



Anti-Bribery (Gifts and Hospitality) Policy

The Chorus Schools Federation
(St. Giles', St. Andrew's & Wethersfield
C of E Primary Schools)

Approved by: Mrs. Jinnie Nichols

Last reviewed on: July 2023

Next review due: July 2024



1. Policy Statement

- 1.1. The purpose of this policy is to set out The Chorus Schools Federation, Staff and Governors responsibilities in observing and upholding our position on fraud and bribery (including corruption) in order to protect staff and governors from suspicions of dishonesty and ensure that they are free from any conflict of interest with respect to the acceptance or provision of gifts, hospitality or any other inducement from or to suppliers of goods or services to schools. It provides information and guidance to all staff on how to recognise and deal with bribery and corruption issues.
- 1.2. The Chorus Schools Federation requires all staff, governors and volunteers to act honestly and with integrity at all times. The Federation will not accept any level of fraud or bribery (including corruption). Consequently any allegation will be thoroughly investigated and dealt with appropriately. The Federation is committed to ensuring that opportunities for fraud, bribery and corruption are reduced to the lowest possible level of risk.

2. Scope

- 2.1. This policy applies to all staff, governors and volunteers, and also applies to other individuals performing functions in relation to the schools, such as agency workers, casuals and contractors.
- 2.2. This policy is designed to safeguard governors and staff from any misunderstanding or criticism.

3. Definitions/Legislation

- 3.1. The Fraud Act 2006 defines fraud in 3 classes:

- Fraud by false representation – which the person knows to be untrue or misleading
- Fraud by failing to disclose information – where a person fails to disclose any information to a third party when they are under a legal duty to disclose such information
- Fraud by abuse of position – where a person occupies a position where they are expected to safeguard the financial interests of another person, and abuses that position. This includes cases where the abuse consisted of an omission rather than an overt act

3.2. In all three classes of fraud, a person must have acted dishonestly with the intention of making a gain for themselves or anyone else or causing loss to someone or exposing another to the risk of loss.

3.3. Fraud under the above definitions is a criminal offence and, if convicted, can carry a maximum sentence of 10 years imprisonment.

3.4. The Bribery Act 2010 defines 4 offences:

- Offering, promising or giving a financial or other advantage for the improper exercise of functions or activities
- Requesting or agreeing to receive or accepting a financial or other advantage
- Bribing a foreign official who exercises a public function in order to obtain or retain business
- Failure by a commercial organisation to prevent bribery by someone associated with it.

3.5. A bribe can be defined as the offering of money, goods or other benefits (e.g. food, drink, entertainment) to a staff member with a view to altering decision processes or outcomes in favour of the person or associate of the person offering the benefit. One of the most common forms of perceived bribery within a school is inappropriate offers of gifts, hospitality and benefits in kind from a third party.

3.6. Indirect or collateral offers of financial advantage should also be included within the definition e.g. where an offer is being made by a person other than the person who is trying to manipulate the outcome

3.7. Bribery under the above definitions is also a **criminal offence** and, if convicted, can carry a maximum sentence of 10 years imprisonment.

4. Examples of Fraud or Bribery

4.1. The following list indicates possible ways in which fraud or bribery could take place although this is by no means an exhaustive list:

- Falsification of employee expense claims – e.g. claims for journeys which did not take place.
- Falsification of supplier invoices. This could involve collusion with a supplier (e.g. a relative of an employee).
- Falsification of payroll records – e.g. by the introduction of non-existent employees.
- Misappropriation of pupils' money by a member of staff (e.g. for a trip).

- Causing expense to the school(s) that should have been borne by an individual – e.g. the private use of stationery, photocopiers etc. to an unacceptable degree.
- Bribery can be in the form of favouring one particular contractor or service provider over and above others in return for receiving personal benefit.
- Inappropriate gifts or offers of hospitality from a third party.

5. Gifts, Hospitality and Benefits in Kind – General Principles

- 5.1. The Chorus Schools Federation expect staff and governors to exercise common sense in giving and accepting gifts and hospitality when on school business, and if in any doubt, they must consult with the Executive Headteacher or Chair of Governors.
- 5.2. Particular care should be taken about a gift from a person or organisation that has, or is hoping to have, a contract with the school.
- 5.3. This policy does not prohibit normal and appropriate gifts and hospitality (given and received) to or from third parties.
- 5.4. Staff **must not** accept gifts, hospitality or benefits of any kind from a third party where it might be perceived that their personal integrity is being compromised, or that the school(s) might be placed under an obligation.
- 5.5. Staff must not make use of their official position to further their private interests or those of others.
- 5.6. Offers of hospitality should only be accepted if there is a genuine need to represent the school. When deciding whether or not to accept hospitality, staff and governors should follow the below principles:
 - Staff and governors should ask themselves whether a member of the public, knowing the facts of the situation, could reasonably think they might be influenced by the hospitality offered. If yes, then the offer should be declined. Things to take into account include the person/organisation, scale and nature, and its timing in relation to decisions to be made by the schools.
 - Care should be taken to avoid situations in which an individual is the sole person invited to partake of hospitality or where it creates a pattern of receiving hospitality from that organisation.

