



Glen Hills Primary School Anti-Bribery Policy

ANTI-BRIBERY POLICY

1. INTRODUCTION

- 1.1 This document sets out Glen Hills' policy and advice to personnel and fund-raising volunteers in dealing with bribery or suspected bribery.
- 1.2 The Bribery Act 2010, which came into force on 1 July 2011, introduced a new, clearer regime for tackling bribery. It covers all sorts of bribery; the offering and receiving of a bribe, directly or indirectly, whether or not it involves a public official, in the UK or abroad.
- 1.3 Bribery is a criminal offence for both individuals and commercial organisations and can be punished with imprisonment of up to 10 years or unlimited fines. If any employee were accused of bribery, Glen Hills's reputation might be damaged considerably, and subsequent enforcement action would be time-consuming and hinder Glen Hills from focussing on its core business and service delivery. Similarly, if any fundraising volunteer member were accused of bribery, the above criteria could also apply.
- 1.4 It is therefore the policy of Glen Hills to prohibit any form of bribery or corrupt practices, whether covered directly by the Bribery Act 2010 or not. The policy applies to Glen Hills, all its employees and anyone acting for, or on behalf of, the college including governors, volunteers, temporary workers, consultants and contractors (henceforth known as 'personnel')

2. DEFINITIONS

- 2.1 Definitions for bribery and corruption vary, but both are covered within The Bribery Act 2010. Some common definitions are:

Bribery - "Inducement for an action which is illegal, unethical or a breach of trust. Inducements can take the form of gifts, loans, fees, rewards or other advantages".

Corruption - This can be broadly defined as the offering or acceptance of inducements, gifts, favours, payment or benefit-in-kind which may influence the action of any person. Corruption does not always result in a loss. The corrupt person may not benefit directly from their deeds; however, they may be unreasonably using their position to give some advantage to another. It is a common law offence of corruption to bribe the holder of a public office and it is similarly an offence for the office holder to accept a bribe.

3. SCOPE

3.1 This policy relates to all forms of bribery and is intended to provide direction and help to personnel who may identify, or suspect bribery. The overall aims of this policy are to:

- improve the knowledge and understanding of everyone in Glen Hills, irrespective of their position, about the risk of bribery within the organisation and its unacceptability
- assist in promoting a climate of openness and a culture and environment where staff feel able to raise concerns sensibly and responsibly
- set out Glen Hills's responsibilities in terms of the deterrence, prevention, detection and investigation of bribery and corruption
- ensure the appropriate sanctions are considered following an investigation, which may include any or all of the following:
 - Criminal prosecution
 - civil prosecution
 - internal/external disciplinary action (including professional/regulatory bodies)

3.2 This policy applies to all personnel of Glen Hills regardless of position held, as well as those acting on behalf of the college, including governors, volunteers, temporary workers, consultants, contractors, and/or any other parties who have a business relationship with Glen Hills. It will be brought to the attention of all personnel and board members, and will form part of the induction process for new staff and governors. All of the above must report any concerns they may have concerning bribery.

3.3 In implementing this policy, managers must ensure that all staff are treated fairly and within the provisions and spirit of Glen Hills's Equal Opportunities Policy.

Glen Hills has procedures in place that reduce the likelihood of bribery occurring. These include Standing Orders, Financial Regulations, documented policies and procedures, including a policy on whistleblowing, a system of internal control (including Internal and External Audit) and a system of risk assessment.

4. PUBLIC SERVICE VALUES

4.1 The three fundamental public service values are:

Accountability	Everything done by those who work at/for Glen Hills must be able to stand the tests of parliamentary scrutiny, public judgements on propriety and professional codes of conduct.
Probity	Absolute honesty and integrity should be exercised in dealing with all aspects of Glen Hills's operations.

Openness Glen Hills's actions should be sufficiently open and transparent to promote confidence between Glen Hills, our personnel and the public.

In addition, all those who work for, or are in a contract with, Glen Hills should exercise the following when undertaking their duties:

Selflessness ...should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends

Integrity ...should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties

Objectivity ... should, in carrying out public business, (including making public appointments , awarding contracts, or recommending individuals for rewards and benefits), make choices on merit

Accountability ...are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their role

Openness ...should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest demands

Honesty ...have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest

Leadership ...should promote and support these principles by leadership and example

5. POLICY

5.1.1 All personnel have a personal responsibility to protect Glen Hills from bribery or corruption, are responsible for maintaining the highest standards of business conduct and are expected to behave honestly and with integrity

5.1.2 Glen Hills is absolutely committed to maintaining an honest, open and constructive culture so as to best fulfil its objectives. It is, therefore, also committed to the elimination of bribery, to the rigorous investigation of any such allegations and to taking appropriate action against wrong doers, including possible criminal prosecution.

