

ANTI-BRIBERY AND CORRUPTION POLICY

Learning Academies Trust
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CONTENTS

1. Aims.....	2
2. Legislation and guidance	3
3. Definitions	3
4. Bribery	3
5. Corruption	3
Appendices.....	6

CHANGES

Policy date	Summary of change	Author	Version	Review date
02/12/2022	Policy has been created.	Kay Mabin, CFO	1.0	31/08/2024
01/01/2024	Policy reviewed and updated	Kay Mabin, CFO	1.1	31/08/2025

1. AIMS

The Trust is committed to operating fairly, honestly and with integrity. As part of this overall commitment, the Trust has a zero-tolerance policy in relation to bribery and corruption. This includes a commitment to comply with all applicable anti-bribery and corruption laws and regulations and, in particular, the Bribery Act 2010.

Compliance with the law helps to maintain and enhance our good reputation and reflects our goal to serve the best interests of our pupils. Compliance also protects the Trust, its employees and anyone else associated with it from the severe consequences of breaking the law.

Penalties under UK law include unlimited fines in the case of the Trust and unlimited personal fines and up to ten years' imprisonment in the case of individuals.

UK bribery laws, in particular, are extensive and prohibit the giving or receiving of bribes. A bribe is designed to improperly influence the way in which a person acts, may be in the form of money but can also be any other type of advantage. For example, the law extends to the giving or receipt of inappropriate entertainment and to "grease" payments to public officials (e.g. payments to expedite a process).

All staff should remember that the law can be complex and it will not always be clear how the law applies in every situation. Therefore, any questions or concerns about the application of the law to specific situations should be directed firstly to your line manager and then escalated to the CEO or Deputy CEO if required.

In order to ensure compliance with the law, staff should ensure also that they follow Trust policies and procedures in relation to gifts and entertainment and claiming expenses.

We require all of our employees and anyone else associated with the Trust to follow this policy and to comply with all applicable anti-bribery and corruption laws. It is the responsibility of all of us to make sure that we uphold our values and that all of our dealings are legitimate.

It may be a disciplinary offence to engage in conduct or behaviour that does not comply with this policy or for anyone in a managerial or supervisory capacity to fail to take action in respect of any such conduct or behaviour. This may be dealt with under the disciplinary procedure and could lead to dismissal without notice.

If a member of staff believes that anyone associated with the company is acting in a way that may contravene the law or that could put the company at risk, then it is their duty to report the matter as soon as possible. If they are uncomfortable talking to their supervisor or supervisor's manager or if they do not receive a satisfactory response, then they should contact the CEO or the Chair of the Trust.

2. LEGISLATION AND GUIDANCE

Bribery Act 2010

3. DEFINITIONS

Term	Definitions
ATH	Academy Trust Handbook

4. BRIBERY

The Bribery Act 2010 introduces four offences:

The offence of bribing another person.

This can occur where a person offers, promises or gives a financial or other advantage to another individual to perform improperly a relevant function or activity.

The offence of being bribed.

This is where a person receives or accepts a financial or other advantage to perform a function or activity improperly.

Bribery of a foreign public official.

This is where a person directly or through a third party offers, promises or gives any financial or other advantage to a foreign public official in an attempt to influence them.

A corporate offence of failure to prevent bribery.

A commercial organisation could be guilty of bribery where a person associated with the organisation, such as an employee, agent or even a sub-contractor, bribes another person intending to obtain or retain business for the organisation.

5. CORRUPTION

The offering, giving, soliciting or acceptance of an inducement or reward that may influence the actions of any person. Both parties are equally guilty of an offence.

5.1. Gifts and Entertainment

Anyone associated with the Trust must adhere to the rules and guidance in this policy when giving or receiving gifts or entertainment.

In no circumstances should anyone associated with the Trust offer, give or accept any gift or hospitality which might be construed as an attempt to influence a business decision (e.g. hospitality or a gift during a tender process). If a member of staff is ever uncertain as to the correct course of action, they can speak in confidence to their line manager or ultimately escalate to the Deputy CEO, CEO or the Chair of the Trust.

5.2 Giving of Gifts

In general, the Trust does not believe that the giving of gifts is appropriate.

Staff must never give a gift on behalf of the Trust without the express permission of the CEO, CFO, Chair of the Trust, Executive Headteacher or Headteacher. If staff seek permission to give a gift, then they must be prepared to explain the reason for which the gift is being given and why the gift is appropriate.

For clarity, the following represent allowable costs that **CAN** be incurred by a school or the Central Team and are therefore not captured by the above definition of 'gifts':

- Purchase of flowers (to a maximum spend of £25.00):
 - for a member of staff on long term absence who will be returning to the workplace.
 - Staff or pupil bereavement.
 - Retirement.
- Purchase of food, drink and other related items for staff and external visiting professionals:
 - Ofsted preparation – staff working late in school the day before the Ofsted visit.
 - Tea, coffee & milk for staff refreshments.

Such gifts as described above are allowable when appropriate, not excessive, and approved by the CEO, CFO, Chair of the Trust, Executive Headteacher or Headteacher. There is also the need for sufficient budget to be available.

For clarity, the use of Trust funds is **NOT PERMITTED** in the following circumstances:

- Purchase of flowers for life events:
 - Resignation
 - Maternity/Paternity/Adoption
 - Birthdays.
- For the purchase of alcohol (strictly forbidden within the Academy Trust Handbook 2023 (ATH: 2.32).
- Buying food/refreshments for staff training days or events (during day or evening).
- Staff days out/team events.

Staff may choose to purchase a gift by collecting with their own personal funds or contribute towards a team event.

5.3 Receipt of Gifts

Gifts in this context include goods and services.

The Trust recognises it is common accepted practice for staff to accept low value gifts from pupils or parents, for example at the end of term. Gifts of this nature do not need to be recorded on the register of gifts and hospitality, so long as the gift is **less than £20 in value** and could not be perceived as being given to exert undue influence on the staff member.

For clarity, the following are not considered to be gifts under the definitions of this policy and can therefore be accepted so long as they cannot be construed as an attempt to influence a business decision:

Items provided for use by staff in the performance of their role in the Trust, which would otherwise need to be purchased. Examples could include:

- Pens
- Calendars
- Text books or other similar materials
- Sports equipment
- Other donations not directly related to the provision of education, but for example which could be used by the academy to reward students.

Under no circumstances can gifts of cash or an equivalent be accepted.

5.4 Grease Payments / “Kickbacks”

Grease payments or “kickbacks” to public officials in order to gain or speed up actions by them must not be made. These are illegal and any demand for them must be reported to the CEO, CFO or the Chair of the Trust.

5.5 Hospitality / Entertainment

The provision and receipt of reasonable hospitality related to the business activities of the Trust is allowed provided that the procedures set out in this policy are adhered to. However, the giving or receiving of hospitality/entertainment on behalf of the Trust should always be kept within reasonable limits.

If a member of staff is offered hospitality of any value as a consequence of your role within the Trust:

- a Central Team member must disclose the hospitality and its nature to the CFO, CEO or the Chair of the Trust.
- a member of school staff member must disclose the item to their EHT/HT.

In addition, if any hospitality/entertainment is likely to exceed £20.00 then its provision or receipt must be authorised by the CEO, CFO or the Chair of the Trust in advance. Factors that will be taken into account in making a decision will include the proportionality of the event, whether a procurement is underway or likely to be commenced in the future and what the intended purpose of the event is.

For example, it would not be unreasonable to accept proportionate hospitality if the purpose of it was to cement effective working relationships. In particular, if a member of staff does not get the appropriate authorisation, then they may not be reimbursed for expenses.

