

Purpose

To outline the measures which Rory's Well takes to prevent bribery and the procedures that should be followed if bribery occurs. It aims to help the organisation establish a defence under section 7 of the Bribery Act and to minimise any operational or reputational risks associated with individuals giving or taking bribes on its behalf. These requirements are also intended to prevent violation of local anti-corruption laws but you should make yourself aware of any additional unusual or specific local laws if you are operating outside the UK.

Scope

This policy applies to all trustees, volunteers and employees working with Rory's Well

Policy

Bribery Prevention

Rory's Well is committed to tackling bribery at the highest level. Rory's Well clearly articulates its zero tolerance on bribery via this policy.

Risk Assessment

The risk of bribery forms part of our organisation's risk assessment which is reviewed by the Trustees Committee.

Rory's Well recognises that the threat of bribery varies across countries, areas of work, partners and activities and that our organisation must respond proportionately to those risks. Therefore projects implemented through partner organisations must be individually risk assessed.

Due Diligence

Recruitment

Rory's Well recognises that good anti-bribery practice starts from the outset of employing an individual or a partner either in a paid role or as a trustee or volunteer. It therefore:

- Ensures that all prospective, trustees and volunteers and employees understand Rory's Well's anti-bribery policy
- Ensures that Terms and Conditions of employment (if any) prohibit the giving or receiving of bribes on behalf of Rory's Well.

Working Overseas

Trustees or volunteers managing projects or working overseas must receive guidance from the Trustee Committee on bribery risks before they begin assignments. You must assess and manage the risks associated with working in specific countries and regions before new work can start.

Working with Suppliers and in Partnerships

Rory's Well is liable under the Bribery Act if a person 'associated' with it bribes another intending to obtain or retain business or a business advantage for Rory's Well. The Act's definition of an associate is deliberately broad to include individuals, incorporated and

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unincorporated bodies supplying services to Rory's Well (rather than just goods) or acting on Rory's Well's behalf as a partner or agent.

Rory's Well requires all individuals engaging suppliers and working with partners on behalf of Rory's Well to comply fully with the finance policies and ensure that:

- Due diligence is carried out on partners before entering into agreements
- All partners and suppliers engaged under Rory's Well's procurement policy are briefed on Rory's Well's anti-bribery policy.
- Contractual agreements explicitly prohibit the giving or receiving of bribes on behalf of Rory's Well

Communication

All trustees, volunteers and staff must understand and comply with Rory's Well's anti-bribery policy. To ensure that this is communicated, Rory's Well:

- Publishes this policy on its website
- An associated 'Fraud & Whistle Blowing Policy' is in place
- Briefs all volunteers, trustees and staff on Rory's Well's anti-bribery policy as part of their induction process.

Definitions

Bribery

Bribery is the offering, promising, giving, accepting or soliciting of money, a gift or other advantage as an inducement to do something that is illegal or a breach of trust in the course of carrying out an organisation's activities. It specifically includes the making of Facilitation Payments.

Examples of bribery may include:

- A potential supplier offering you some money, a gift or hospitality in order to influence a tendering process.
- A job applicant offering to pay you to increase his/her chance of being offered employment.
- Offering payment to a government official in order to speed up or complete a process they are otherwise required to perform. This can be either directly or via a government agent or lobbyist.

It is illegal to give or receive a bribe under the Bribery Act and organisations are liable for bribes taken or given on their behalf where it does not have adequate procedure in place.

Government Officials

Is very broadly defined and includes government employees, employees of state owned enterprises, members of political parties and employees international organisations.

Facilitation Payments

Facilitation payments are payments which induce officials (including government officials) to perform routine functions they are otherwise obliged to perform. Facilitation payments are bribes and there is no exemption for them under the Bribery Act. Facilitation payments do not include legally required administration fees and legitimate fast track services.

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Gifts and Hospitality

These can range from small gifts (such as stationery) to expensive hospitality (tickets for major events, holidays etc.). Hospitality or promotional expenditure which is proportionate and reasonable to demonstrating goods or services or reflecting good relations is unlikely to qualify as a bribe. However, extravagant gifts and hospitality may be used to disguise bribes that are intended to induce improper behaviour.

Responsibilities

Rory's Well entrusts all individuals across the organisation to take a proactive role in continually improving the organisation's anti-bribery policy and practice.

The Board is responsible for ensuring that this policy and any associated policies are fit for purpose and complied with.

Programme Leaders / Budget Holders are responsible for holding any volunteer or employee working with them, as well as any project partners to account. They are responsible for ensuring their projects are properly planned and have undertaken due diligence and that risks are assessed and managed in line with this policy.

Every individual is responsible for not giving or receiving bribes and challenging instances where bribery may occur. They are responsible for reporting all bribery that they are aware of via the procedures laid out in this policy.

Procedures

What should you do if you are offered or asked for a bribe?

Individuals should reject demands for or offers of bribes and Rory's Well's anti-bribery stance should be made clear.

If offered gifts, meals, tickets etc. it is important to question the intention behind the offer. If in any doubt that the gift or hospitality is not proportionate and reasonable to demonstrating goods or services or reflecting good relations check with a Trustee or if you are a Trustee, with the Chair of Trustees before accepting, or where this is not possible you must reject the offer.

Any acceptance of gifts etc. will need to be recorded and a full list submitted to the Finance Committee within one month of the event each year,

The only circumstance where payment might not necessarily be avoided is when health and security is seriously at risk. Trustees and volunteers should plan their operations and have security procedures to reduce the risk of such payments being requested under duress.

Where bribery is suspected or where it occurs:

To enable proper investigation, staff should record the details of any bribery or attempted bribery, as soon as possible after the event. A procedure chart contained in the 'Fraud &

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Whistle Blowing Policy' outlines the steps individuals should follow. The objective of an investigation should be to:

- Confirm whether or not a bribe has taken place, and to identify who was responsible
- Confirm whether internal controls and anti-bribery procedures have worked in practice
- Identify any improvements required to anti-bribery procedures

Depending on the findings of the investigation, subsequent action will be determined. This may involve disciplinary action against trustees or volunteers involved or external reporting to one or more of the following bodies:

- A senior official or director of another organisation, if the person making the bribe is from that organisation
 - Local police/law enforcement agencies, including the Serious Fraud Office (if deemed appropriate by the Trustees)
 - Relevant government department where the bribe took place
 - The Charity Commission, if the matter is considered a 'serious incident'
 - Transparency International UK
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