5.1.3 Any gifts, payments or any other contribution, whether in cash or in kind, which are greater in value than £20.00 shall be documented, regularly reviewed, and properly accounted for.

5.1.4 Glen Hills obtains goods and services ethically and transparently with the quality, sustainability, price and value for money determining the successful supplier/contractor, not by receiving (or offering) improper inducements. Glen Hills will not engage in any form of bribery, either in the UK or abroad.

5.1.5 Glen Hills prohibits personnel and associated persons from offering, giving, soliciting or accepting any bribe in any way, or to give, or be perceived to have given, a

financial or other advantage to any person (whether a UK or foreign public official, political candidate, party official, private individual, private or public sector employee or any other person) in order to induce that person to perform his/her functions or activities improperly. The bribe might include cash, a gift or other inducement, to or from any person or organisation, by an individual governor, employee, agent or other person or body acting on the college's behalf. The bribe might be in order to:

- Gain any commercial, contractual or regulatory advantage for Glen Hills in a way which is unethical;
- Gain any personal advantage, financially, or otherwise, for the individual or anyone connected with the individual.

5.1.6 Glen Hills may, in certain circumstances, be held responsible for acts of bribery committed by intermediaries acting on its behalf such as subsidiaries, clients, business partners, contractors, suppliers, agents, advisors, consultants or other third parties. The use of intermediaries for the purpose of committing acts of bribery is prohibited.

5.1.7 All intermediaries shall be selected with care, and all agreements with intermediaries shall be concluded under terms that are in line with this policy. Glen Hills will contractually require its agents and other intermediaries to comply with the Anti Bribery Policy and to keep proper books and records available for inspection by Glen Hills, auditors or investigating authorities. Agreements with agents and other intermediaries shall at all times provide for the necessary contractual mechanisms to uphold the anti-bribery policy. Glen Hills will monitor performance and, in case of non-compliance, require things to be put right, apply sanctions, or eventually terminate the agreement even if this may result in a loss of business.

5.1.8 All personnel should be aware that bribery will normally be regarded as a serious disciplinary offence which will be addressed in accordance with Glen Hills's existing disciplinary policy and associated procedures.

5.2 FACILITATION PAYMENTS

5.2.1 'FACILITATION PAYMENTS' ARE PAYMENTS MADE TO SECURE OR SPEED UP THE PERFORMANCE OF A ROUTINE ACTION BY A GOVERNMENT OFFICIAL OR AGENCY TO WHICH THE PAYER (OR THE COMPANY) HAS LEGAL OR OTHER ENTITLEMENT.

5.2.2 FACILITATION PAYMENTS ARE PROHIBITED UNDER THE BRIBERY ACT LIKE ANY OTHER FORM OF BRIBE. THEY SHALL NOT BE GIVEN BY GLEN HILLS OR GLEN HILLS'S PERSONNEL

5.3 GIFTS AND HOSPITALITY

5.3.1 THIS POLICY IS NOT INTENDED TO PROHIBIT APPROPRIATE CORPORATE ENTERTAINMENT AND/OR HOSPITALITY UNDERTAKEN IN CONNECTION WITH GLEN HILLS'S BUSINESS ACTIVITIES, PROVIDED THE ACTIVITY IS CUSTOMARY UNDER THE CIRCUMSTANCES, IS PROPORTIONATE, AND IS PROPERLY RECORDED / DISCLOSED TO GLEN HILLS IN ACCORDANCE WITH ITS PROCEDURES.

5.3.2 COURTESY GIFTS AND HOSPITALITY MUST NOT BE GIVEN OR RECEIVED IN RETURN FOR SERVICES PROVIDED OR TO OBTAIN OR RETAIN BUSINESS BUT SHALL BE HANDLED OPENLY AND UNCONDITIONALLY AS A GESTURE OF ESTEEM AND GOODWILL ONLY. GIFTS AND HOSPITALITY SHALL ALWAYS BE OF SYMBOLIC VALUE, APPROPRIATE AND PROPORTIONATE IN THE CIRCUMSTANCES, AND CONSISTENT WITH LOCAL CUSTOMS AND PRACTICES. THEY SHALL NOT BE MADE IN CASH. PLEASE REFER TO GLEN HILLS'S GIFTS AND HOSPITALITY GUIDANCE AND REGISTER FOR MORE GUIDANCE.

5.4 POLITICAL & CHARITABLE CONTRIBUTIONS

5.4.1 GLEN HILLS DOES NOT MAKE ANY CONTRIBUTIONS TO POLITICIANS, POLITICAL PARTIES OR ELECTION CAMPAIGNS.

5.4.2 GLEN HILLS MAY MAKE CHARITABLE DONATIONS. PAYMENTS SHALL NOT BE MADE WHICH ARE DESIGNED TO IMPROPERLY INFLUENCE ANY FUNCTION OR ACTIVITY THAT SOMEONE IS EXPECTED TO PERFORM IN GOOD FAITH, IMPARTIALLY OR IN A POSITION OF TRUST.

