**Advocates for international development**

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| **Policy Number** | **A4IDP23** |
| **Bribery Act 2010** |
| **Date Approved** | March 2015  |
| **General Objectives of the Policy** | The purpose of this policy is to set guidelines for staff to ensure that A4ID **under no circumstances** partakes in bribery or corruption. All staff members, volunteers, and partners of A4ID are expected to fully comply. A4ID takes a zero tolerance approach to bribery and corruption.  The purpose of this policy is to set out our responsibilities, and of those working of us, in observing and upholding our position on bribery and corruption, provide information and guidance to those working for us on how to recognise and deal with bribery and corruption issues. Any Policy breach may result in criminal prosecution. It is our policy to conduct all of our work in an honest and ethical manner. We take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate and implementing and enforcing effective systems to counter bribery and corruption.We will uphold all laws relevant to countering bribery and corruption in all the jurisdictions in which we operate. However, we remain bound by UK laws, including the Bribery Act 2010, in respect of our conduct both at home and abroad. |
| **Policy Principles**  | 1. **Scope of compliance**
	1. This policy applies to all persons working for A4ID or on our behalf in any capacity, including all employees and volunteers at all levels.
	2. Due diligence must be undertaken when entering into relationships with a risk of bribery.
	3. In the brokering service that A4ID offer once the relationship has been established between the legal partner and the development partner, A4ID are no longer responsible for the way in which it is conducted.
	4. However, before the work is formally delegated to the legal partner A4ID take responsibility for ensuring that no bribery or corruption takes place.
2. **Bribery Risk Assessment**
	1. A detailed risk assessment has been undertaken to identify and address the issues of bribery and corruption with A4ID’s current work, which has been included in the A4ID risk register.
	2. The main risks that have been identified are: running future high value projects in Kenya, Nigeria and India; establishing future local office presences in Kenya and India; overseeing the work of ROLE UK and its deployments to developing countries.
	3. To address these risks we are: reviewing and updating our suite of appropriate policies and procedures for international project work; we are taking strategic consultancy advice to assist with setting up local office presences in appropriate fashion; and we are ensuring that our DFID-approved policies and procedures are implemented appropriate in ROLE UK.

1. **Responsibility for implementation**
	1. There must be a top level commitment so that the trustees of A4ID foster a culture whereby bribery is **never acceptable**. The Board is responsible for issuing a statement in support of our zero tolerance stance on bribery and corruption.
	2. The Finance Officer is responsible for ensuring that charity expenditure and accounting are monitored ensuring that there are not any unauthorized transactions or of an amount or nature that could suggest bribery or corruption.
	3. If the Finance Officer has any concerns, suspicions or queries these should be raised with the Chief Operating Officer.
	4. The Chief Operating Officer is responsible for ensuring that A4ID’s bribery prevention policies and procedures are embedded and understood throughout the organization through internal and external communication, including training that is proportionate to the risk.
	5. It is a criminal offence to offer, promise, give, request or accept a bribe. The legal responsibilities associated with this Act are taken very seriously. A4ID takes a zero tolerance approach to any contraventions of criminal law.
2. **Unacceptable conduct**
	1. It is unacceptable for you (or someone on your behalf) to:
		1. Give, promise to give, or offer a payment, gift, hospitality or other advantage with the expectation or hope that a business advantage will be received, or to reward a business advantage already given as an inducement to do something that is illegal or a breach of trust in the course of carrying out an organisation’s activities’; or
		2. Accept or solicit a payment, gift or hospitality from a third party that you know or suspect is offered with the expectation that it will provide an advantage for them or anyone else in return; or
		3. accept hospitality from a third party that is unduly lavish or extravagant under the circumstances offer or accept a gift to or from government officials or representatives, or politicians or political parties, without the prior approval of the Chief Operating Officer;
		4. threaten or retaliate against another individual who has refused to commit a bribery offence or who has raised concerns under this policy; or
		5. engage in any other activity that might lead to a breach of this policy;
	2. A4ID **will not tolerate** bribery and corruption and will strongly defend the benefits that arise from our reputation of operating in an open and transparent way. A4ID takes a zero tolerance approach to any contraventions.
3. **Facilitation payments and kickbacks**
	1. We do not make, and will not accept, facilitation payments or "kickbacks" of any kind.
	2. Any activity that might lead to a facilitation payment or kickback being made or accepted **must be avoided**.
	3. Any staff required to make a payment on A4ID’s behalf must be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. You should always ask for a receipt which details the reason for the payment. If you have any suspicions, concerns or queries regarding a payment, you should raise these with the Chief Operating Officer.
4. **Hospitality**
	1. This policy allows reasonable and appropriate hospitality or entertainment given to or received from third parties, for the purpose of:
		1. Establishing or maintaining good business relationships;
		2. Improving or maintaining our image or reputation; or
		3. Marketing or presenting our products and services effectively.
	2. Promotional gifts of low value such as branded stationery to or from existing partners will usually be acceptable.
	3. Reimbursing a third party’s expenses or accepting an offer to reimburse our expenses would not usually amount to bribery. However, a payment in excess of genuine and reasonable business expenses **is not acceptable**.
	4. We appreciate that practice 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, hospitality or payment is reasonable and justifiable. The intention behind it should always be considered.
5. **Donations**
	1. We do not make contributions to political parties.
	2. We only make charitable donations that are legal and ethical under local laws and practices. No donation must be offered or made without the prior approval of the Chief Operating Officer.
6. **Record Keeping**
	1. We must keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties.
	2. You must declare and keep a written record of all hospitality or gifts given or received, which will be subject to managerial review.
	3. 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.
	4. All accounts, invoices, and other records relating to dealings with third parties including suppliers and customers should be prepared with strict accuracy and completeness. Accounts must not be kept “off-book” to facilitate or conceal improper payments.

