

**CARMEL EDUCATION TRUST**

**CODE OF CONDUCT FOR EMPLOYEES**

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## CODE OF CONDUCT FOR EMPLOYEES

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## **CODE OF CONDUCT FOR EMPLOYEES**

### **1. PURPOSE**

1.1 The purpose of having a Code of Conduct is to:

- To make a clear statement about the standards of conduct
- To ensure the highest standards of conduct by identifying Trust standards which sit alongside professional codes and guidelines
- Help all employees to act in a way which upholds the Trust's standards and at the same time, protect them from criticism, misunderstanding or complaint.
- To help build trust between the Trust and the people who come into contact with those working for it.

### **2. SCOPE**

2.1 This Code of Conduct applies to:

- All employees of the Trust. Employees are as defined in section 230 of the Employment Rights Act 1996 or any subsequent legislation.
- Individuals providing services for the Trust e.g. contractors, agencies, self-employed, and those working for the Trust as part of partnerships with the Trust.

2.2 Disregarding this Code will in certain circumstances result in disciplinary action being taken. All employees will be supplied with a copy of this Code, against which their conduct will be measured.

2.3 Trust Directors and Local Governing Bodies are covered by their own Codes of Conduct.

### **3 STANDARDS AND ATTITUDE**

3.1 All employees of the Trust are expected to give the highest possible standard of service to the public, Directors, Governors and fellow employees.

3.2 The attitude of employees in dealing with people reflects on the Trust and individual schools so it is important that they are helpful, polite and courteous. People's impression of the Trust and its' schools is strongly influenced by the views of the people who work for it. Whether or not employees are aware of it, the comments they make will be accepted by others. Employees, therefore, need to consider carefully the affect of what they say.

3.3 All employees are expected to report to their manager or supervisor any perceived or anticipated impropriety, breach of procedure or policy of the Trust.

3.4 In all cases, it is not enough to avoid actual impropriety, as public perceptions are very important. Employees should at all times avoid any appearance of improper conduct which may give rise to suspicion.

3.5 There are a number of principles that exemplify the standards that are required. They are set out below. A number of these aspects are dealt with in more detail within this Code.

## **4. THE PRINCIPLES OF PUBLIC LIFE**

4.1 All employees must perform their duties in accordance with the Principles of Public Life as follows:

### **Selflessness**

You should take decisions solely in terms of the public interest. You should not do so in order to gain financial or other material benefits for yourself, your family or your friends.

### **Integrity**

You should not place yourself under any financial or other obligation to outside individuals or organisations that might, or might be perceived to, influence you in the performance of your official duties.

### **Objectivity**

In carrying out public business, including awarding contracts and recommending individuals for rewards and benefits, you should make choices on merit.

### **Accountability**

You are accountable for your decisions and actions to the public and must submit yourself to whatever scrutiny is appropriate for your office.

### **Openness**

You should be as open as possible about the decisions and actions that you take. You should give reasons for your decisions and restrict information only when the wider public interest clearly demands.

### **Honesty**

You have a duty to declare any private interests relating to your public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### **Leadership**

You should promote and support these principles by leadership and example.

## **4.2 Respect for Others**

All employees must;

- Treat others with respect
- Not discriminate unlawfully against any person; and
- Treat Governors professionally.

## **4.3 Stewardship**

All employees must;

- Use any public funds entrusted to or handled by them in a responsible and lawful manner; and
- Not make personal use of property or facilities of the Trust unless properly authorised to do so.

## **4.4 Personal Interests**

All employees must not in their official or personal capacity

- Allow their personal interests to conflict with the Trust's requirements; or
- Use their position improperly to confer an advantage or disadvantage on any person

#### 4.5 **Declaring Interests**

All employees must comply with any of the Trust's requirements:

- To declare interests; and
- To declare hospitality, benefits or gifts received as a consequence of their employment.

#### 4.6 **Openness**

All employees must NOT:

- disclose information given to them in confidence by anyone, or information acquired which they believe is of a confidential nature, without the consent of a person authorised to give it, or unless they are required by law to do so; and
- prevent another person from gaining access to information which that person is entitled to by law.

#### 4.7 **Duty of Trust**

All employees must at all times act in accordance with the trust that the public is entitled to place in them.

