

Quality Procedures and Policies	CEN-032	Issue Number	4
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Anti-Bribery and Corruption		Originator	Peter Hurlstone
		Amended by	Peter Hurlstone
		Approved by	Peter Hurlstone

### 1. Scope

SETA is a registered charity and regularly receives donations such as money, tools and work equipment, but recognises a distinct difference between charitable donation and acts of bribery and corruption. SETA has zero-tolerance to acts of bribery and corruption and is dedicated to conducting business in an ethical and honest manner. SETA is committed to acting professionally, fairly, and with integrity in all business dealings and relationships.

SETA will continuously uphold all laws relating to anti-bribery and corruption in all the jurisdictions in which it operates and is bound by the laws of the UK, including the Bribery Act 2010, in regards to our conduct both at home and abroad.

SETA recognises that bribery and corruption are punishable by imprisonment and a possible unlimited fine. If SETA is discovered to have taken part in corrupt activities, it may face serious damage to its reputation. It is with this in mind that SETA commits to preventing bribery and corruption in its business and takes its legal responsibilities seriously.

### 2. Coverage

This policy applies to all SETA employees, consultants, contractors, apprentices and their employers, other learners and their employers, volunteers or any other person/s associated with SETA, including third parties, or any of our subsidiaries or their employees.

In the context of this policy, third-parties refers to any individual or organisation our company meets and works with. It refers to actual and potential clients, customers, suppliers, distributors, business contacts, agents, advisers, and government and public bodies; this includes their advisors, representatives and officials, politicians, and public parties.

Any arrangements SETA makes with a third party is subject to clear contractual terms, including specific provisions that require the third party to comply with minimum standards and procedures relating to anti-bribery and corruption.

### 3. Bribery Definition

- *Bribery is the act of offering, giving, promising, asking, agreeing, receiving, accepting or soliciting something of value or of an advantage so to induce or influence an action or decision*
- *A bribe refers to any inducement, reward, or object/item of value offered to another individual in order to gain commercial, contractual, regulatory, or personal advantage*
- *Bribery is not limited to the act of offering a bribe. If an individual is on the receiving end of a bribe and they accept it, they are also breaking the law.*
- *Bribery is illegal. Employees must not engage in any form of bribery, whether it be directly, passively as described above, or through a third party such as an agent or distributor. They must not bribe a foreign public official anywhere in the world. They must not accept bribes in any degree and if they are uncertain about whether something is a bribe, a gift or an act of hospitality, they must seek further advice from SETA's Centre Compliance Manager (CCM).*

#### 4. What is and what is not acceptable

##### Gifts and Hospitality

SETA accepts normal and appropriate gestures of hospitality and goodwill, whether given to/received from third parties, so long as the giving or receiving of gifts meets the following requirements:

- *It is given in the name of the company, not in an individual's name*
- *It is in compliance with local and national law*
- *It is of an appropriate type and value and given at an appropriate time, taking into account the reason for the gift*
- *It is given/received openly, **not** secretly*
- *It is considered appropriate for donations to be received under certain circumstances (e.g. small gifts around Christmas or as a thank you to a company for helping with a large project upon completion)*
- *It is **not** made with the intention of influencing the party to whom it is being given, to obtain or reward the retention of a business or a business advantage, or as an explicit or implicit exchange for favours or benefits*
- *It is **not** made with the suggestion that a return favour is expected*
- *It does **not** include cash or a cash equivalent (e.g. a voucher or gift certificate)*
- *It is **not** selectively given to a key, influential person, clearly with the intention of directly influencing them*
- *It is **not** above a certain excessive value, as pre-determined by the company's Chief Executive Officer (CEO)*
- *It is **not** an offer to, or accepted from, a government official or representative or politician or political party, without the prior approval of the company CEO*

Where it is inappropriate to decline the offer of a gift (for example, when meeting with an individual of a certain religion/culture who may take offence), the gift may be accepted so long as it is declared to the CEO, who will assess the circumstances.

SETA recognises that the practice of giving and receiving business gifts varies between countries, regions, cultures, and religions, so definitions of what is acceptable and not acceptable will inevitably differ for each.

As good practice, gifts given and received should always be disclosed to the CEO. Gifts received from suppliers should always be disclosed to the CEO.

The intention behind a gift being given/received should always be considered. If there is any uncertainty, the advice of the CEO should be sought.

##### Political Contributions

SETA will not make donations, whether in cash, kind, or by any other means, to support any political parties or candidates. We recognise this may be perceived as an attempt to gain an improper business advantage.

##### Charitable Contributions

SETA accepts and encourages the act of donating to charities, whether through services, knowledge, time, or direct financial contributions (cash or otherwise), and agrees to disclose all charitable contributions it makes.

SETA Employees must be careful to ensure that charitable contributions are not used to facilitate and conceal acts of bribery.

SETA will ensure that all charitable donations made are legal and ethical under local laws and practices, and that donations are not offered/made without the approval of the CEO.

### Charitable Donations

SETA is a registered charity and regularly accepts donations from a number of sources, which is different from an act of bribery.

All donations are logged by the CEO and recorded in SETA's Accounts.

## **5. Responsibility**

SETA employees must ensure they have read and understood the information contained within this policy and follow procedure. SETA employees must also partake in training or other anti-bribery and corruption information provided.

All employees and those under SETA's control are equally responsible for the prevention, detection, and reporting of bribery and other forms of corruption. They are required to avoid any activities that could lead to, or imply, a breach of this anti-bribery policy.

Staff are encouraged to notify the CEO, CCM or Finance Manager (FM) if they:

- *Have any reason to believe or suspect that an instance of bribery or corruption has occurred*
- *Have any reason to believe or suspect that an instance of bribery or corruption will occur*
- *If they are asked to bribe anyone for, or on behalf of a third party*
- *Suspect they may be bribed or asked to make a bribe in the near future*
- *Have reason to believe they are a victim of another corrupt activity that breaches this policy*

SETA's 'Whistle Blowing' policy and procedure will be referred to so employees can vocalise their concerns swiftly and confidentially (**Please See CEN-003 - Whistle Blowing**).

If any employee breaches this policy, they will face disciplinary action and could face dismissal for gross misconduct.

## **6. Protection**

If an employee of SETA refuses to accept an offer of bribery, mistakenly offer one, or they report a concern relating to potential act/s of bribery or corruption, SETA understands they may feel worried or concerned about potential repercussions.

SETA will provide the necessary pastoral support service to any employee who is affected by the issues raised within this policy. SETA will ensure that no one suffers any detrimental treatment (such as dismissal, disciplinary action, or unfavourable treatment), in relation to the concern the individual raised as a result of refusing to accept an offer of bribery or other corrupt activities, or because they reported a concern relating to potential act/s of bribery or corruption.

## **7. Review**

This policy will be reviewed annually by the CCM or when changes in UK Law or Legislation are made that necessitate making amendments to this policy.