

# **ANTI-BRIBERY POLICY**

## **INTRODUCTION**

This policy covers:

- bribery and corruption
- facilitation payments and kickbacks
- gifts and hospitality

This policy does not form part of any employee's contract of employment and we may amend it at any time.

## **REASON FOR POLICY**

The purpose of this policy is to:

- a. set out our responsibilities, and of those working for us, in upholding our position on bribery and corruption
- b. provide guidance on how to recognise and deal with bribery and corruption issues

The charity is legally required to have this policy in place, following the Bribery Act 2010.

## **POLICY STATEMENT**

Independent Age takes a zero-tolerance approach to bribery and corruption as we are committed to acting ethically, professionally, fairly and with integrity in all our business dealings and relationships.

It is a criminal offence to offer, give, request, or accept a bribe. Individuals found guilty can be punished by up to ten years' imprisonment and/or a fine. As an employer, if we fail to prevent bribery we can face prosecution, an unlimited fine, exclusion from tendering for public contracts, and damage to our reputation. We therefore take our legal responsibilities very seriously.

## **WHO MUST COMPLY WITH THIS POLICY?**

This policy applies to anyone acting on our behalf in any capacity. It includes all employees, agency workers, seconded workers, trustees, volunteers, interns, agents, third-party representatives e.g. suppliers, partners, sponsors, or any other person associated with us, wherever located.

## **PROCEDURES**

### *Bribery and Corruption*

Bribery is offering, giving or accepting any financial or other advantage, to induce or reward the recipient or any other person to act improperly in the performance of their functions. An advantage includes money, gifts, loans, fees, hospitality, services, discounts, the award of a contract or anything else of

value. A person acts improperly where they act illegally, unethically, or contrary to an expectation of good faith or impartiality, or where they abuse a position of trust. The improper acts may be in relation to any business or professional activities on behalf of the organisation.

Corruption is the abuse of entrusted power or position for private gain.

#### *Facilitation Payments and Kickbacks*

We do not make, and will not accept, facilitation payments of any kind or unofficial payments made in return for a business favour or advantage.

You must avoid any activity that might lead to a facilitation payment or kickback being made or accepted by us or on our behalf, or that might suggest that such a payment will be made or accepted. All payments made on behalf of the charity must be for goods and services received, procured according to the requirements set out in the charity's Financial Regulations and with clear supporting documentation e.g. contract, purchase orders and invoices. If you have any suspicions, concerns or queries regarding a payment, you should raise these with the Compliance Manager.

#### *Gifts and Hospitality*

This policy allows reasonable and appropriate hospitality or entertainment given to or received from third parties, for the purposes of:

- establishing or maintaining good business relationships
- improving or maintaining our image or reputation
- marketing or presenting our services effectively

The giving and accepting of gifts is allowed, if it:

- is not made with the intention of influencing or rewarding a third party to obtain a business advantage
- is given to the charity and not you
- does not include cash or a cash equivalent (such as gift certificates or vouchers), apart from where it is accepted by way of a usual charitable donation
- is appropriate in the circumstances, taking account of the reason for the gift, its timing and value (i.e. provided it is not normally more than £25)
- is given openly, not secretly
- is not a gift of any value from a service user personally to you

Promotional gifts (e.g. diaries) of low value to or from existing customers, suppliers and business partners will usually be acceptable.

Reimbursing a third party's expenses, or accepting an offer to reimburse our expenses (for example, the costs of attending a business meeting) will not usually amount to bribery. However, a payment in excess of genuine and

reasonable business expenses (such as the cost of an extended hotel stay) is not acceptable.

#### *Donations*

We do not make contributions to political parties or charitable donations.

#### *Record-Keeping*

We must keep financial records and have appropriate internal controls in place to evidence the business reason for making payments to third parties.

You must where practical receive prior written approval from your manager of all hospitality or gifts given or received with a value in excess of £25.

