

ORCHARD ACADEMY TRUST



Gifts and Hospitality Policy

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Introduction

The Trustees of Orchard Academy Trust are committed to providing sound financial controls, to achieving value for money and to being worthy custodians of public money. To achieve these aims the Executive Headteacher, Headteachers and the Trustees have drawn up this Gifts and Hospitality Policy to provide the guiding principles for which all Trustees, Governors and staff will operate within.

This Policy should be used in conjunction with the Trust's Finance Policy, however the limits set within the Scheme of Delegation in relation to Gifts and Hospitality are exempt and the lower of the two values should be used.

Principles

Our Gifts and Hospitality Policy adheres to the following principles, as per the Finance Policy. The extract is detailed below:

- The Trust is responsible for ensuring that the guidelines are brought to the attention of all employees, and that a framework is put in place to ensure they are effectively implemented.
- It is the responsibility of staff, Trustees and Governors to ensure that they are not placed in a position which risks, or appears to risk, conflict between their private interests and their duties at the Trust. This applies to committing resources directly (e.g. the ordering of goods or services) or indirectly (e.g. by policy development).
- The provisions of the policy shall be held to apply to all staff, Trustees and Governors.
- All staff, Trustees and Governors have a personal responsibility to declare hospitality and gifts in accordance with the policy. Non-compliance with the policy may lead to disciplinary action.
- Any offer or receipt of gifts should be notified, in line with the policy, to the Trust Finance Officer who will record in the Gifts and Hospitality Register. It should be noted that this Register is not a confidential document and should be made available to interested parties on request.

- It is the responsibility of the Executive Headteacher to periodically review the Gifts and Hospitality registers.

Putting Policy into Practice

A. Delegated Authority for Orchard Academy Trust

Gifts provided

- When making gifts, the schools must ensure the value is less than £40, is within its scheme of delegation, and that the decision is documented and achieves propriety and regularity in the use of public funds.
- Schools' budgets should not be used to purchase gifts for staff and this includes spa days, bouquets of flowers and gift vouchers, unless in exceptional circumstances on compassionate grounds, e.g. for a bereavement or when a member of staff is seriously ill, which is limited to a maximum of £40.
- Schools' budgets may be used to provide gifts for voluntary helpers, in recognition of exceptional support. This is an exception to the general rule.
- Where schools would like to recognise staff by buying them gifts (e.g.: leaving, long service or birthday) or by holding a celebration event' this must not come from the schools' budget. It is however, perfectly acceptable for a collection from staff or parents to be held, providing those contributing are aware of the purpose of the fundraising.
- NB: The tax implications of gifts in kind should be considered at all times - [Expenses and benefits for employers: Overview - GOV.UK \(www.gov.uk\)](#)
- The providing of gifts should be reported to and agreed by Trustees.

Hospitality Provided

School funds devolved by the Local Authority/DFE should not generally be used for providing hospitality or meals for staff. However:

- A pool of refreshments such as tea, coffee, milk and sugar for consumption by staff and visitors to the school is permitted and the purchase of these items can be made through the School Budget.
- If meetings with visitors to the School extend through the lunchtime period, it is acceptable to provide a light meal and non-alcoholic drinks, all of which may be purchased through the School Budget.
- It is also reasonable to provide refreshments and a light meal on School premises at staff training days or as part of a development or evening/weekend work activity. Food on such occasions should ideally be provided via the School kitchen but should this be unavailable, alternative comparable arrangements can be made with Executive Headteacher approval.
- If more than a light meal is required in any of the above situations, these arrangements can only be made with Trustee approval.
- Under no circumstances should alcoholic drinks be purchased using School Funds.
- School meals may be provided to staff who are supporting children at lunchtime by eating with them and supporting relationships, particularly where this supports behaviour or SEN needs.
- Where schools are providing schools meals or other benefits, as part of their recruitment strategy this is not considered "hospitality" and should instead be included as part of their recruitment and retention strategy and agreed accordingly with the Trustees with tax implications clearly set out to staff.

- NB: The tax implications of providing hospitality should be considered at all times - [Expenses and benefits for employers: Overview - GOV.UK \(www.gov.uk\)](#)
- The providing of hospitality should be reported and agreed by the Trustees.

Gifts and Hospitality Received

- A record of all Gifts and Hospitality provided to staff is retained and recorded on the Schools Gifts and Hospitality Register. A template for the Register is held at Appendix 1 of this Policy.
- Any gifts and hospitality received from related parties are recorded on the Gifts and Hospitality Register to ensure transparency around there being no undue influence on decisions taken.
- Gifts from parents can be accepted but will be recorded on the School's Gifts and Hospitality Register if the value exceeds £50 from an individual child/parent or if the value exceeds £100 where the gift is from a group of children/parents. If the value of the gift is unknown but could exceed the thresholds set here, the gift should be recorded on the Register.
- In the instance where a gift of promotional nature is given to a wide range of people this is deemed as acceptable and does not require recording in the Gifts and Hospitality Register.
- The Gifts and Hospitality Register should be shared with Trustees / Finance Committee on an annual basis. If discussed with Trustees, this should be shared under 'confidential business'.

