

ANTI BRIBERY AND CORRUPTION POLICY

1. POLICY STATEMENT

1.1 CRESS takes a zero tolerance approach to bribery and corruption and will uphold all applicable laws relevant to countering bribery and corruption. As a UK registered charity (Charity No. 1141343) CRESS remains bound by the laws of the UK, including the Bribery Act 2010 (the "Act"), in respect of its activities both at home and abroad. It undertakes due diligence on its partners and associates and takes reasonable steps to ensure that they apply all applicable anti-bribery and anti-corruption laws.

1.2 The purpose of this policy is to:

- (a) set out the responsibilities of CRESS in observing and upholding its policy on bribery and corruption;
- (b) provide information and guidance to CRESS trustees, employees, volunteers and associated persons or organisations working with or on behalf of CRESS to accomplish the objectives of CRESS (hereafter "associates") on how to recognise and deal with bribery and corruption issues; and
- (c) establish standards of conduct for CRESS trustees, employees, volunteers and associates so that they can comply with the provisions of the law.

1.3 Bribery and corruption harm legitimate business activities and are serious criminal offences. Under the Act bribery and corruption are punishable for individuals by up to 10 years' imprisonment and if CRESS was found to have committed an offence it could face an unlimited fine and face damage to its reputation. It therefore takes its legal responsibilities very seriously.

1.4 CRESS considers a breach of this Policy to be a serious violation which may result in disciplinary measure including the dismissal of employees or the termination of its business relationship with any third party.

2. WHO IS COVERED BY THE POLICY?

2.1 This policy applies directly to CRESS trustees and to all individuals working within CRESS as employees, volunteers, agents and associates. The Policy is to be provided to CRESS associates who will be required to take reasonable steps to ensure that in carrying out activities supported by CRESS they and their employees comply with all applicable anti-bribery and anti-corruption laws. In this policy "third party" means any individual or organisation you come into contact with during the course of your work or association with CRESS.

2.2 The Chief Executive Officer is responsible for ensuring associates who carry out activities supported by CRESS understand the requirements of this policy.

3. **WHAT IS BRIBERY AND CORRUPTION?**

- 3.1 A bribe is an inducement or reward offered, promised, given or authorised, directly or indirectly, to improperly influence anyone or to reward anyone for the improper performance of any function or activity in order to secure or gain any improper commercial, contractual, regulatory or personal advantage.
- 3.2 Corruption is the misuse of public office or power for private gain or the misuse of private power in relation to business outside the realm of government.
- 3.3 Acts of bribery or corruption are intended to influence an individual in the performance of their work to act dishonestly and/or improperly. The person being bribed is usually someone who can obtain, retain or direct business, for example during a contracting process or possibly through the handling of administrative tasks.
- 3.4 A bribe can take many forms, for example a direct or indirect promise or offer of something of value, the offer or receipt of a kickback, fee, reward or other advantage, the giving of aid, donations or voting designed to exert improper influence.
- 3.5 Those engaged in bribery and corruption can include an employee, trustee or volunteer of CRESS or any associates of CRESS or other third party dealing with CRESS.

4. **GIFTS AND HOSPITALITY**

- 4.1 This policy does not prohibit gifts, entertainment, hospitality or other promotional expenditures (given and received) to or from third parties which are proportionate, transparent, reasonable and for bona fide purposes related to the aims and objectives of CRESS.
- 4.2 The giving or receipt of gifts is not prohibited if all of the following requirements are met:
 - (a) the gift complies with the laws of the recipient's country or any other applicable local laws and regulations;
 - (b) the gift is not made with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage, or in explicit or implicit exchange for favours or benefits;
 - (c) the gift does not exceed the amount of £10 in value;
 - (d) the gift cannot be viewed as lavish or excessive under local standards and customs and is only provided as a courtesy or token of esteem;
 - (e) the gift is of an appropriate type and value and given at an appropriate time, taking into account the reason for the gift;
 - (f) the gift is given openly, not secretly; and
 - (g) the gift is not offered to, or accepted from, government officials or representatives or politicians or political parties without the prior approval of the Chief Executive Officer of CRESS.
- 4.3 CRESS appreciates that the practice of giving business gifts 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 or hospitality is reasonable and justifiable. The intention behind the gift should always be considered.

- 4.4 Gifts with a value of more than £10 per event per person should not be given or offered (to or from a single source on a single occasion) unless the individual giving the gift has the approval of the Chief Executive Officer of CRESS or the Chairman of the Trustees.
- 4.5 All gifts and hospitality with a value of more than £10 per event per person (or of comparable value in a different country) accepted or offered by any employee or trustee or volunteer of CRESS should be entered on the register of gifts.
- 4.6 Any approval required by the above provisions relating to the activity taken by the Chief Executive Officer must be provided by the Chairman of the Trustees and vice versa.