Managers must keep a written record of every instance in which hospitality or gifts with a value in excess of £25 are offered (to be given or received) and the subsequent decision taken. Members of SMT and Trustees will complete an annual Declarations of Interest statement with detailing all such transactions.

You must submit all expenses claims relating to hospitality, gifts or payments to third parties in accordance with our expenses policy and record the reason for expenditure.

#### *What You Must Not Do*

It is not acceptable for you (or someone on your behalf) to:

- give or offer, a payment, gift or hospitality in order to seek or reward a business advantage
- give or accept a gift or hospitality during any commercial negotiations or tender process
- accept hospitality from a third party that is unduly lavish or extravagant
- offer or accept a gift to or from government officials or representatives, or politicians or political parties without the prior approval of your manager
- engage in any other activity that might lead to a breach of this policy

### **MECHANICS OF THE POLICY**

The Trustees have overall responsibility for ensuring this policy complies with our legal and ethical obligations.

The Head of People and Organisational Development, as the Compliance Manager, has primary and day-to-day responsibility for implementing this policy, monitoring its use and effectiveness, dealing with any queries, and auditing internal control systems and procedures to ensure they are effective. He or she will raise any matters with the Director of Resources for action.

Managers are responsible for ensuring those reporting to them understand and comply with this policy.

## **YOUR RESPONSIBILITIES**

You must ensure that you read, understand and comply with this policy.

The prevention, detection and reporting of bribery and corruption are the responsibility of all those working for us or under our control. You are required to avoid any activity that might lead to a breach of this policy.

If you are offered a bribe, or suspect that any bribery, corruption or other breach of this policy has or may occur, you must notify the Compliance Manager as soon as possible. If you are unsure about whether a particular act constitutes bribery or corruption, again raise it with Compliance Manager. Examples of "red flags" that may indicate bribery or corruption are set out in Appendix A.

## **PROTECTION**

We will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken. No one will suffer any detrimental treatment (including disciplinary action) as a result of refusing to take part in bribery or corruption, or because of reporting in good faith a suspicion that an act of bribery or corruption has or may take place. If you believe that you have suffered any such treatment, you should inform the Compliance Manager immediately. If the matter is not remedied, and you are an employee, you should raise it formally using our Grievance Procedure.

## **TRAINING AND COMMUNICATION**

Training on this policy forms part of the employee induction.

This policy will be available on ShareSpace for all employees.

Trustees will be issued with a copy of this policy.

All volunteers will also be issued with a summary of this policy and it will form part of their induction.

Managers will ensure all third parties (such as suppliers) understand and comply with the policy. We will normally seek to terminate our relationship with individuals and organisations working on our behalf if they breach this policy.

## **IMPLEMENTATION**

<b>Persons</b>	<b>Action Required</b>	<b>By Who</b>	<b>Date</b>
Employees	Issued to all current employees.	Head of People & OD	30 Sept 2015
	Issued to all new starters during the offer stage of the recruitment process.	Head of People & OD	As and when
Volunteers	Issued to all current volunteers.	OD and Volunteer Manager	

	Issued to all new volunteers		At induction
Trustees	Approval of policy	Director of Resources	8 Oct 2015
	Issued to all new trustees as part of induction pack	Director of Resources	31 Oct 2015
Suppliers and other third-party representatives	Contract leads	Managers	Ongoing

## **MEASURING SUCCESS**

The success of this policy will be measured by ensuring the following occurs:

- all employees and volunteers are aware of and follow this policy
- internal and external audit do not raise any concerns around risks
- no cases occur, or are identified and tackled promptly should they arise

## **BACKGROUND**

This policy should also be read in conjunction with the following policies and procedures in the Employee Handbook:

- Code of Conduct
- Disciplinary Policy and Procedure
- Whistleblowing Policy
- Grievance Policy

Version: V1.1  
Owner: Director of Resources  
SMT approved: August 2015  
FRC review: September 2015  
Board approved: Pending – October 2015  
Review: August 2016