 1. **Your Responsibilities**
	1. You must ensure that you read, understand and comply with this policy.
	2. 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. You are required to avoid any activity that might lead to, or suggest, a breach of this policy.
	3. You must notify the Chief Operating Officer as soon as possible if you believe or suspect that a conflict with this policy has occurred, or may occur in the future.
2. **Raising Concerns**
	1. You are encouraged to raise concerns about any issue or suspicion of bribery or corruption at the earliest possible stage.
	2. If you are offered a bribe, or are asked to make one, or if you believe or suspect that any bribery, corruption or other breach of this policy has occurred or may occur, you must notify the Chief Operating Officer as soon as possible.
	3. If you are unsure whether a particular act constitutes bribery or corruption, you should raise it with the Chief Operating Officer.
	4. The independent whistleblowing charity, Public Concern at Work, operates a confidential helpline on 020 7404 6609.
3. **Protection**
	1. Individuals who refuse to accept or offer a bribe, or who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. We aim to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.
	2. We are 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 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, which can be found in the A4ID Staff Handbook.
4. **Training**
	1. Training on this policy forms part of the induction process for all individuals who work for us, and regular training will be provided as necessary.
	2. Our zero-tolerance approach to bribery and corruption must be communicated to all suppliers, contractors and business partners at the outset of our business relationship with them and as appropriate thereafter.
5. **Breaches**
	1. Any employee who breaches this policy will face disciplinary action, which could result in discipline or dismissal for misconduct or gross misconduct.
	2. We may terminate our relationship with other individuals and organizations working on our behalf if they breach this policy.
6. **Potential Risk Scenarios: "Red Flags"**
	1. The following is a list of possible red flags that may arise during the course of you working for us and which may raise concerns under various anti-bribery and anti-corruption laws. The list is not intended to be exhaustive and is for illustrative purposes only.
	2. If you encounter any of these red flags while working for us, you must report them promptly to the Chief Operating Officer:
		1. you become aware that a third party engages in, or has been accused of engaging in, improper business practices;
		2. you learn that a third party has a reputation for paying bribes, or requiring that bribes are paid to them, or has a reputation for having a "special relationship" with foreign government officials;
		3. a third party insists on receiving a commission or fee payment before committing to sign up to a contract with us, or carrying out a government function or process for us;
		4. a third party requests payment in cash and/or refuses to sign a formal commission or fee agreement, or to provide an invoice or receipt for a payment made;
		5. a third party requests that payment is made to a country or geographic location different from where the third party resides or conducts business;
		6. a third party requests an unexpected additional fee or commission to "facilitate" a service;
		7. a third party demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services;
		8. a third party requests that a payment is made to "overlook" potential legal violations;
		9. a third party requests that you provide employment or some other advantage to a friend or relative;
		10. you receive an invoice from a third party that appears to be non-standard or customised;
		11. a third party insists on the use of side letters or refuses to put terms agreed in writing;
		12. you notice that we have been invoiced for a commission or fee payment that appears large given the service stated to have been provided;
		13. a third party requests or requires the use of an agent, intermediary, consultant, distributor or supplier that is not typically used by or known to us; or
		14. you are offered an unusually generous gift or offered lavish hospitality by a third party.
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| **Definition of terms**  | **Bribery** is offering, promising, giving or accepting any financial or other advantage, to induce the recipient or any other person to act improperly in the performance of their functions, or to reward them for acting improperly, or where the recipient would act improperly by accepting the advantage.An **advantage** includes money, gifts, loans, fees, hospitality, services, discounts, and 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, public functions, acts in the course of employment, or other activities by or on behalf of any organisation of any kind.**Corruption** is the abuse of entrusted power or position for private gain.

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| **Examples:****Offering a bribe**You offer a potential client tickets to a major sporting event, but only if they agree to do business with us. This would be an offence as you are making the offer to gain a commercial and contractual advantage. We may also be found to have committed an offence because the offer has been made to obtain business for us. It may also be an offence for the potential client to accept your offer.**Receiving a bribe**A supplier gives your nephew a job, but makes it clear that in return they expect you to use your influence in our organisation to ensure we continue to do business with them. It is an offence for a supplier to make such an offer. It would be an offence for you to accept the offer as you would be doing so to gain a personal advantage.**Bribing a foreign official**You arrange for the business to pay an additional "facilitation" payment to a foreign official to speed up an administrative process, such as clearing goods through customs. The offence of bribing a foreign public official is committed as soon as the offer is made. This is because it is made to gain a business advantage for A4ID. We may also be found to have committed an offence.  |

**Facilitation payments,** also known as "back-handers" or "grease payments", are typically small, unofficial payments made to secure or expedite a routine or necessary action (for example by a government official). They are not common in the UK, but are common in some other jurisdictions in which we operate. **Kickbacks** are typically payments made in return for a business favour or advantage. |
| **Responsibilities** | Detailed above. |
| **Review Date** | Jan 2020 |
| **Next Review** | Jan 2021 |
| **Person Responsible for Review** | Chief Operating Officer |