Register of Gifts and Hospitality

References

Department for Education: The constitution of governing bodies of maintained schools, 2017
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/640562/The_constitution_of_governing_bodies_of_maintained_schools_2017.pdf

Bristol City Council – Financial Regulations for Schools with Delegated Budgets (April 2024)
<https://democracy.bristol.gov.uk/documents/s98734/Part%204.7%20-%20Financial%20Regulations%202024%20-%20May%202024.pdf>

Appendix 1 - Briarwood School gifts and hospitality register: example Microsoft form fields used

Detailed below is an example of the [Briarwood School Gifts and Hospitality Register Microsoft form](https://forms.office.com/e/w08fEb8YkW) (<https://forms.office.com/e/w08fEb8YkW>) that has to be completed to record any gifts or hospitality offered above £30.00.

The form can also be accessed via the school's website, at <https://www.briarwoodschool.org.uk> and navigating to: Staff > Finance > Gifts & hospitality register

All gifts and hospitality offered or received, and valued at over £30.00 must be recorded on the school's gifts and hospitality register and comply with the school's Gifts, Hospitality & Anti-Bribery policy.

Please remember you must not accept:

- cash or monetary gifts, including tokens and gift certificates
- 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 could be seen as more than a token of gratitude given at an appropriate time, e.g. at the end of the year

To register an offer or acceptance of gifts or hospitality please answer the following questions:

1. What is your name?
2. What is your job role?
3. Which site are you usually based on?
4. What was the gift or hospitality that was offered?
5. What was the value of the offer of the gift or hospitality? If you aren't sure, please give an estimate.
6. What date was the offer of a gift or hospitality made?
7. Who made the offer of a gift or hospitality? Please provide the person's name and how they are connected to the school e.g. supplier of hygiene products, parent of student.
8. Who was the offer of a gift or hospitality made to? Please provide a name and role / job title.
9. Was the gift or offer of hospitality accepted or refused? [*options will be accepted or refused*]