6. What is permissible?

- 6.1.** Modest gifts of low intrinsic value such as promotional calendars or diaries, or small tokens of gratitude including gifts from pupils, parents and guardians can be accepted. If the value exceeds £50 approval of acceptance must be obtained from the Executive Headteacher or Deputy Executive Headteacher.
- 6.2.** To determine whether or not a gift or hospitality is acceptable, the 'PROVEIT' test should be applied (Appendix A).
- 6.3.** Where approval is granted, details of any gift or hospitality received with an equivalent value of £50 or over must be recorded in the Register of Gifts and Hospitality kept within the relevant School Office, using the 'Declaration of Gifts and Hospitality' form (Appendix B).
- 6.4.** Any gifts not approved should be refused or donated to charity.
- 6.5.** Gifts which are intended for the schools as a corporate body or intended for a school can be accepted but must not be retained by the individual who receives them. Such gifts should be passed to the school as appropriate.
- 6.6.** Modest hospitality, provided it is reasonable in the circumstances, is acceptable in the following situations:
- Attendance at conferences, events and demonstrations of equipment organised by outside bodies where there is a service interest;
 - Attendance at events or functions where there is a demonstrable need for the schools to be represented to either give or to receive information or to participate as part of the schools' corporate image;
 - Attendance at events or functions which are part of the civic, cultural or sporting life of the schools;
 - Working lunches where this is an appropriate and effective way of conducting business and the refreshments provided are on a reasonable level;
 - Overnight hospitality linked to any of the above should be declared to either the Executive Headteacher or Chair of Governors before being accepted.

7. What is not acceptable?

It is not acceptable for staff (or someone on their behalf) to:

- give, promise to give, 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 that the member of staff knows or suspects is offered with the expectation that it will obtain a business advantage for them;
- accept a gift or hospitality from a third party if the member of staff knows or suspects that it is offered or provided with an expectation that a business advantage will be provided by the Federation in return;
- threaten or retaliate against another member of staff who has refused to commit a bribery offence or who has raised concerns under this policy; or
- engage in any activity that might lead to a breach of this policy.

8. Responsibilities

8.1. Staff must ensure that they read, understand and comply with this policy.

8.2. The prevention, detection and reporting of fraud, bribery and other forms of corruption are the responsibility of all those working for or under the control of the School(s). All staff are required to avoid any activity that might lead to, or suggest, a breach of this policy.

8.3. Staff must, within 28 days of accepting any gift or hospitality under the above procedures, provide written notification to the Officer Manager using the 'Declaration of Gifts and Hospitality' form.

9. Monitoring/Data Protection

9.1. The Office Manager maintains a register of gifts and hospitality accepted. The Officer Manager will report annually the content of the register to the Finance and Premises Committee. Any concerns/issues identified should be noted.

9.2. The register will be kept in accordance with the Data Protection policy, and current Data Protection legislation, and any freedom of information request to view the register must be immediately referred to the Executive Headteacher for consideration in accordance with that policy.

10. Procedure for Reporting Suspected Fraud or Bribery

10.1. Staff must notify the Executive Headteacher/Chair of Governors as soon as possible of any suspicion of fraud, bribery or corruption.

- 10.2. It is important that staff inform the Executive Headteacher/Chair of Governors as soon as possible if they are offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that they are a victim of another form of unlawful activity.

11. Protection/Confidentiality

- 11.1. All suspicions or breaches reported to the Executive Headteacher or Chair of Governors will be dealt with in accordance with the School's Whistleblowing policy.

12. Penalties for breaching the Policy

- 12.1. The schools' disciplinary procedures may be applied where it is found that breaches of this policy have occurred.
- 12.2. Convictions under the legislation also carry a prison sentence.

APPENDIX A: Managing the Receipt of Gifts and Hospitality

The **PROVEIT** test:

Whether or not the offer is acceptable:

Purpose	Token, thanks or seeking a favour? (token or thanks: yes; favour: no)
Rules	What are they? Does this situation conform?
Openness	Is the offer transparent?
Value	Expensive or inexpensive?
Ethics	Does the offer fit with school ethics? Is this an exceptional circumstance?
Identity	Who has made the offer?
Timing	Are you about to make a decision affecting the giver?

APPENDIX B: Declaration of Gifts and Hospitality Form

If you have received or wish to declare a gift or hospitality, in accordance with the procedures set out within the Anti-Bribery (Gifts and Hospitality) Policy, please complete this form and return to the Officer Manager.

Details of employee receiving gift or hospitality

Full Name	
Job Title	
Date of declaration	

Description of gift or hospitality

Description of gift/hospitality	
Value/estimated value of gift/hospitality	
Purpose of offer	
Person/Organisation providing the gift or hospitality	
Relationship to the person/organisation offering the gift or hospitality	
Acceptance of gift/hospitality	Yes/No

Approved by

Signature	
Date	
Name	