5. **WHAT IS NOT ACCEPTABLE?**

- 5.1 It is not acceptable for a trustee, employee or volunteer of CRESS in connection with their work for CRESS (or for someone on their behalf) to:
- (a) give, promise to give, offer or authorise the giving of anything of value, including payments, gifts or hospitality to anyone with the expectation or hope that this will influence the decision making of the recipient, or that a business advantage will be received, or to reward a business advantage already given; or
 - (b) give, promise to give, offer or authorise the giving of anything of value, including payments, gifts or hospitality to a government official, agent or representative to “facilitate” or expedite a routine procedure; or
 - (c) solicit, accept or attempt to accept, directly or indirectly, a payment from a third party that you know or suspect is offered with an expectation that the decision making of CRESS will be influenced in any way and that will result in a business advantage for the person making or offering the payment; or
 - (d) solicit, accept or attempt to accept, directly or indirectly, a gift or hospitality from a third party that you know or suspect is offered or provided with an expectation that the decision making of CRESS will be influenced in any way and that will result in a business advantage for the person giving the gift or hospitality; or
 - (e) threaten or retaliate against another employee or volunteer who has refused to commit a bribery offence or who has raised concerns under this policy; or
 - (f) engage in any activity that might lead to a breach of this policy.

6. **FACILITATION PAYMENTS**

- 6.1 CRESS does not make, and will not accept, facilitation payments or “kickbacks” of any kind. Facilitation payments are typically small, unofficial payments to government officials made to secure or expedite a routine, non-discretionary governmental action (e.g. processing a visa, customs invoice or other governmental paper).
- 6.2 If you are asked to make a payment on CRESS’ 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 the Chief Executive Officer or the Chairman of the Trustees.

- 6.3 Payments made as a result of extortion or duress involving an imminent threat of death or serious injury generally do not amount to bribes. If such a payment is extorted or forced under duress then the payment may be made provided that either the Chief Executive Officer or the Chairman of the Trustees is promptly informed, the payment is appropriately recorded in CRESS' financial records as a "facilitating payment" and supporting records regarding the reason and circumstances surrounding the payment are documented in a written report.
- 6.4 Kickbacks are typically payments made in return for a business favour or advantage. All CRESS partners and associates must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by CRESS.

7. **YOUR RESPONSIBILITIES**

- 7.1 You must ensure that you read, understand and comply with this Policy.
- 7.2 The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for or with CRESS or under its control. You are required to avoid any activity that might lead to, or suggest, a breach of this Policy.
- 7.3 You must notify the Chief Executive Officer or Chairman of the Trustees as soon as possible if you believe or suspect that a conflict with this Policy or the Act by an employee, volunteer or a third party has occurred, or may occur in the future. For example, if a partner, associate or potential partner offers you something to gain an advantage with CRESS, or indicates to you that a gift or payment is required to secure their cooperation with CRESS supported activities.
- 7.4 Any employee, volunteer or associate who breaches this Policy will face disciplinary action. CRESS also reserves the right to terminate its contractual relationship with its partners and associates if they breach this Policy.

8. **RECORD KEEPING**

- 8.1 CRESS must keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties.
- 8.2 You must declare and keep a written record of all hospitality or gifts with a value of more than £10 (or of comparable value in a different country) accepted or offered on the gifts register, which will be subject to managerial review.
- 8.3 You must ensure that all expenses claims relating to hospitality, gifts or expenses spent on third parties are submitted and specifically record the reason for the expenditure.
- 8.4 All accounts, invoices, memoranda and other documents and records relating to dealing with third parties, such as clients, suppliers and business contacts, should be prepared and maintained with strict accuracy and completeness. No accounts must be kept "off-book" to facilitate or conceal improper payments.

9. **HOW TO RAISE A CONCERN**

You are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. If you are unsure whether a particular act constitutes bribery or corruption, or if you have any other queries, these should be raised with the Chief Executive Officer or the Chairman of the Trustees.

10. **PROTECTION**

- 10.1 Employees who refuse to accept or offer a bribe or those who raise concerns or report another's wrongdoing are sometimes worried about possible repercussions. It is CRESS' policy that employees will not suffer retaliation or harassment for reporting in good faith any compliance concerns. CRESS aims 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.
- 10.2 CRESS is committed to ensuring that 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.

11. **TRAINING AND COMMUNICATION**

- 11.1 All CRESS employees will receive copies of this Policy and access to supplementary information on how to avoid issues relating to bribery and how to comply with the Act.
- 11.2 CRESS' zero tolerance approach to bribery and corruption will be communicated to all partners, associates, suppliers and contractors at the outset of its relationship with them and as appropriate thereafter.

12. **WHO IS RESPONSIBLE FOR THE POLICY?**

- 12.1 The Board of Trustees has overall responsibility for ensuring this policy complies with CRESS' legal and ethical obligations and that all those under CRESS' control comply with it.
- 12.2 The Chief Executive has primary and day to day responsibility for implementing this Policy and for monitoring its use and effectiveness and dealing with any queries on its interpretation. In addition the Chief Executive will ensure that volunteers and employees of CRESS are made aware of and understand this Policy.

13. **RISK ASSESSMENT, MONITORING AND REVIEW**

- 13.1 As part of its annual risk assessment process the Board of Trustees will monitor and review the implementation of this Policy, considering its suitability, adequacy and effectiveness.
- 13.2 All employees are responsible for the success of this Policy and should ensure they use it to disclose any suspected danger or wrongdoing.

- Date of next review: June 2020

This policy has been approved & authorised by:

Name:	Caroline Lamb
Position:	Chair of the Trustees
Date:	20/03/2020
Signature:	