



# Anti-Corruption and Bribery Policy

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# Anti-Corruption and Bribery Policy

## Introduction

The Bribery Act 2010 has strengthened UK legislation on bribery. The Act came into force on 1 July 2011. It applies to all UK businesses and charities and covers business carried out in or outside UK. This includes the Haberdashers' Company and the Haberdashers' Aske's Schools, Elstree ("the Schools").

The Act sets out four bribery offences:

1. Attempting to pay a bribe
2. Receiving a bribe
3. Bribing foreign officials
4. Failure to prevent bribery

The following are not considered as an act of bribery:

- Providing genuine business hospitality
- Carrying out reasonable promotional activities

## Our Policy

It is the Schools' policy to conduct all of its business in an honest and ethical manner. We do not tolerate bribery and corruption in any form and our conduct of all our business dealings must be exemplary at all times. This policy extends the Governors' Bribery Act Policy Statement and applies to all business dealings and transactions by and in connection with the Schools in all countries. All governors and staff members of both Schools are required to comply with this policy.

The purpose of this policy is to:

- set out the responsibilities of The Haberdashers' Aske's Schools, and of those working for us, in observing and upholding our position on bribery and corruption; and
- provide information and guidance to those working for us on how to recognise and deal with bribery and corruption issues.

In this policy, 'third party' means any individual or organisation that workers come into contact with during the course of their work for the Schools, and includes actual and prospective pupils and parents, suppliers, business contacts, agents, advisers, and government and public bodies.

Who is covered by the Policy?

This policy applies to all individuals working for The Schools at all levels (whether permanent, fixed-term or temporary), and includes governors, teachers, managers, employees, volunteers, agents or any other person associated with the Schools (collectively referred to as 'staff' in this policy).

This policy also applies to business and activities carried out in the name of the Haberdashers' Aske's Boys' School Foundation, its staff and donations received in the form of bequests.

### **What is bribery?**

A bribe is an inducement, favour or reward offered, promised or provided in order to gain any business or personal advantage.

### **Our risks**

Our most significant risks are:

- Incentives to School buyers offered by, or requested from, suppliers.
- Donations or other offers to the Schools in return for relaxation of entry or examination criteria.
- Incentives or inducements relating to the day to day management of services provided to the Schools by third parties.
- Incentives to investment managers from investment providers.
- Requests for, or payment of, facilitation payments. These are small payments to secure or speed up routine actions including providing services or issuing permits. This includes the risk that our agents and other intermediaries, joint ventures, contractors and suppliers make, or attempt to make, facilitation payments on our behalf.

### **Gifts and Hospitality**

Gifts specifically exclude cash and monetary gifts. Under no circumstances should staff accept cash or monetary gifts if they are offered.

Genuine and appropriate hospitality and reasonable promotional activities are not considered acts of bribery in themselves but must nevertheless be conducted in accordance with defined principles. The following criteria are designed to test if gifts, hospitality, favours or reimbursed expenses comply with this policy. The principles in bold provide the test; the explanations are intended as a guide to those principles and not as a definitive statement of where the boundary of acceptability lies. If in doubt, you should consult the Bursar.

**Made for the right reason.** If it is a gift or hospitality, it should be given clearly as an act of appreciation. If travel expenses, it should be for a bona fide School purpose.

**No obligation.** The gift, hospitality, favour or reimbursement of expenses must not place the recipient under any obligation.

**No expectations.** Expectations should not be created in the giver or an associate of the giver, nor should the giver attach a higher importance to such a transaction than the recipient would place on it.

**Made openly.** Any transaction should be transparent. If it is made secretly and is not documented, the purpose will be open to question.

**Accords with stakeholder perception.** The transaction should not be viewed unfavourably by stakeholders or other interested parties if it were made known to them.

**Reasonable value.** The size of the gift should be small and the value of the hospitality or reimbursed expenses accord with general school and business practice. Further guidance on the value of gifts is detailed under record-keeping below.

**Appropriate.** The nature of the gift, hospitality or reimbursed expense should be appropriate to the relationship and in line with the code of conduct outlined in the School's Employment Manual.

**Legality.** It must comply with relevant UK and local laws.

**Conforms to the recipient's rules.** The gift, hospitality or reimbursement of expenses should meet the rules or code of conduct of the Company and Schools.

**Infrequent.** The giving or receiving of gifts and/or hospitality must not be a regular occurrence between the giver and the recipient.

We appreciate that the practice of giving business gifts varies between countries and regions and what may be normal and acceptable in one region may not be in another. The test to be applied is whether in all the circumstances the gift or hospitality is reasonable and justifiable. The intention behind the gift should always be considered.

Parents are reminded at regular and opportune times that they should not join together to provide expensive or extravagant gifts for the staff such as staff leaving or Christmas. Staff are also sent a copy of this letter.

### **Staff responsibilities**

The Schools will keep a register of staff who, either as part of their induction process or otherwise, have been given training on this anti-corruption and bribery policy. All those that have received training must sign in the register to certify that they have read and understood the policy and will comply with it.

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

Staff must notify the Bursar as soon as possible if he/she believes or suspects that a breach of this policy has occurred, or may occur in the future.

Any employee who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct. We reserve our right to terminate our contractual relationship with other workers if they breach this policy.

**Record-keeping**

The Schools keep financial records and has appropriate internal controls in place which will evidence the business reason for making payments to third parties.

Hospitality or personal gifts accepted or offered which exceed a de minimis value of £100 or, as an entertainment or visit, it lasts more than half a day must be reported to the Bursar who will maintain a Register of these which will be reviewed periodically by the Governors. This includes gifts and hospitality offered but declined. Expenses must be fully documented, including purpose and approvals given, and recorded by the Bursar.

**How to raise a concern**

Staff are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. Concerns should be reported by following the procedures as laid down in the Whistleblowing Policy.

**Training and communication**

Training on this policy will form part of the induction process for all new staff. All existing workers will receive training on the reasons for this policy and how to implement and adhere to it. The training will be repeated at appropriate intervals.