



Community Benefit Society Registration No. 8781

## **Angmering Community Land Trust**

# **ANTI - BRIBERY POLICY**

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## Introduction

Angmering Community Land Trust, hereafter called “The Company” is committed to the highest standards of ethical conduct and integrity in its business activities. This policy outlines the Company’s position on preventing and prohibiting bribery, in accordance with the Bribery Act 2010. The Company will not tolerate any form of bribery by, or of, its employees, agents, volunteers, consultants or any person or body acting on its behalf. The Board of Trustees is committed to implementing effective measures to prevent, monitor and eliminate bribery.

## Scope of this policy

This policy applies to all employees and officers of the Company, whether volunteers or not and to temporary workers, consultants, contractors, agents and subsidiaries acting for, or on behalf of, the Company. Every employee and associated person acting for, or on behalf of the Company is responsible for maintaining the highest standards of business conduct. Any breach of this policy is likely to constitute a serious disciplinary, contractual and criminal matter for the individual concerned and may cause serious damage to the reputation and standing of the Company.

The Company may also face criminal liability for unlawful actions taken by its employees or associated persons under the Bribery Act 2010. All employees, volunteers and associated persons are required to familiarise themselves and comply with this policy, including any future updates that may be issued from time to time by the Company.

This policy covers the main areas of liability under the Bribery Act 2010; the responsibilities of employees, volunteers and associated persons acting for, or on behalf of, the Company; and the consequences of any breaches of this policy. As a responsible company we are required to demonstrate compliance with various acts of legislation, including Anti-Bribery and Money Laundering, and we look to guarantee that our contractors and agents comply to the same public standards before we can consider them on a contractual basis.

## Bribery Act 2010

The Company is committed to complying with the Bribery Act 2010 in all its business activities. Under the Bribery Act 2010, a bribe is a financial or other type of advantage that is offered or requested with the intention of inducing or rewarding improper performance of a function or activity; or knowledge or belief that accepting such a reward would constitute the improper performance of such a function or activity.

A relevant function or activity includes public, state or business activities or any activity performed in the course of a person’s employment or voluntary activity or on behalf of another company or individual, where the person performing that activity is expected to perform it in good faith, impartially, or in accordance with a position of trust.

A criminal offence will be committed under the Bribery Act 2010 if:

- an employee, volunteer or associated person acting for, or on behalf of, the Company offers, promises, gives, requests, receives or agrees to receive bribes; or
- an employee, volunteer or associated person acting for, or on behalf of, the Company offers, promises or gives a bribe to a public official with the intention of influencing that official in the performance of his/her duties (where local law does not permit or require such influence); and

- the Company does not have the defence that it has adequate procedures in place to prevent bribery by its employees or associated persons.

All employees, volunteers and associated persons are required to comply with this policy, in accordance with the Bribery Act 2010.

## **What is prohibited?**

The Company prohibits employees, volunteers or associated persons from offering, promising, giving, soliciting or accepting any bribe. The bribe might be cash, a gift or other inducement to, or from, any person or company, whether a public or government official, official of a state-controlled industry, political party or a private person or company, regardless of whether the employee or associated person is situated in the UK or overseas. The bribe might be made to ensure that a person or company improperly performs duties or functions (for example, by not acting impartially or in good faith or in accordance with their position of trust) to gain any commercial, contractual or regulatory advantage for the Company in either obtaining or maintaining Company business, or to gain any personal advantage, financial or otherwise, for the individual or anyone connected with the individual.

This prohibition also applies to indirect contributions, payments or gifts made in any manner as an inducement or reward for improper performance, for example through consultants, contractors or sub-contractors, agents or sub-agents, sponsors or sub-sponsors, joint-venture partners, advisors, customers, suppliers or other third parties.

## **Records**

Employees and, where applicable, volunteers or associated persons, are required to take particular care to ensure that all company records are accurately maintained in relation to any contracts or business activities, including financial invoices and all payment transactions with clients, suppliers and public officials.

Due diligence should be undertaken by employees and associated persons prior to entering into any contract, arrangement or relationship with a potential supplier of services, agent, consultant or representative. Employees and associated persons are required to keep accurate, detailed and up-to-date records of all corporate hospitality, entertainment or gifts accepted or offered.

## **Facilitation payments**

The Company prohibits its employees or associated persons from making or accepting any facilitation payments. These are payments made to officials for carrying out or speeding up routine procedures. Facilitation payments are distinct from an official, publicly available fast-track process. Facilitation payments, or offers of such payments, will constitute a criminal offence by both the individual concerned and the Company under the Bribery Act 2010.