B Financial Controls

Schools need to adhere to the Finance Policy and the Financial Controls when purchasing any gifts and hospitality.

C Monitoring and Approval

The Gifts and Hospitality Register will be monitored by the Finance Committee on an annual basis.

D Income

This policy relates to school funds delegated by the Local Authority/DFE and income derived from use of school property provided.

Income may be derived from collection from staff or parents by collection or holding a fundraising event. Those contributing must be made aware of the purpose of the fundraising.

E Fraud and Irregularities

All schools must have a robust system of controls to safeguard themselves against fraudulent or improper use of public money and assets. Schools must ensure they have a current Anti-Fraud, Bribery and Corruption Policy in place and that staff are made aware of this and the Whistleblowing arrangements and to whom they should report concerns. This information must be communicated to all staff and also be included in induction for new school staff, Trustees, and governors.

Appendix 1

Frequently asked questions

Why do we have guidance on gifts and hospitality?

Your conduct as a member of staff, governor or a trustee should never lead anyone to question your interests, or lead anyone to think that you have been influenced by gifts and hospitality. This is important because your own personal reputation and that of the School could be seriously affected if you inappropriately accept a gift or hospitality. It is also a criminal offence to demand or accept a gift or reward in return for allowing you to be influenced as a part of the school. This is why the school has guidance which applies to all staff, governors and trustees on gifts and hospitality.

What is a gift?

A gift is any item or service that you receive free of charge. It also includes any goods or services which you personally are offered at a discounted rate or on terms not available to the general public.

What is hospitality?

Hospitality is the offer of food, drink, accommodation or entertainment or the opportunity to attend any cultural or sporting event on terms not available to the general public.

What gifts or hospitality can be accepted without any approval?

You can accept gifts and hospitality, which are small gestures and have a value of £50 or less, without the approval of the Headteacher / Executive Head. Gifts and hospitality of this nature do not need to be recorded in the school's Gifts and Hospitality Register. You may accept modest working meals and light refreshments without making any declaration.

What things should I think about before I decide what to do?

You should treat with caution any offer of gift or hospitality made to you personally. In particular, think about whether there is a benefit to the school in you accepting, the scale, amount, frequency and source of the offer, the timing of the offer in relation to forthcoming decisions and whether accepting could be misinterpreted as a sign of your, or the school's/trust's support or favour.

What gifts or hospitality need approval from the Executive Head or Headteacher?

Any gift or hospitality which is more than just a token, from an individual pupil/parent defined as having a value of more than £50, should be politely refused or returned. You must have written approval of the Executive Head or Headteacher if you decide to accept something which has more than this value. This should only be in exceptional circumstances. If you or the Executive Head/Headteacher have any concerns or doubts about the public perception that might be attached to accepting any gift or hospitality, then you must refer it to the Chair of Governors/Trust.

What gifts or hospitality should never be accepted?

You must never accept:

- Gifts or hospitality offered to your husband, wife, partner, family member or friend;
- Gifts or hospitality from a potential supplier or tender in the immediate period before tenders are invited or during the tender process;
- Lavish or extravagant gifts or hospitality, even if they relate to activities in your own time.

What should I do if I receive a gift without warning?

If you estimate that the gift is more than just a token you should politely and courteously decline the gift. If you feel that it would not be appropriate to do this, you should refer the matter to your Headteacher/Executive Head as soon as possible and let them decide what you should do with the gift. Your Headteacher/Executive Head may decide to return the gift, may ask the Chair of Governors/Trust for a view, or may donate the gift to a worthy local cause.

What should I do if I get offered a gift or hospitality?

You must make sure that all offers you receive which have a value of more than £50 are recorded in the school's Gifts and Hospitality Register, which is kept in the school office.

Do I need to record offers that I decline?

Yes – all offers, of gifts or hospitality, which have a value of more than £50 must be recorded in the school's register, even if you don't accept.

What should I do if I am in doubt?

If in doubt, always speak to the Headteacher/Executive Head. It is your responsibility to follow the school's guidance on gifts and hospitality and to justify why you chose to accept a gift or hospitality offered to you.

What would happen to me if I didn't follow the guidance?

The school will take disciplinary action against you if you failed to follow the guidance. It is also a criminal offence to demand or accept a gift or reward in return for allowing you to be influenced as a part of the school. This means you could be prosecuted by the Police.