





EPA Gifts, Hospitality and Anti-Bribery Policy

THIS POLICY WAS AGREED BY TRUSTEES ON (Date):	21 st November 2024
REVIEW DATE (every 3 years):	November 2027
CHAIR OF TRUSTEES:	
CEO:	

Introduction

Eynsham Partnership Academy (EPA) is committed to the highest ethical standards and acting with integrity in all business activities. This policy details the Trust's position on preventing and prohibiting bribery.

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

Bribery and corruption by individuals are punishable by up to 10 years' imprisonment and the trust could face an unlimited fine and serious damage to its reputation; therefore, the trust takes its legal responsibilities very seriously.

The purpose of this policy is to:

- Establish the responsibilities of the trust in observing and upholding our position on bribery and corruption; and
- Provide information and guidance to trust staff on how to recognise and deal with bribery and corruption concerns.

This policy covers all individuals working for the trust at all levels (whether permanent, fixed term or temporary), and includes trustees, governors, volunteers, agents and any other person associated with the trust (known throughout the policy as employees).

The Bribery Act 2010

The Bribery Act 2010 came into force on 1 July 2011. It covers bribery and corruption in business activities in the UK and overseas. Under the Bribery Act 2010, a bribe is 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 will be committed under the Act if:

- An employee or associated person acting for, or on behalf of, the trust offers, promises, gives, requests, receives or agrees to receive bribes.
- An employee or associated person acting for, or on behalf of the trust, offers, promises or gives a bribe to a public official with the intention of influencing that official in the performance of their duties.
- And, in either case, the trust does not have the defence that it has adequate procedures in place to prevent bribery.

Definitions

A gift is any time or service, award, prize or other benefit which is received free of charge; or personally offered at a discounted rate or on terms not available to the general public or which might be seen to compromise the personal judgement or integrity of the recipient.

Hospitality is the offer of food, drink, accommodation or entertainment or the opportunity to attend any cultural or sporting event not available to the general public or as a guest of the trust.

Unacceptable practice

It is not acceptable for employees to:

- Give, promise or offer a payment, gift or hospitality, with the expectation or hope that an advantage for the trust will be received, or to reward an advantage 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.
- Threaten or retaliate against another worker 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.
- The trust cannot purchase alcohol for any purpose under ESFA regulations.

Acceptable practice

This policy does not prohibit normal and appropriate hospitality i.e. refreshments (both given or received) if the following requirements are met:

- It is not made with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage, or in exchange for favours or benefits.
- It is given in the trust's name, not in the individual's.
- It complies with local law.
- It does not include cash or a cash equivalent, e.g. vouchers, gift certificates.
- It is appropriate in the circumstances, e.g. the giving of small gifts at Christmas time, calendars, diaries
- The type and value of the gift is reasonable given the reason the gift is offered.
- It is given openly, not secretly.
- Gifts should not be offered to, or accepted from, government officials or representatives without the prior approval of the governing body.

The advice of the trust is to, in all circumstances, consider whether the gift or hospitality is reasonable and justified and to consider the intention behind the gift.

Charitable donations

Charitable donations are considered to be part of the trust's wider purpose. Each school within the trust may support a number of carefully selected charities.

The trust may also support fundraising events involving employees. The trust only makes charitable donations that are legal and ethical.

No donation must be offered or made in the trust's name without the prior approval of the Headteacher of the school concerned or the CFO if made at Trust level.

Gifts and hospitality from parents and pupils

It is permissible for staff to accept gifts from parents and pupils, for example, before Christmas and at the end of term/year.

Gifts of a value of £20 or less can be accepted from parents and pupils without approval from the Head (providing that these gifts do not satisfy the conditions outlined below). These gifts do not need to be recorded in the Gifts and Hospitality Register.

Staff are permitted to accept gifts from *groups of* pupils or parents up to the value of £50 (providing that these gifts do not satisfy the conditions outlined below). These gifts do not need to be recorded in the Gifts and Hospitality Register.

Staff will not accept:

- Cash or monetary gifts, including tokens and store gift receipts.
- Gifts or hospitality offered to their spouse, partner, family member or friend.
- Gifts or hospitality from a potential supplier or tenderer.
- Lavish or extravagant gifts or hospitality.

Staff will consider the following before accepting gifts or hospitality:

- Whether there is any benefit to the trust in them accepting the scale, amount, frequency and source of the offer.
- The timing of the offer in relation to forthcoming decisions.
- Whether accepting the offer could be misinterpreted as a sign of their, or the trust's, support or favour.

Where staff believe the offer satisfies one of the conditions or is above the limits allowed above staff will seek prior approval from the Headteacher or CFO if applicable before accepting the offer.

Details of the offer will be recorded as outlined in the Register of Gifts and Hospitality.

Staff will not accept any gifts that they believe to be excessive or more than simply a token gift of gratitude at an acceptable time of year, such as Christmas or end of term/year.

If a gift is received without warning, staff will politely decline the gift. Or, if they feel it would be inappropriate to do this, they will refer the matter to the Head as soon as possible to allow the Head to decide the course of action. The Head may decide to return the gift, ask the CFO and Chair of governors for their view, or donate the gift to a charity/other local cause.

If staff are unsure whether to accept a gift in any situation, they will speak to the Head.

Parents and pupils will be informed of the trust's policy regarding gifts and hospitality and will be encouraged to speak to the Head if they want to give a staff member a gift which is of high value or may satisfy any of the conditions outlined above.

Gifts to staff from the school

The purchasing of alcoholic or excessive gifts is not permitted.

Reporting suspected bribery

Employees are encouraged to raise concerns about any suspicion of bribery or corruption at the earliest possible opportunity to the CFO or CEO.

Issues that should be reported include:

- Any suspected or actual attempts at bribery.
- Any concerns that an employee may be in receipt of bribes.
- Any concerns that an employee may be offering or delivering bribes.

All concerns should be reported following the procedure set out in the EPA Whistleblowing Policy.

All reports of bribery will be investigated thoroughly and in a timely manner by the CFO or CEO 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 EPA will invoke disciplinary procedures where any employee is found guilty of bribery and this may result in a finding of gross misconduct and immediate dismissal. The EPA may terminate the contracts of any associated persons, including consultants or other workers acting for, or on behalf of the school, who are found to have breached this policy.

Record keeping

The EPA keeps financial records and has appropriate internal controls to provide evidence for the business reasons for making payments to third parties. Employees and the Head will make the CFO aware of all hospitality or gifts received or offered over the value of £20, or £50 if received from multiple recipients, these will be subject to managerial review.

The Gifts and Hospitality Register is used to record gifts or hospitality and held in each school within the trust. The following information will be recorded:

- The nature of the gift/hospitality
- The date the gift/hospitality was offered
- Who the gift/hospitality was offered by
- Name of staff member the gift/hospitality was offered to
- Value of the gift/hospitality
- Action taken – for example, whether the offer was refused or accepted

All invoices, accounts and related documents should be prepared and maintained with the highest accuracy and completeness.

No accounts may be kept “off-book”.

Policy review

This policy is reviewed every three years as part of the Finance Policy.