#### 4.8 **Safeguarding**

All employees must undertake their work in accordance with requirements laid down (for their job) in support of the Trust's duties for safeguarding children and young people.

### 5. **CONFIDENTIALITY AND DISCLOSURE OF INFORMATION**

5.1 The Trust recognises the importance of an open, transparent culture with clear communication and accountability. It is the Trust's aim to be as open as possible about all its activities. The law and the Funding Agreement requires that certain types of information must be available to auditors, government departments, the Education Funding Agency, service users and the public. Different rules apply in different situations. If an employee is in any doubt as to whether they can release any particular information, they should always check with their Headteacher / Head of School<sup>1</sup> first.

5.2 The confidentiality of information received in the course of employees duties should be respected and must never be used for personal or political gain. Employees must not knowingly pass information on to others who might use it in such a way. If an employee believes that information should be disclosed in the public interest they should follow the Whistleblowing Policy before doing so (see below). Failure to do so may result in disciplinary action being taken.

5.3 Employees must not communicate confidential information or documents to others who do not have a legitimate right to know. Furthermore, information which is stored whether on computer systems or manually must only be disclosed in accordance with the requirements of the Data Protection Act 1998.

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<sup>1</sup> The Headteacher / Head of School can delegate duties to other members of the Leadership Team. For the purpose of this policy the use of the term Principal means Principal or member of the Leadership Team to whom this responsibility has been delegated. In cases relating to the interests of a Headteacher / Head of School matters should be referred to the Chief Executive Officer and in the case of the Chief Executive Officer to the Chair of the Board of Directors.

- 5.4 Information given in the course of an employee's duties should be accurate and fair and never designed to mislead.

## **6. WHISTLEBLOWING POLICY**

- 6.1 Employees are often the first to realise that there may be something seriously wrong within their school. However, they may not express their concerns because they feel that speaking up would be disloyal to their colleagues or to the Trust/School. They may also fear harassment or victimisation. In these circumstances it may be easier to ignore the concern rather than report what may just be a suspicion of malpractice.
- 6.2 The Trust is committed to the highest possible standards of openness, probity and accountability. In line with that commitment employees, and those associated with the Trust, who have serious concerns about any aspect of the Trust's / School's work are expected to come forward and voice those concerns. It is recognised that most cases will have to proceed on a confidential basis.
- 6.3 In order to ensure that this can happen the Trust has adopted a Whistleblowing Policy available on Sharepoint.
- 6.4 The Whistleblowing Policy is intended to encourage and enable employees to raise serious concerns rather than overlooking a problem or 'blowing the whistle' outside.
- 6.5 The policy applies to all employees and those contractors working for the Trust on Trust premises, for example, agency staff, builders and drivers. It also covers suppliers and those providing services under a contract with the Trust and/or Trust schools in their own premises.
- 6.6 The policy is in addition to the Trust's complaints procedures and other statutory reporting procedures.

## **7. POLITICAL NEUTRALITY**

Employees must not allow their own personal or political opinions to interfere with their work and must at all times perform their duties in an objective manner.

## **8. RELATIONSHIPS**

- 8.1 The Trust is firmly committed to equal opportunities and believes that every employee has the right to work in a safe environment without the fear of discrimination, harassment or abuse. The Trust will not tolerate or condone harassment or bullying in any form and will promote an anti-harassment and bullying policy which addresses these issues in more detail.

### **Appointment of Staff**

- 8.2 It is unlawful for appointments to be made on the basis of anything other than the ability of the candidate to undertake the duties of the post. Employees involved in making appointments should do everything possible to ensure that these are made on the basis of merit and in accordance with the prevailing policy on Recruitment and Selection and regulations on safer recruitment.
- 8.3 In order to avoid any possible accusation of bias, employees must not become involved in any appointment or any other decision relating to the discipline, promotion, pay or conditions of another employee, or prospective employee, if they are a relative of an applicant, or have

a close personal relationship with him or her, nor where they have the opportunity to benefit, directly or indirectly, from an appointment without the express prior approval of their Principal.

