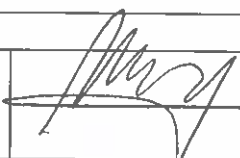





Preventing Bribery and Corruption Policy

Policy Number	HAPC/POL/PBC1		
Previous review date	June 2018	Board of trustees	
Next Review date	July 2020	Board of trustees	

Policy Owner	Internal Auditing
Key responsibilities	Internal Auditing
Associated documents	NA

Approver Authorizer	July 2019	Board of Directors	
Reviewed on	July 2019	Board of trustees	



Preventing Bribery and Corruption Policy

1. Introduction

Human Appeal is an incorporated UK charity working across the globe to strengthen humanity's fight against poverty, social injustice and natural disaster, through the provision of immediate relief and establishment of self-sustaining development programmes. Our vision is to contribute to a just, caring and sustainable world, free of poverty. Human Appeal does this by raising money to fund immediate and long-term sustainable solutions, and empower local communities.

1. Policy Statement

Human Appeal's values require excellence, professionalism and commitment and to work with integrity and transparency with a zero-tolerance approach to bribery and corruption and commit to acting professionally, fairly and with integrity in all operational dealings and relationships, wherever we operate. This includes implementing and enforcing effective systems to counter bribery. We will uphold all laws relevant to countering bribery and corruption, and are bound by the laws of the UK, including the Bribery Act 2010, in respect of our conduct at all our operational locations.

2. Policy Objective

The objective of this policy is to ensure compliance by Human Appeal, its staff, volunteers and contractors who act as staff with all applicable laws and regulations relating to countering bribery and corruption and to provide information and guidance on how to recognise and deal with such issues.

3. Definition of terms

3.1. Bribery: The offering, promising, giving, accepting or soliciting of money, a gift or other advantage as an inducement to do something that is illegal or a breach of trust in the course of carrying out an organisation's activities.

3.2. Corruption: The abuse of entrusted power for private gain. Accordingly, staff, volunteers and contractors who act as staff, wherever located, shall not:

- Offer, give, extort, solicit or accept any bribe or facilitation payment, whether in the form of cash or other inducement to or from any person or company, wherever they are situated and whether they are a public official or body or private person or company. This includes actual and potential clients, donors, customers, suppliers, agents, advisers and government and public bodies;
- Gain any commercial, contractual or regulatory advantage for Human Appeal in any way which is unethical;
- Give or gain any personal advantage, financial or otherwise, to or for the individual or anyone connected with the individual.

This Policy is not meant to prohibit normal and appropriate hospitality given or received where that is also in accordance with the Gifts and Hospitality as stated below;

- The use of any lawful and recognised fast-track process which is available to all on payment of a fee **PROVIDED** those practices are legal in a particular country, in accordance with local



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and applicable cross-border laws, and are proportionate and properly recorded.

4. Roles and Responsibilities

- The Board of Trustees have overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it;
- The CEO 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;
- Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy.

All staff -

- Must ensure that they have read, understand and comply with this Policy;
- Are responsible for the prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all of our staff, volunteers and contractors who act as staff. All representing Human Appeal are required to avoid any activity that might lead to, or suggest, a breach of this Policy.
- Must notify their Line Manager (and if they are the Direct Line Manager they must notify the CEO) as soon as possible. If staff believe or suspect that a conflict with this Policy has occurred, or may occur in the future. For example, if a partner or potential partner offers them something to gain a contract or business advantage with us, or indicates to them that a gift or payment is required to secure their business.
 - Must submit a report to the CEO where a bribe is offered by a supplier or partner organisation. Action taken may include suspending the supplier or partner.
- Any employee who breaches this Policy will face disciplinary action, which could result in dismissal for gross misconduct.
- Volunteers who breach this Policy will no longer be allowed to work with Human Appeal. Directors or Trustees who breach this Policy will be reported to the Chair of the Board, who will then decide on further action to be taken. Ordinarily this will include making a report to the relevant authority, including where applicable the Charity Commission;
- Effective Risk Assessment is essential to the success of this Policy. Each Line Manager should assess the vulnerability of their area to the risk of bribery. These risks should then be evaluated and controls put in place to mitigate the identified risks;
- We reserve our right to terminate our contractual relationship with other workers if they breach this Policy.

5. Policy Provisions

5.1. Forms of Bribery - Duress

- There may be occasions when a payment is made under duress in high risk countries where Human Appeal delivers humanitarian aid. This would be treated as extortion rather than a bribe and would provide a strong defence in law.



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- **Duress in this Policy means those extreme circumstances, where there is a risk of loss of life, limb, or liberty.**
- Human Appeal recognises that from time to time such payments are unavoidable and underlines that in all cases, the security and safety of staff, partners and representatives must not be compromised. Where a payment is made under duress in this way, the amount may be recorded as a legitimate expense, but a complete explanation must be included with any claim, and the incident must be logged in the Fraud and Corruption Register.
- It should also be reported as a misuse of funds.
- The individual concerned should consider, with the advice of their Line Manager or other colleagues, whether alternative ways of working could avoid these payments being demanded in future.

5.2. Facilitation Payments and Kickbacks

- 6.2.1** Kickbacks are typically payments made in return for a business favour or advantage. Facilitation payments are typically small, unofficial payments made to secure or expedite a routine government action for example by a government official. They are not commonly paid in the UK, but are common in some other jurisdictions in which Human Appeal operates. We do not make, and will not accept, facilitation payments or "kickbacks" of any kind.
- 6.2.2** All contracts with partners, consultants or suppliers will include a clause requiring that no facilitation fees should be paid on behalf of Human Appeal.
- 6.2.3** All acting on behalf of Human Appeal must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by us.
- 6.2.4** If asked to make a payment on Human Appeal's 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. 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 Line Manager (and if you are the Line Manager refer the matter to the CEO).