Where a public official has requested a payment, employees or associated persons should ask for further details of the purpose and nature of the payment in writing. If the public official refuses to give these, this should be reported immediately to the Company Secretary. If the public official provides written details then the Company will consider the nature of the payment. Local legal advice may be sought by the Company.

The Company will seek the assistance of the relevant employee or volunteer in its investigation and may determine that the matter should be referred to the prosecution authorities.

If an employee, volunteer or associated person has any other concerns about the nature of a request for payment, he/she should report it to the Company Secretary as soon as possible.

## **Corporate entertainment, gifts, hospitality and promotional expenditure**

The Company permits corporate entertainment, gifts, hospitality and promotional expenditure that is undertaken for the purpose of establishing or maintaining good business relationships; to improve the image and reputation of the Company; or to present the Company's goods or services effectively;

However, such actions must be arranged in good faith, and not offered, promised or accepted to secure an advantage for the Company or any of its employees, volunteers or associated persons or to influence the impartiality of the recipient.

The Company will authorise only reasonable, appropriate and proportionate entertainment and promotional expenditure. This principle applies to employees, volunteers and associated persons.

Employees and, where relevant, volunteers and associated persons should submit requests for proposed hospitality and promotional expenditure well in advance of proposed dates to the company Treasurer. They must set out in writing the objective of the proposed client entertainment or expenditure and state who will be attending.

The Company will approve business entertainment proposals only if they demonstrate a clear business objective and are appropriate for the nature of the business relationship. The Company will not approve business entertainment where it considers that a conflict of interest may arise or where it could be perceived that undue influence or a particular business benefit was being sought (for example, prior to a tendering exercise).

Any gifts, rewards or entertainment received or offered from clients, public officials, suppliers or other business contacts should be reported immediately to the Company Secretary. In certain circumstances, it may not be appropriate to retain such gifts or be provided with the entertainment and employees, volunteers and associated persons may be asked to return the gifts to the sender or refuse the entertainment, for example, where there could be a real or perceived conflict of interest. As a general rule, small tokens of appreciation, such as flowers or a bottle of wine, may be retained by the beneficiary.

If the intention is to provide gifts to suppliers, clients or other business contacts, prior approval from the Company Secretary is required together with details of the intended recipients, reasons for the gift and business objective. These will be authorised only in limited circumstances. Employees, volunteers and, where applicable, associated persons must supply records and receipts.

## **Charitable and political donations**

The Company considers that charitable giving can form part of its wider commitment and responsibility to the community. The Company may also support fund raising events involving employees and volunteers.

The Company will not make donations to any political parties or political /charities whether directly or on its behalf through a third party.

## **What practices are permitted?**

This policy does not prohibit normal and appropriate hospitality and entertainment with clients or the legitimate use of any recognised fast-track process that is publicly available on payment of a fee. Any such practices must be proportionate, reasonable and made in good faith and clear records must be kept.

## **Risk management**

The Company has established financial policies and procedures to prevent, detect and prohibit bribery. The Company will assess its key business activities and, where relevant, will identify employees, volunteers or officers of the Company who are in positions where they may be exposed to bribery.

## **Reporting suspected bribery**

The Company depends on its employees, volunteers and associated persons to ensure that the highest standards of ethical conduct are maintained in all its business dealings and must remain vigilant in preventing, detecting and reporting bribery.

Employees, volunteers and associated persons are encouraged to report any concerns that they may have to the Company Secretary as soon as possible who will make a record and report the matter to the Board of Trustees.

## **Action by the Company**

The Company will fully investigate any instances of alleged or suspected bribery. Employees and volunteers suspected of bribery may be suspended from their duties while the investigation is being carried out.

The Company will invoke its disciplinary procedures where any employee or volunteer is suspected of bribery. Proven allegations may result in a finding of gross misconduct and immediate dismissal. The Company may terminate the contracts of any associated persons, including consultants or other workers who act for, or on behalf of, the Company who are found to have breached this policy.

The Company may also report any matter to the relevant authorities, including the Director of Public Prosecutions, Serious Fraud Office, Revenue and Customs Prosecutions Office and the Police. The Company will provide all necessary assistance to the relevant authorities in any subsequent prosecution.

## **Review of procedures and training**

The Company will communicate its anti-bribery measures to employees, volunteers and associated persons. The Company will monitor and review the implementation of this policy and related procedures on a regular basis.