- 8.4 In this paragraph 'relative' means a spouse, partner, parent, parent-in-law, son, daughter, stepson, stepdaughter, child of a partner, brother, sister grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of any of the preceding person.
- 8.5 'Partner' means a member of a couple who live together or who are involved in a romantic relationship.
- 8.6 'Close personal relationship' would include a person not employed by the trust with whom an employee has a close business connection.
- 8.7 Personal relationships between colleagues who work together can give rise to conflicts of interest. Therefore, employees who have entered into a close personal or romantic relationship with a colleague are required to disclose this fact to their Headteacher / Head of School or where applicable the Chief Executive Officer. Any information declared or disclosed should be recorded on both employees' personal files and treated in strict confidence.
- 8.8 This information should only be considered to ensure that the existence of the relationship does not impact on the smooth running of the Trust or its' schools.

### **The Local Community and Service Users**

- 8.9 Employees should always remember their responsibilities to the community they serve and ensure courteous, efficient service delivery to that community in accordance with the policies of the Trust. This may involve dealing with troubled, angry and frustrated parents and carers, although employees are entitled not to be expected to place their personal health, safety and welfare at risk.

### **Contractors**

- 8.10 All relationships of a business or personal nature with external contractors or suppliers, or potential contractors or suppliers, must be declared to the Chief Executive Officer and / or Headteacher / Head of School at the earliest opportunity.
- 8.11 Orders and contracts must be awarded in accordance with contracting procedures and rules and no special favour should be shown to businesses run by, for example, friends, partners or relatives.

## **9. OUTSIDE COMMITMENTS**

- 9.1 The Trust recognises that employees are entitled to their private lives. In general, an employee's choices and action outside of work are not the Trust's concern. However, in order to protect both the employee and the Trust there are exceptions to this.

## **10. CONDUCT**

- 10.1 Whether in or outside work, employees must not conduct themselves in any way that creates doubt as to their suitability for their post or brings the Trust into disrepute. This includes conduct which would bring into question their suitability to work with children.
- 10.2 All adults working with children and young people have a responsibility to maintain public

confidence in their ability to safeguard the welfare and best interests of children and young people. It is therefore expected that they will adopt high standards of personal conduct in order to maintain the confidence and respect of the public in general and all those with whom they work.

- 10.3 There may be times, for example, when an adult's behaviour or actions in their personal life come under scrutiny from local communities, the media or public authorities. This could be because their behaviour is considered to compromise their position in the workplace or indicate unsuitability to work with children or young people. Misuse of drugs, alcohol or acts of violence would be examples of such behaviour.
- 10.4 Adults in contact with children and young people should therefore understand and be aware that safe practice also involves using judgement and integrity about behaviours in places other than the work setting.
- 10.5 The behaviour of an adult's partner or other family members may raise similar concerns and may require careful consideration by the Trust as to whether there may be a potential risk to children and young people in the workforce.

## **11. ADDITIONAL WORK**

- 11.1 Employees are able to take on work in addition to their existing contract of employment, providing it does not conflict with the performance of their duties in the role for which they are employed. In order to assess whether or not there might be a conflict, employees are required to inform their Headteacher/ Head of School before taking any outside employment.
- 11.2 The Trust will not unreasonably stop employees from undertaking additional employment, but this employment must not, in the Trust's view, conflict with or be detrimental to its interests, or weaken public confidence in the conduct of its business.
- 11.3 An employee who wishes to take on additional work must ensure that:
  - a) the additional hours worked do not contravene the Working Time Regulations or otherwise give the Trust cause for concern about health and safety at work.
  - b) the outside work does not place the employee in a position where their duties and private interests conflict
  - c) the outside work does not damage, or potentially damage, public confidence in the Trust's conduct or business

## **12. BOOKS, PUBLICATIONS, TRAINING MATERIALS AND INTELLECTUAL PROPERTY RIGHTS**

- 12.1 If an employee writes a book or publication for payment on subjects relating to their work for the Trust or any School they must seek the permission of the Trust in writing through the Chief Executive Officer or the Headteacher / Head of School.
- 12.2 The Trust retains intellectual property rights for work undertaken by employees. Research, reports, designs, drawings, software and other developments or similar work, when created in the course of an employee's normal duties, remain the property of the Trust. These should not be removed from Trust premises or passed on to third parties by any employee acting in a private capacity without the express consent of the Chief Executive Officer and / or Headteacher / Head of School.



