



BUSINESS GIFTS A WORKING PRACTICE

October 2019

To be reviewed October 2021

James Montgomery Academy Trust

Business Gifts (a working practice) for JMAT School Governing Boards and Board of Directors

Intent: This working practice sets out the standards of conduct and behaviour expected by the multi academy trust and its academies of its staff (including voluntary workers) upon receipt or offer of gifts and or hospitality personally to the member of staff. This policy does not apply to gifts made by parents and or carers on behalf of their child as a token of gratitude e.g. end of year gift of flowers.

Responsibility for Working Practice: CEO

Why:

- To ensure staff are aware of the standards of behaviour expected by JMAT and follow the Principles of Public Life set out by the Nolan Committee (1995). Incorporated into the code of conduct for directors/governors.
- To reinforce the terms and conditions of employment (refer to your contract of employment)
- To ensure staff are aware that failure to disclose gifts or hospitality will constitute a disciplinary offence which will be handled in accordance with JMAT formal disciplinary procedures. If the gift in question was of significant value and, for example, the recipient is in a position to influence business dealings with the donor, the offence will be treated as gross misconduct.

Who:

- This working practice applies to all staff (paid and unpaid including agency workers) working for JMAT.
- Head of School/Headteachers are responsible for ensuring that the working practice is upheld and for taking appropriate action if it is alleged that breaches have occurred.
- The CEO and Finance Officers are the designated officers who must be informed and consulted about business gifts/hospitality.

When:

- This working practice is a set of principles that should be applied in every work situation or at work related events.
- This working practice is reviewed at least every two years.
- Disclosure of business gifts to a designated officer must be made as soon as a gift or offer of hospitality has been received.

What:

Receiving Gifts

- Any member of staff who is given a gift of any sort by a business contact (e.g. customer, supplier, etc. – actual or potential) must disclose the fact of the gift and its nature to the CEO or Finance Officers (designated officers)
- Staff must disclose hospitality in the form of entertainment, e.g. lunches, outings, tickets for an event, which should be declined unless there is a reasonable business justification for acceptance that has been approved by a designated officer.

- If a designated officer decides that the gift might constitute a bribe or other inducement, they will return the gift to the donor with a suitable covering letter.
- In exceptional cases, for example where JMAT decides that the gift was made as a token of the donor's gratitude for a service carried out to a very high standard, the recipient will be allowed to retain the gift.
- Promotional gifts such as small items of stationery are exempt from this working practice and need not be disclosed. However heads of school/ headteachers and staff are reminded that, since such gifts are sent only to a limited number of employees, they should be distributed to other members of staff where appropriate for use in the workplace.

Giving Gifts

- Where it is not JMAT policy to offer gifts to suppliers, customer, etc. JMAT recognises that, on occasion, this may be necessary, for example when someone carries out work on a voluntary basis or for a nominal fee. Equally, it may be decided that a gift would be appropriate if a service has been carried out in an exceptional manner.
- In such a case, employees should put a request in writing to the Finance Officer clearly stating:
 - Who the gift is for
 - Why it should be given
 - The nature of the gift
 - Approximate value
- The request will be considered by JMAT senior leadership teams (SLT).
- If the request is approved, Finance will purchase the gift and arrange for its dispatch.
- Employees who send gifts which have not been approved in accordance with this working practice will not be reimbursed for the cost of the gift. Further, such action may, depending on the circumstances, be treated as a disciplinary procedure.

HOW:

- Members of staff who receive a business gift, hospitality or proposed hospitality must inform the designated officer who can make appropriate tax notifications if deemed appropriate and or necessary.
- The designated officers will maintain a file of completed disclosures – a copy of the disclosure will be held on the member of staff's personal file.