5.4.3 ANY DONATIONS AND CONTRIBUTIONS MUST BE ETHICAL AND TRANSPARENT. THE RECIPIENT'S IDENTITY AND PLANNED USE OF THE DONATION MUST BE CLEAR, AND THE REASON AND PURPOSE FOR THE DONATION MUST BE JUSTIFIABLE AND DOCUMENTED. ALL CHARITABLE DONATIONS WILL BE PUBLICLY DISCLOSED.

5.4.4 DONATIONS TO INDIVIDUALS AND FOR-PROFIT ORGANISATIONS AND DONATIONS PAID TO PRIVATE ACCOUNTS ARE INCOMPATIBLE WITH GLEN HILLS'S ETHICAL STANDARDS AND ARE PROHIBITED.

5.5 SPONSORING

5.5.1 SPONSORING MEANS ANY CONTRIBUTION IN MONEY OR IN KIND BY GLEN HILLS TOWARDS AN EVENT ORGANISED BY A THIRD PARTY IN RETURN FOR THE OPPORTUNITY TO RAISE GLEN HILLS'S PROFILE. ALL SPONSORING CONTRIBUTIONS MUST BE TRANSPARENT, PURSUANT TO A WRITTEN AGREEMENT, FOR LEGITIMATE BUSINESS PURPOSES, AND PROPORTIONATE TO THE CONSIDERATION OFFERED BY THE EVENT HOST. THEY MAY NOT BE MADE TOWARDS EVENTS ORGANISED BY INDIVIDUALS OR ORGANISATIONS THAT HAVE

GOALS INCOMPATIBLE WITH GLEN HILLS'S ETHICAL STANDARDS OR THAT WOULD DAMAGE GLEN HILLS'S REPUTATION. ALL SPONSORSHIPS WILL BE PUBLICLY DISCLOSED.

5.5.2 WHERE COMMERCIAL SPONSORSHIP IS USED TO FUND GLEN HILLS'S TRAINING EVENTS, TRAINING MATERIALS AND GENERAL MEETINGS, THE SPONSORSHIP MUST BE TRANSPARENT, PURSUANT TO A WRITTEN AGREEMENT, FOR LEGITIMATE BUSINESS PURPOSES, AND PROPORTIONATE TO THE OCCASION. WHERE MEETINGS ARE SPONSORED BY EXTERNAL SOURCES, THAT FACT MUST BE DISCLOSED IN THE PAPERS RELATING TO THE MEETING AND IN ANY PUBLISHED MINUTES/PROCEEDINGS.

5.5.3 WHERE SPONSORSHIP LINKS TO THE DEVELOPMENT OF GUIDELINES AND ADVICE, THIS SHOULD BE CARRIED OUT IN CONSULTATION WITH GLEN HILLS'S NOMINATED MEMBER OF THE SENIOR MANAGEMENT TEAM.

6. RAISING CONCERNS

6.1 Personnel and associated persons are requested to remain vigilant in preventing, detecting and reporting bribery. Personnel and associated persons are expected to report any concerns regarding any suspected bribery in accordance with the College's procedures outlined in the Glen Hills Public Interest Disclosure Policy, which will be rigorously enforced, so that no individual will suffer any detrimental treatment as a result of reporting reasonably held suspicions. The Public Interest Disclosure Act 1998 came into force in July 1999 and gives statutory protection, within defined parameters, to staff who make disclosures about a range of subjects, including bribery and corruption, which they believe to be happening within the organisation employing them. Within this context, 'reasonably held' means suspicions other than those which are raised maliciously and are subsequently found to be groundless.

6.2 Any unfounded or malicious allegations will be subject to a full investigation and appropriate disciplinary action.

7. ROLES & RESPONSIBILITIES

7.1 THE BOARD

7.1.1 The board has a duty to ensure that it provides a secure environment in which to work, and one where people are confident to raise concerns without worrying that it will reflect badly on them. This extends to ensuring that staff feel protected when carrying out their official duties and are not placed in a vulnerable position. If staff have concerns about any procedures or processes that they are asked to be involved in, the college has a duty to ensure that those concerns are listened to and addressed.

7.1.2 The board and/or the Principal will be liable to be called to account for failing to prevent bribery. Glen Hills therefore has a duty to ensure personnel receive adequate training and support in order to carry out their responsibilities. Therefore, the Principal and/or another nominated member of the senior management team will monitor and ensure compliance with this policy.