### **13. PATENTS AND INVENTIONS**

- 13.1 Any matter, or thing capable of being patented under the Patents Acts, made developed or discovered by an employee, either alone or with others, whilst in the performance of their duties should be disclosed to the Trust through the Chief Executive Officer and / or Headteacher / Head of School and, subject to the provisions of the Patents Act, it will belong to and be the absolute property of the Trust.
- 13.2 Employees must not undertake private or personal work, paid or unpaid, of any description in working hours or on Trust premises unless they have been given specific permission by the Chief Executive Officer and / or Headteacher / Head of School. Even if approval is granted, any fees received, e.g. lecture fees would be passed over to the Trust.

### **14. REFUSAL OF A REQUEST TO TAKE ON ADDITIONAL WORK**

- 14.1 If an employee has their request to take on additional work refused and wishes to challenge this, they should speak to the Chief Executive Officer and / or Headteacher / Head of School or consider raising a grievance under the Trust's grievance procedure.

### **15. COMPUTER USE**

- 15.1 The Trust wants employees to use computers to the full and to feel competent and comfortable about doing so. However, it is essential that computers are used appropriately. Any reference to computers should be taken to mean all computer equipment and any associated technology.

### **16. MISUSE OF COMPUTERS**

- 16.1 The misuse of computers is a serious matter and may result in employees being subject to disciplinary and, where appropriate, legal action.
- 16.2 Guidance documents exist in relation to the use of computers and information technology. Employees must be familiar with, and abide by the Trust's Acceptable Use Policy available on Sharepoint.
- 16.3 Private use of Trust facilities, such as computers (including use of the Internet), stationery and fax machines, is governed by these documents. Employees should not arrange to receive correspondence, telephone calls and fax messages related to outside work or private interests.
- 16.4 An employee who is aware or suspects that abuse of computers, email or the internet is taking place is under a duty to report this immediately under the Confidential Reporting Policy (see paragraph 6 above).
- 16.5 The Trust will monitor the use of computers etc without notice. A record of any sites accessed by staff is automatically stored on the system and may be examined later if misuse is suspected.

### **17. USE OF SOCIAL NETWORKING SITES**

- 17.1 The growing popularity of personal web logs (blogs) and social networking sites, such as Facebook and MySpace, may raise issues for the rust, particularly where employees choose to write about their work and the Trust / School in which they are employed.

- 17.2 Employees should ensure that the content of their blogs/social networking sites does not bring the Trust / School into disrepute or breach their obligations in relation to confidentiality and appropriate behaviour.
- 17.3 Employees should not access personal blogs/social networking sites during working hours. When accessing such sites outside working hours employees are advised not to write about their work or make reference to the Trust / School on external web pages. Where an employee chooses to do so he/she should make it clear that the views expressed are his/hers only and do not reflect the views of the Trust. In addition employees must adhere to the rules below.
- 17.4 Employees must not:
- Disclose any information that is confidential to the Trust or any third party or disclose personal data of information about any individual/colleague/ pupil/parent which could be in breach of the Data Protection Act;
  - Disclose any information which is not yet in the public arena;
  - Post illegal material, e.g. material which incites racial hatred;
  - Link their own blogs/personal web pages to the Trust's / School's website;
  - Include any information, sourced from the Trust / School, which breaches copyright;
  - Make defamatory remarks about the Trust / School, colleagues, Directors, Governors, pupils and parents;
  - Publish any material or comment that could undermine public confidence in an individual as an employee of the Trust or in their position of trust within the community; and/or
  - Misrepresent the Trust, by posting false or inaccurate statements about the work of the Trust / School.

## **18. PERSONAL INTERESTS**

- 18.1 Employees may have a variety of personal interests, which may from time to time impact on their role for the Trust / School. To protect the Trust and the employee from any accusations of wrong doing the Trust has in place a number of safeguards which demonstrate that these interests are not allowed to influence the way the Trust conducts its business.
- 18.2 Whatever an employee's role within the organisation, they must declare to the Chief Executive Officer and / or Headteacher / Head of School any financial or non-financial interests which could bring about conflict with the College's interests.
- 18.3 If employees are in any doubt about a potential conflict of interest, they should bring the matter to the attention of the Chief Executive Officer and / or Headteacher / Head of School so that a decision can be made as to how best to proceed.
- 18.4 Employees must not make, or become involved with, any official or professional decisions about matters in which they have a personal interest.

