

Title	Anti-Bribery & Corruption
Associated Policies	<ul style="list-style-type: none"> • Whistleblowing (TPO/STA/19) • Professional and Safe Conduct (TPO/STA/10)

REVIEWED: AUGUST 2016

NEXT REVIEW: AUGUST 2019

1. Policy Statement

1.1 The Brooke Weston Trust is committed to operating fairly, honestly and with integrity. As part of this overall commitment, The Brooke Weston Trust has a zero-tolerance policy in relation to bribery and corruption. This includes a commitment to comply with all applicable anti-bribery and corruption laws and regulations and, in particular, the Bribery Act 2010.

2. Who does this policy apply to?

2.1 This policy requires all staff and anyone else associated with The Brooke Weston Trust to follow this policy and to comply with all applicable anti-bribery and corruption laws. It is the responsibility of the Academy to make sure that it upholds The Brooke Weston Trust's values and that all of their dealings are legitimate.

The Brooke Weston Trust requires that all staff and all working or performing any service on or on behalf of the Trust neither accept nor give bribes. Staff must:

- Act honestly with integrity at all times to safeguard the Trust's resources for which they are responsible
- Comply with the law (both in spirit and to the letter)
- Abide by this policy.

3. Who is responsible for carrying out this policy?

3.1 The implementation of this policy will be monitored by the Senior Leadership Team and Governors and remain under review by The Brooke Weston Trust (Finance & Resources Committee).

4. What are the principles behind this policy?

- 4.1 UK bribery laws, in particular, are extensive and prohibit the giving or receiving of bribes. A bribe is designed to improperly influence the way in which a person acts. A bribe may be in the form of money but can also be any other type of advantage. For example, the law extends to the giving or receipt of inappropriate entertainment and to "grease" payments to public officials (e.g. payments to expedite a process).
- 4.2 Compliance with the law helps to maintain and enhance the Academy's reputation and reflects our goal to serve the best interests of our pupils.
- 4.3 Compliance protects The Brooke Weston Trust, its staff and anyone else associated with it from the severe consequences of breaking the law. Penalties in the UK include unlimited fines in the case of The Brooke Weston Trust and unlimited personal fines and up to ten years' imprisonment in the case of individuals.
- 4.4 It is a disciplinary offence to engage in conduct or behaviour that does not comply with this policy or for anyone in a managerial or supervisory capacity to fail to take action in respect of any such conduct or behaviour. This will be dealt with under the disciplinary procedure and could lead to dismissal without notice.

5. Procedures

- 5.1 Under the Bribery Act 2010, a bribe is a financial or other type of advantage that is offered or requested with the:
- Intention of inducing or rewarding improper performance of a function or activity (this includes public, state or business activities or any activity performed in the course of a person's employment, or on behalf of another Academy or individual, where the person performing that activity is expected to perform it in good faith, impartially, or in accordance with a position of trust); or
 - Knowledge or belief that accepting such a reward would constitute the improper performance of such a function or activity.

- 5.2 A criminal offence will be committed under the Bribery Act 2010 if:
- An employee or associated person acting for, or on behalf of, The Brooke Weston Trust offers, promises, gives, requests, receives or agrees to receive bribes; or
 - An employee or associated person acting for, or on behalf of, The Brooke Weston Trust offers, promises or gives a bribe to a foreign public official with the intention of influencing that official in the performance of his/her duties (where local law does not permit or require such influence); and
 - The Brooke Weston Trust does not have the defence that it has adequate procedures in place to prevent bribery by its employees or associated persons.

For the avoidance of doubt, it is unacceptable to:

- Give, promise to give, or offer payment, gifts or hospitality with the expectation or hope that a favourable advantage will be received, or to reward a favourable advantage already given
 - Give, promise to give, or offer payment, gifts or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure
 - Accept payment from a third party that is offered with the expectation that it will obtain a favourable advantage for them, whether known or suspected
 - Accept a gift or hospitality from a third party if it is offered or provided with an expectation that a favourable advantage will be provided by the Trust in return, whether known or suspected
 - Retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy
 - Engage in any activity which may breach this policy.
- 5.3 The law can be complex and it will not always be clear how the law applies in every situation. Therefore, any questions or concerns about the application of the law to specific situations should be directed to the Director of Finance. In order to ensure compliance with the law, you should ensure also that you follow our policies and procedures in relation to gifts and entertainment and claiming.
- 5.4 If you believe that anyone associated with The Brooke Weston Trust is acting in a way that may contravene the law or that could put The Brooke Weston Trust and the Academy at risk, then it is your duty to report the matter as soon as possible. If you are uncomfortable talking to your line manager or your Principal or you do not receive a satisfactory response then you should contact the Director of Finance.
- 5.5 All staff are required to take particular care to ensure that all Academy records are accurately maintained in relation to any contracts or business activities, including financial invoices and all payment transactions with clients, suppliers and public officials.

- 5.6 Due diligence should be undertaken by staff and governors prior to entering into any contract, arrangement or relationship with a potential supplier of services, agent, consultant or representative.

6. Corporate entertainment, gifts, hospitality and promotional expenditure procedures

- 6.1 The Brooke Weston Trust permits corporate entertainment, gifts, hospitality and promotional expenditure that is undertaken:

- For the purpose of establishing or maintaining good business relationships
- To improve the image and reputation of The Brooke Weston Trust; or
- To present The Brooke Weston Trust 's services effectively

provided that it is:

- Arranged in good faith, and
- Not offered, promised or accepted to secure an advantage for The Brooke Weston Trust or any of its employees or associated persons or to influence the impartiality of the recipient.

- 6.2 The Academy will only authorise reasonable, appropriate and proportionate entertainment and promotional expenditure.

- 6.3 Staff should submit requests for proposed hospitality and promotional expenditure well in advance of proposed dates to the Principal.

- 6.4 The Academy will approve business entertainment proposals only if they demonstrate a clear business objective and are appropriate for the nature of the business relationship. The Academy will not approve business entertainment where it considers that a conflict of interest may arise or where it could be perceived that undue influence or a particular business benefit was being sought (for example, prior to a tendering exercise).

- 6.5 Any gifts, rewards or entertainment received or offered from parents/carers, clients, public officials, suppliers or other business contacts should be reported immediately to the Principal. In certain circumstances, it may not be appropriate to retain such gifts or be provided with the entertainment and employees and associated persons may be asked to return the gifts to the sender or refuse the entertainment, for example, where there could be a real or perceived conflict of interest or where the value exceeds £100. As a general rule, small tokens of appreciation, such as flowers or a bottle of wine, may be retained by staff.

- 6.6 If a member of staff wishes to provide gifts to suppliers, clients or other business contacts, prior written approval from the Director of Finance is required, together with details of the intended recipients, reasons for the gift and business objective.

7. Policy Review

- 7.1 This policy will be monitored as part of the Academy's annual internal review and reviewed on a three year cycle or as required by legislature changes.