7.2 PERSONNEL

- 7.2.1 For the purposes of this policy, 'Personnel' include Glen Hills' staff, Governors, volunteers, temporary workers, consultants and contractors.
- 7.2.2 Governors and staff at all levels will lead by example in acting with the utmost integrity and ensuring adherence to all relevant regulations, policies and procedures.
- 7.2.3 Personnel must act in accordance with Glen Hills's Governor/Staff Codes of Conduct and Standing Orders which include guidance on the receipt of gifts or hospitality.
- 7.2.4 Personnel who are involved in receiving offers of sponsorship, funding or gifts from outside agencies also should comply with their own professional codes of practice where applicable.

7.3 MANAGERS

- 7.3.1 Line managers at all levels have a responsibility to ensure that an adequate system of internal control exists within their areas of responsibility and that controls operate effectively. The responsibility for the prevention and detection of bribery therefore primarily rests with managers but requires the co-operation of all personnel.
- 7.3.2 As part of that responsibility, line managers need to:
- Inform staff of Glen Hills's Code of Conduct and financial and anti-bribery policies as part of their induction process, paying particular attention to the need for accurate completion of personal records and forms.
 - ensure that all personnel for whom they are accountable are made aware of the requirements of the policy.
 - assess the types of risk involved in the operations for which they are responsible.
 - ensure that adequate control measures are put in place to minimise the risks. This must include clear roles and responsibilities, supervisory checks, staff rotation (particularly in key posts), separation of duties wherever possible so that control of a key function is not invested in one individual, and regular reviews, reconciliations and test checks to ensure that control measures continue to operate effectively.
 - be aware of Glen Hills 's anti bribery policy
 - identify sensitive/at-risk posts
 - ensure that controls are being complied with

- contribute to their line manager's assessment of the risks and controls within their area, which feeds into Glen Hills's overall statements of accountability and internal control.

7.3.3 All instances of actual or suspected bribery, which come to the attention of a manager, must be reported immediately. It is appreciated that some personnel will initially raise concerns with their manager, however, in such cases managers must not attempt to investigate the allegation themselves, and they have the clear responsibility to refer the concerns in line with Glen Hills's Public Interest Disclosure Policy as soon as possible.

7.4 INFORMATION MANAGEMENT & TECHNOLOGY

7.4.1 The Head of Library and Learning Technologies and Student Support Services will contact the Principal immediately in all cases where there is suspicion that Glen Hills's IT infrastructure is being used for the purposes of bribery. This includes inappropriate use of internet/intranet, e-mail, telephones and PDAs.

7.5 PROCUREMENT

7.5.1 PROCUREMENT PRACTICES WILL BE CONDUCTED IN A FAIR AND TRANSPARENT MANNER AND NOT DEAL WITH CONTRACTORS OR SUPPLIERS KNOWN OR REASONABLY SUSPECTED TO BE PAYING BRIBES. BEFORE ENGAGING CONTRACTORS AND SUPPLIERS, GLEN HILLS WILL UNDERTAKE PROPERLY DOCUMENTED DUE DILIGENCE. GLEN HILLS WILL REQUIRE CONTRACTORS AND SUPPLIERS TO COMPLY WITH ITS ANTI-BRIBERY POLICY AS A MINIMUM STANDARD. AGREEMENTS WITH CONTRACTORS AND SUPPLIERS SHALL, AT ALL TIMES, PROVIDE FOR THE NECESSARY CONTRACTUAL MECHANISMS TO ENFORCE COMPLIANCE WITH THE ANTI BRIBERY ARRANGEMENTS. GLEN HILLS WILL MONITOR PERFORMANCE AND, IN CASE OF NON-COMPLIANCE, REQUIRE THE CORRECTION OF DEFICIENCIES, APPLY SANCTIONS, OR EVENTUALLY TERMINATE THE AGREEMENT.

8. EXTERNAL COMMUNICATIONS

Individuals (be they personnel, temporary workers, volunteers, consultants, contractors or suppliers) must not communicate directly with any member of the press, media or any other third party about a suspected act of bribery, but should address any such concerns in accordance with Glen Hills's Public Interest Disclosure Policy.

9. TRAINING

9.1 GLEN HILLS WILL PROVIDE ANTI BRIBERY TRAINING TO ALL RELEVANT PERSONNEL TO MAKE THEM AWARE OF OUR ANTI BRIBERY POLICY AND GUIDELINES, IN PARTICULAR OF POSSIBLE TYPES OF BRIBERY, THE RISKS OF ENGAGING IN BRIBERY ACTIVITY, AND HOW PERSONNEL MAY REPORT SUSPICION OF BRIBERY.

10. RELATED POLICIES

- Staff Code of Conduct
- Governor Code of Conduct
- Standing Orders

- Financial Regulations (including Fraud Policy)
- Tendering and contracting policies and procedures
- Disciplinary policy

