



## Learning Link Multi-Academy Trust (LLMAT)

### Anti-Corruption and Bribery Policy

(January 2019)

Policy: Anti-Corruption and Bribery

Version: 1

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*Date drafted: January 2019*

*Date approved: February 2019*

*Approved by: LLMAT Trustees*

*Date for renewal: January 2020*

## **Anti-corruption and bribery policy**

### **1. Policy statement**

- 1.1 It is our policy to conduct all of our work in an open, 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 dealings and relationships wherever we operate and implementing and enforcing effective systems to counter bribery and corruption.
- 1.2 We will uphold all laws relevant to countering bribery and corruption, including the Bribery Act 2010.

### **2. About this policy**

- 2.1 The purpose of this policy is to:
  - (a) set out our responsibilities, and of those working for us, in observing and upholding our position on bribery and corruption; and
  - (b) provide information and guidance to those working for us on how to recognise and deal with bribery and corruption issues.
- 2.2 It is a criminal offence to offer, promise, give, request, or accept a bribe. Individuals found guilty can be punished by up to ten years' imprisonment and/or a fine. As an employer if we fail to prevent bribery we can face an unlimited fine and damage to our reputation. We therefore take our legal responsibilities very seriously.
- 2.3 In this policy, **third party** means any individual or organisation you come into contact with during the course of your work for us.
- 2.4 This policy does not form part of any employee's contract of employment and we may amend it at any time.

### **3. Who must comply with this policy?**

This policy applies to all persons working for LLMAT or on our behalf in any capacity, including employees at all levels, directors, officers, agency workers, seconded workers, volunteers, interns, agents, contractors, external consultants, third-party representatives and business partners, sponsors, or any other person associated with us, wherever located.

### **4. Who is responsible for the policy?**

- 4.1 The LGB has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it.
- 4.2 Headteachers have primary and day-to-day responsibility for implementing this policy and will report to the LGB.
- 4.3 Management at all levels are responsible for ensuring those reporting to them understand and comply with this policy and are given adequate and regular training on it.
- 4.4 You are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the compliance manager.

## 5. What are bribery and corruption?

5.1 **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.

5.2 An **advantage** includes money, gifts, loans, fees, hospitality, services, discounts, the award of a contract or anything else of value.

5.3 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.

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

## 6. What you must not do

It is not acceptable for you (or someone on your behalf) to:

- (a) give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that an advantage will be received, or to reward an advantage already given;
- (b) give or accept a gift or hospitality during any commercial negotiations or tender process, if this could be perceived as intended or likely to influence the outcome;
- (c) accept a payment, gift or hospitality from a third party that you know or suspect is offered with the expectation that it we will provide a business advantage for them or anyone else in return;
- (d) accept hospitality from a third party that is unduly lavish or extravagant under the circumstances.
- (e) offer or accept a gift to or from government officials or representatives, or politicians or political parties;
- (f) threaten or retaliate against another individual who has refused to commit a bribery offence or who has raised concerns under this policy; or
- (g) engage in any other activity that might lead to a breach of this policy.

## 7. Facilitation payments and kickbacks

7.1 We do not make, and will not accept, facilitation payments or "kickbacks" of any kind.

7.2 **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.

7.3 **Kickbacks** are typically payments made in return for a business favour or advantage.

7.4 You must avoid any activity that might lead to a facilitation payment or kickback being made or accepted by us or on our behalf, or that might suggest that such a payment will be made or accepted. If you are asked to make a payment on our behalf, you should always 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 your Headteacher.

## **8. Gifts, hospitality and expenses**

8.1 The giving and accepting of gifts is allowed if the following requirements are met:

- (a) it is not made with the intention of influencing a third party to obtain any advantage, or to reward the provision or retention of an advantage, or in explicit or implicit exchange for favours or benefits;
- (b) it does not include cash or a cash equivalent (such as gift certificates or vouchers);
- (c) it is appropriate in the circumstances, taking account of the reason for the gift, its timing and value;
- (d) it is given openly, not secretly; and
- (e) it complies with any applicable law.

## **9. Record-keeping**

9.1 We must keep financial records and have appropriate internal controls in place which will evidence the operational reason for making payments to third parties.

9.2 You must declare and keep a written record of all gifts given or received, which will be subject to managerial review.

9.3 All accounts, invoices, and other records relating to dealings with third parties should be prepared with strict accuracy and completeness. Accounts must not be kept "off-book" to facilitate or conceal improper payments.

## **10. Your responsibilities**

10.1 You must ensure that you read, understand and comply with this policy.

10.2 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.

10.3 You must notify your manager as soon as possible if you believe or suspect that a conflict with this policy has occurred, or may occur in the future.

## **11. How to raise a concern**

11.1 You are encouraged to raise concerns about any issue or suspicion of bribery or corruption at the earliest possible stage.

11.2 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 your manager as soon as possible.

11.3 If you are unsure about whether a particular act constitutes bribery or corruption, you are encouraged to raise this internally.

## **12. Protection**

- 12.1 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.
- 12.2 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.

## **13. Training and communication**

- 13.1 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.
- 13.2 Our zero-tolerance approach to bribery and corruption must be communicated to all suppliers, contractors and partners at the outset of our relationship with them and as appropriate thereafter.

## **14. Breaches of this policy**

- 14.1 Any employee who breaches this policy will face disciplinary action, which could result in dismissal for misconduct or gross misconduct.
- 14.2 We may terminate our relationship with other individuals and organisations working on our behalf if they breach this policy.