

POLICY:

ANTI-BRIBERY AND CORRUPTION POLICY

Policy statement: It is the school's policy to conduct all business in an honest and ethical manner. The school takes a zero-tolerance approach to bribery and corruption and is committed to acting professionally, fairly and with integrity in all its business dealings and relationships wherever it operates and implementing and enforcing effective systems to counter bribery. The school will comply with the Bribery Act 2010 (the Act), in respect of its conduct.

The purpose of this policy is to:

- (a) set out responsibilities for the school and for its staff, in observing and upholding its position on bribery and corruption; and
- (b) provide information and guidance to staff on how to recognise and deal with bribery and corruption issues.

Bribery and corruption are punishable for individuals by up to ten years' imprisonment and/or a fine. As an employer, if the school fails to prevent bribery or is found to have taken part in corruption, it could face an unlimited fine, be excluded from tendering for public contracts and face reputational damage. The school therefore takes its legal responsibilities very seriously.

In this policy, third party means any individual or organisation an individual comes into contact with during the course of their work with the school, and includes actual and prospective pupils and parents, suppliers, business contacts, agents, advisers, and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

Who is covered by the policy?

This policy applies to all individuals working for the school at all levels (whether permanent, fixed-term or temporary), and includes Governors, volunteers, peripatetic staff, agents or any other person associated with the school (collectively referred to as **staff** in this policy).

What are bribery and corruption?

A bribe is an inducement or reward offered, promised or provided in order to gain any business or personal advantage. An "advantage" includes money, gifts, loans, fees, hospitality, services, discounts, the award of a contract or anything else of value.

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

The following are examples of circumstances in which offences under the Act may occur:

- An IT Company providing services to the school offers a member of staff a free iPad as an incentive for renewing its contract for services.
- A Ski Company tendering for a contract with the school to facilitate a school trip offers to accommodate a member of staff's children on the trip free of charge.
- To request or offer a reduction in school fees at another school in return for an expectation that the member of staff would induce other families to accept places at the other school.

Accepting any of the above offers may amount to an offence under the Act.

Gifts and hospitality

This policy does not prohibit normal and appropriate hospitality (given and received) to or from third parties.

The giving or receipt of gifts or hospitality is not prohibited, if the following requirements are met:

- it is not made with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage, or in explicit or implicit exchange for favours or benefits
- it complies with local law
- it is given in the school's name, not in the member of staff's name
- it does not include cash or a cash equivalent (such as gift certificates or vouchers)
- it is appropriate in the circumstances. For example, in the UK it is customary for small gifts to be given at Christmas time
- taking into account the reason for the gift, it is of an appropriate type and value and given at an appropriate time
- it is given openly, not secretly; and
- gifts should not be offered to, or accepted from, government officials or representatives without the prior approval of the director of finance or the head.

From time-to-time parents or pupils may offer staff gifts on an individual basis as a demonstration of their gratitude for the work they have done on their behalf, and this is perfectly legitimate.

As a general rule, small tokens of appreciation (up to a value of £100) may be retained by employees. However, in some contexts such gifts could be construed as an improper inducement to, for instance, accord preferential treatment in the future. Consequently, it is necessary for the school to have rules applying to such gifts. These are as follows.

- Any gifts of cash of whatever value should be reported to the director of finance via email. They should be donated to the school or school's nominated charity. The parent should be thanked for their gift and informed that it is being donated to the school or school's nominated charity
- Gifts with a value of £100 or over, including gifts of monetary equivalents (e.g. vouchers) should be reported to the director of finance via email. If it is retained the gift must be recorded in the Gift Register
- A member of staff may retain individual gifts of a value of up to £250. If a member of staff receives a gift from a group of parents, then the maximum value that can be accepted will be based on an average of £25 per pupil

- For any gifts not retained, the parent should be thanked for their gift and informed that it is being donated to the school or school's nominated charity
- A member of staff may retain gifts received from suppliers if they are token work-related items e.g. pens, notepads, flash drives, desk calendars or diaries. Any other gifts should be politely refused or donated to the school or school's nominated charity and the director of finance should be notified by email.

What is not acceptable?

It is not acceptable for a member of staff (or someone on their behalf) to:

- give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that an advantage for the school will be received, or to reward an advantage already received
- give, promise to give, or offer, a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure
- accept payment from a third party that they know, or suspect is offered with the expectation that it will obtain an advantage for them
- accept a gift or hospitality from a third party if they know or suspect that it is offered or provided with an expectation that a business advantage will be provided by the school in return
- threaten or retaliate against another member of staff who has refused to commit a bribery offence or who has raised concerns under this policy; or
- engage in any activity that might lead to a breach of this policy.

Donations

The school only makes charitable donations that are legal and ethical under local laws and practices. No donation must be offered or made in the school's name or on behalf of the school without the prior approval of the director of finance or the head.

Staff responsibilities

Staff must ensure that they have read, understood and comply with this policy.

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

The school could be held liable for failing to prevent bribery if a person associated with it commits an offence under the Act. Staff must notify the director of finance or the head as soon as possible if they believe or suspect that a breach of this policy has occurred, or may occur in the future, or if they consider that you have been offered any inducement or reward with a view to obtaining a business or personal advantage.

If a member of staff breaches this policy they will face disciplinary action, which could result in dismissal for gross misconduct. The school reserves the right to terminate its contractual relationship with staff if they breach this policy.

Record-keeping

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

Staff must make their line manager aware and keep a written record of all hospitality or gifts accepted or offered, which will be subject to managerial review.

Staff must ensure all expenses claims relating to hospitality, gifts or expenses incurred to third parties are submitted in accordance with the school's expenses policy and specifically record the reason for the expenditure.

All accounts, invoices, memoranda and other documents and records relating to dealings with third parties, such as clients, suppliers and business contacts, should be prepared and maintained with strict accuracy and completeness. No accounts must be kept "off-book" to facilitate or conceal improper payments.

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 procedure set out in the school's Whistleblowing Policy.

Protection

Staff who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. The school aims to encourage openness and will support a member of staff if they raise genuine concerns in good faith under this policy, even if they turn out to be mistaken.

The school is committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or other corruption offence has taken place, or may take place in the future. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If a member of staff believes that they have suffered any such treatment, they should use the school's Grievance Procedure.

Training and communication

Training on this policy forms part of the induction process for all new staff. All existing staff will receive regular, relevant training on how to implement and adhere to this policy.