5.3. Donations

- Human Appeal will not make donations to political parties
- Human Appeal only make charitable donations that are legal and ethical under local laws and practices.
- No charitable donations can be offered or made on Human Appeal's behalf without the prior approval of the CEO after reference to your Direct Line Manager



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5.4. Gifts, Entertainment and Hospitality

Invitations to events are normally the chance for individuals to get to know each other better, network with others across various business sectors, display technical ability (for example through seminars) or otherwise demonstrate an individual's or organisation's qualities. Accepting or extending such invitations is not considered improper providing they are not extravagant and have a clear business purpose. This Policy does not prohibit the giving or receiving of appropriate and bona fide hospitality to or from third parties. The key test if you feel the invitation appears to have been extended in order to influence a decision.

6.4.1 Gifts should not be offered to, or accepted from, government officials or representatives, or politicians or political parties, without the prior approval of the CEO after reference to Direct Line Manager.

Human Appeal appreciates 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 in all the circumstances is whether the gift or hospitality is reasonable and justifiable. The intention behind the gift should always be considered. If in any doubt you should consult your Line Manager for clarification (and if you are the Line Manager you should then consult the Finance Director).

5.5. You are generally prohibited from accepting a gift from a third party, except where all the following apply:

- Its value does not in your reasonable opinion exceed £50 or equivalent in local currency outside the UK;
- The gift is not one which has been delivered to your home;
- It is not made with the intention of influencing you to award or retain business or to confer a business or personal advantage with Human Appeal or in explicit or implicit exchange for favours or benefits;
- It complies with local law;
- It does not include cash or a cash equivalent (such as gift certificates or vouchers);
- It is appropriate in the circumstances; and, Taking into account the reason for the gift, it is of an appropriate type and value and is given at an appropriate time;
- It is given openly, not secretly.

All gifts accepted or declined must be recorded in the Register of Gifts, Entertainment and Hospitality. Gifts valued in excess of £5 must be handed in to the Charity.

6. Procedures

Human Appeal will maintain financial records and have appropriate and effective internal controls in place which will evidence the business reason for making payments to third parties.

6.1. To this end:

- You must inform your Line Manager of all invitations received or extended from business contacts and keep a written record of all hospitality or gifts accepted or offered, which



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will be subject to managerial review;

- You must ensure all expenses claims relating to hospitality, gifts or expenses incurred to third parties are submitted in accordance with Human Appeal's Expenses Policy and specifically record the reason for the expenditure;
- Ensure all accounts, invoices, memoranda and other documents and records relating to dealings with third parties, such as clients, suppliers and business contacts are prepared and maintained with strict accuracy and completeness. No accounts must be kept "off-book" to facilitate or conceal improper payments;
- Each department will be required to maintain a Gifts, Entertainment and Hospitality Register. Any form of gift, entertainment or hospitality given, received or offered must be recorded in the register. Every department must submit its Register on a quarterly basis to the Finance Department for their review. Where no gift, entertainment or hospitality has been given, received or offered in the quarter a nil return must be submitted;
- The Finance Department will submit their Register to the CEO. The CEO will submit his register to the Board of Trustees;
- Where an impermissible form of gift, entertainment or hospitality has been accepted legal advice may be taken. This is no substitute for declaring this in advance.

6.2. How to Raise a Concern

Employees are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage, or in line with the process outlined in Human Appeal's Whistle-blowing Policy and Process Map (WBPVER04-OCT17/WBPVER01-OCT17). If staff are unsure whether a particular act constitutes bribery or corruption, or if they have any other queries, these should be raised with their Line Manager (and if the employee is a Manager they must notify the CEO).

6.3. What to Do If You Are a Victim of Bribery or Corruption

It is important that employees tell their Line Manager (and if they are the Direct Line Manager they must notify the CEO) as soon as possible. If an employee is offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that as an employee you are a victim of another form of unlawful activity.

6.4. Protection

Those who refuse to accept or offer a bribe, or those 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.

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



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unfavourable treatment connected with raising a concern. If an employee believes they have suffered any such treatment, they should inform the CEO immediately. If the matter is not remedied an employee should raise a formal grievance.

7. Sanctions

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

- Give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that a business advantage or personal advantage will be received, or to reward a business advantage already given;
- Give, promise to give, or offer, a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure;
- Accept payment from a third party that you know or suspect is offered with the expectation that it will obtain a business or personal advantage for them;
- Accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage or personal advantage will be provided by us in return;
- Threaten or retaliate against another Human Appeal staff member, volunteer, contract or supporter who has refused to commit a bribery offence or who has raised concerns under this Policy;
- Engage in any activity that might lead to a breach of this policy.

8. Policy Review

The Board of Trustees will monitor the effectiveness and review the implementation of this Policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in countering bribery and corruption.

All workers are responsible for the success of this Policy and should ensure they use it to disclose any suspected danger or wrongdoing received and understood this Policy and acknowledge any future revisions.

Staff, volunteers and contractors who act as staff 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 CEO.

9. Related Documents

- Serious Incident Reporting Policy ([SIRVER02-OCT17](#))
- Serious Incident Report Form ([SIRFVER02-OCT17](#))