## 19. GIFTS, HOSPITALITY, PRIZES & AWARDS

19.1 A potential source of conflict between public and private interests is the offer of gifts, hospitality or benefits in kind to employees in connection with their official duties. It is important to avoid any suggestion of improper influence.

## 20. GIFTS GENERALLY

20.1 Casual gifts offered to employees by contractors, organisations, firms, parents and carers or individuals such as calendars, diaries, pens, food, drink, flowers and other small gifts need not be declared. The general rule is that a gift below the value of £25 does not need to be declared. However, it will not be appropriate to accept a gift below that value if it is more than minimal and may be perceived as an inducement.

20.2 In cases where employees are given alcoholic beverages as gifts they need to ensure that they do not contravene the Alcohol at Work Policy.

20.3 Employees should decline any personal gift offered to them, or to a member of their family, with a value of £25 or over by any person or organisation having dealings with the Trust / School.

20.4 When a gift needs to be refused, this should be done with tact and courtesy, because the offer of gifts is common custom and practice in the commercial world, particularly at Christmas time. If the gift is simply delivered to the School, there may be a problem returning it, in which case it should be reported immediately to the Chief Executive Officer and / or Headteacher / Head of School .

20.5 A checklist and form for recording gifts and hospitality is attached at **Annex A** which should be used to help employees decide whether or not it is appropriate to accept a gift. The form should be completed by staff members and returned to the Head of School for decision.

20.6 The Chief Executive Officer and / or Headteacher / Head of School will keep a record of all gifts given to employees or the Trust / School where the value exceeds £25 or when a gift was declined. **See Annex B.**

## 21. HOSPITALITY

21.1 Offers of hospitality are a normal part of the courtesies of business life but in the public sector it is important for employees to avoid creating an appearance of improper influence, thus undermining public confidence.

21.2 Hospitality is sometimes offered to representatives of the Trust in an official or formal capacity. Hospitality can take many forms and could include attending exhibitions, seminars, sporting events, shows or concerts. Training events with very low training content and free catering, drink or transport may also be hospitality.

21.3 Employees need to exercise discretion when accepting offers of hospitality particularly when the host is seeking to do business with the Trust or who may stand to benefit in some way from dealing with the Trust.

21.4 Offers of hospitality should only be accepted where there is a clear benefit to the Trust / School in doing so e.g. networking, building contacts. If there is no or limited benefit employees should not attend.

21.5 Hospitality offered by charitable or social organisations, usually in connection with an invitation to speak to the body, can be accepted.

- 21.6 All offers of hospitality should be reported to the Chief Executive Officer and / or Headteacher / Head of School before it is accepted. The Chief Executive Officer and / or Headteacher / Head of School will keep a record of all hospitality and gifts accepted by employees of the College. **See Annex B.**

## **22. SPONSORSHIP – GIVING AND RECEIVING**

- 22.1 When an outside organisation wishes to sponsor or is seeking to sponsor a Trust / School activity, whether by invitation, tender, negotiation or voluntarily, the basic conventions concerning acceptance of gifts or hospitality apply. Particular care must be taken when dealing with contractors or potential contractors.
- 22.2 Where the Trust / School wishes to sponsor an event or services, neither an employee nor any partner, spouse or relative must benefit from such sponsorship in a direct way without there being full prior disclosure to the Chief Executive Officer and / or Headteacher / Head of School of any such interest. Similarly, where the Trust / School through sponsorship, grant aid, financial or other means, gives support in the community, employees should ensure that impartial advice is given and that there is no conflict of interest involved.

## **23. EQUALITY**

- 23.1 All members of the local community, parents and carers, and other Trust employees have a right to be treated with fairness and equity. Employees should become familiar with and observe all Trust policies relating to equality issues in addition to the requirements of the law.

## **24. TENDER PROCEDURES**

- 24.1 Employees should exercise fairness and impartiality when dealing with all customers, contractors and subcontracts.
- 24.2 Employees responsible for engaging or supervising contractors and who have previously had, or currently have, a relationship in a private or domestic capacity with a particular contractor, must declare that relationship to the Chief Executive Officer and / or Headteacher / Head of School.
- 24.3 If employees become privy to confidential information on tenders or costs relating to external contractors, they must not disclose that information to any unauthorised person or organisation.
- 24.4 All employees must ensure that no special favour is shown to current, or recent former, employees or their partners, close relatives or associates in awarding contracts to businesses run by them or employing them in any capacity.

## **25. FINANCIAL PROCEDURE RULES**

- 25.1 All employees involved in financial activities and transactions on behalf of the College, including budgetary control, payments of accounts, payments of salaries and wages, petty cash and orders of works, goods or services must follow the Trust Finance Policy.
- 25.2 They must ensure that they use public funds entrusted to them in a responsible and lawful manner and strive to ensure value for money to the local community.

## **26. DRESS**

26.1 Employees are expected to dress appropriately at all times and conform to the dress code of their School.

**27. MONITORING AND REVIEW**

27.1 The Trust will review this policy annually.

## GIFTS AND HOSPITALITY

### Checklist for considering whether to accept a gift or hospitality

The question in all cases is one of judgement, and the following checklist of queries should help employees to decide whether a gift or an offer of hospitality should be accepted or declined.

- (a) Is the value of the gift or hospitality £25 or over?
- (b) If under £25 is it intended as an inducement?
- (c) Is the extent of the hospitality, or nature of the gift reasonable and appropriate?
- (d) Does the donor have any form of contractual relationship with the Trust / School, does it provide goods or services to the Trust / School of any kind?
- (e) Is the invitation/gift directed to a large group of unrelated individuals or open to the public, or has an individual been targeted because of their employment with the Trust and the nature of their role?
- (f) What is thought to be the motivation behind the invitation/gift?
- (g) For hospitality does the employee wish to attend if so why? Is it because there will be genuine benefits to the College in terms of networking and contracts gained? Or is a desire to go centered around personal enjoyment.
- (h) Would acceptance of the invitation be, in any way, inappropriate or place the employee under pressure in relation to any current or future matter involving the Trust / School?
- (i) For gifts is there a difficulty in returning the gift? If it would cause offence can the gift be given to charity?

If an employee decides to accept a gift over £25 they must declare this to the Chief Executive Officer and / or Headteacher / Head of School. If an employee declines a gift of over £25 the Chief Executive Officer and / or Headteacher / Head of School should also be informed and the reasons for the gift being declined should be recorded.

The following form should be completed by staff in receipt of gifts and hospitality and returned to **the Chief Executive Officer and / or Headteacher / Head of School.**

**Staff Gifts & Hospitality Register Form**  
**Staff should complete this form and return to the Chief Executive Officer /  
Headteacher / Head of School (where applicable)**

<p><i>Section One of this form should be completed (either in electronic or paper form), for all offers of hospitality or gifts either received or offered to staff (with the exception of low value gifts (under £25))</i></p>	
<p><b>SECTION ONE: Details of the offer</b> – this section must be completed by the Staff Member receiving the offer.</p>	
Date of offer	
Name of employee	
Who offered the gift or hospitality?	
What is your relationship with the individual/organisation offering the gift or hospitality (if any)?	
Nature of gift or hospitality offered	
Details of other staff and Members offered the same gift or hospitality (where applicable/known)	
Proposed action (delete as appropriate)	<p><b>Accept / Decline / Already declined</b>  This form must be authorised by the Chief Executive Officer / Headteacher / Head of School before any offer is accepted.</p>
Employees signature:	Date:
<p><b>Following completion of the above section and before any offer is accepted this form must be authorised by the Chief Executive Officer / Headteacher / Head of School</b></p>	
<p><b>SECTION TWO: Action authorised by the Chief Executive Officer / Headteacher / Head of School</b></p>	
Name (Chief Executive Officer / Headteacher / Head of School):	
Record of action ( delete as appropriate )	<p>Agree acceptance / Acceptance not authorised/  <b>Agree action to decline</b>  Please ensure the Staff Member who received the offer is aware of you decision.</p>
Signed	Date
<p>Please ensure:  (i) The employee is informed of your decision (ii) This form is recorded on your Register of Staff Gifts and Hospitality (iii) This form is filed in the Register of Staff Gifts and Hospitality.</p>	
<p><b>For Office use Only</b></p> <p><b>Form Index Number:</b></p>	

