

Anti-Bribery and Corruption Policy

1.0 Purpose of the Policy

1.1 The purpose of this policy statement is to set out for Board Members, officers, contractors, agents and employees of the Association with the aim of limiting the Association's exposure to bribery and corruption by:

- Setting out a clear anti-bribery policy.
- Encouraging parties mentioned in 1.1 to be vigilant and to report any suspicions of bribery, inappropriate dealings or corruption, and providing them with suitable channels of communication thereby ensuring sensitive information is treated appropriately.
- Rigorously investigating instances of alleged bribery and assisting police or other appropriate authorities in the determination of an opinion and in any resultant prosecution.
- Taking firm and vigorous action against any individual involved in bribery.

2.0 Scope of the Policy

- 2.1 The Bribery Act 2010 represents the biggest change in UK law in this area of business for many generations.
- 2.2 There are a new set of responsibilities to satisfy with the introduction of the legislation. The Act introduces a new crime of "failure to prevent" bribery, which means that organizations unable to demonstrate that they have implemented "adequate procedures" to prevent corrupt practices by employees, or third parties on their behalf, could be exposed to unlimited fines as well as other collateral consequences such as debarment from receiving HCA funding.
- 2.3 It makes it a criminal offence for an individual to give or receive a bribe, carrying up to 10 years in prison and an unlimited fine if found guilty.
- 2.4 Sapphire Independent Housing Ltd values its reputation for ethical behaviour and for financial probity and reliability.
- 2.5 It recognises that over and above the commission of any crime, any involvement in bribery will also reflect adversely on its image and reputation.
- 2.6 Furthermore, all parties in 1.1 must also comply with the Housing Ombudsman's policies and procedures and apply best practice in order to prevent bribery.

3.0 Objectives of the Policy

3.1 This policy statement applies to parties in 1.1 who work for , on behalf of or with the Association.

3.2 The Association prohibits:

- The offering, the giving, the solicitation or the acceptance of any bribe, whether cash or other inducement

To or from

- Any person or organisation, wherever they are situated and whether they are a public official or body or private person or company

By

- Any individual employee, Board Member, agent or other person or body acting on the Association's behalf

In order to

- Gain any commercial, contractual or regulatory advantage for the Association in a way which is unethical, or
- Gain any personal advantage, pecuniary or otherwise, for the individual or anyone connected with the individual.

4.0 Definition of Bribery

4.1 In the Bribery Act 2010, bribery is defined as the offering, promising, or giving of a financial or other advantage to another person with the intention of inducing them to perform a function improperly, or to reward them for doing so. It is illegal to give a bribe, request or accept one, or for a company to fail to prevent bribery by associated persons.

4.2 Bribery does not need to involve a financial incentive but could involve the offering of services, products or other actions that would be deemed to provide advantages to that person.

4.3 **Improper performance:** A bribe could induce one party to gain a commercial, performance or financial advantage or limit the expected and contractual performance thereby providing an advantage. This includes functions that are expected to be performed with good faith or impartiality, such as those of a public official.

4.4 **Intention:** The person offering the advantage will have intended to influence the performance of the function improperly.

4.5 **Broad application: The Act covers a wide range of activities, including:**

4.5.1 Bribing another person

4.5.2 Requesting, agreeing to receive, or accepting a bribe

4.5.3 Bribing a foreign public official

4.5.4 A company's failure to prevent bribery by associated persons.

4.6 The Association can be held liable if they fail to prevent persons associated with them from committing bribery in order to obtain or retain business or an advantage.

4.7 All such actions that could be deemed as bribery (including the giving, promising, or accepting of any unnormal advantage) is forbidden, even for facilitating routine procedures (often called "facilitation payments") where these can be deemed outside of standard processes.

5.0 Definition of Corruption

5.1 Corruption is the abuse of entrusted power for personal advantage, examples include:

5.1.1 activity that is beyond the position or remit of a colleague, or

5.1.2 benefits obtained for an individuals' personal gain, rather than a legitimate business gain for the Association

6.0 Further Clarification

6.1 The policy prohibits any inducement which results in a personal gain or advantage to the recipient or any person or body associated with them, and which is intended to influence them to take action which may not be solely in the interests of the Association or of the person or body employing them or whom they represent.

6.2 The policy is not meant to prohibit the following practices providing they are proportionate and are properly recorded:

- Normal and appropriate hospitality.
- Seasonal gifts given provided they are of an immaterial value (less than £25)
- The giving of a ceremonial gift on a festival or another special time.
- The offer of resources to assist the person or body with extra clarity to make the decision and must be supplied for that purpose only.

6.3 Actions or suspicion of bribery or corruption need not be directly within the confines of activities with the Association. Acts of bribery or corruption within other associated parties with whom the Association transacts also should be considered as included in the remit of this policy.

7.0 Reporting and Whistleblowing

7.1 Inevitably, decisions as to what is acceptable may not always be easy. If anyone is in doubt as to whether a potential act constitutes bribery, the matter should be referred to their line manager in the first instance. If a suspicion of bribery or corruption exists with another party (as mentioned in 1.1), then all parties covered by this policy should report their suspicions or evidence obtained to a member of the Executive Management Team or a Board Member.

- 7.2 If any party mentioned in 1.1 has a suspicion of bribery or corruption being performed, then guidance should also be sought from a member of the Executive Management Team or a Board Member.
- 7.3 All parties must remain vigilant with regard to personal experience of bribes being made but also with regard to any suspicion that such bribes being perpetrated within the Association. Any such incident or suspicion should be reported.
- 7.4 All parties should confident to make such a report as deemed necessary without any fear of retaliation. The Association will support all reporting parties who have made such reports in good faith.

8.0 Employee and Board Responsibility

- 8.1 The prevention, detection and reporting of bribery is the responsibility of all employees and Board Members throughout the Association. All parties, as noted in 1.1, that non-compliance with this policy has far reaching consequences. Penalties can range for individuals (up to 10 years' imprisonment and potential fines) and the company (unlimited fines, exclusion from public contracts, and reputational damage).
- 8.2 Other related Policies:
- 8.2.1 Anti-Fraud
 - 8.2.2 Anti Money Laundering
 - 8.2.3 Employee and Board Code of Conduct
 - 8.2.4 Declarations of Interest
- 8.3 This policy also bears direct reference to the Association's Financial Regulations.
- 8.4 All reported and suspected cases of Bribery or Corruption should be reported in the Association's Fraud Register giving it expanded scope to gather and document all such cases. This register and any incremental additions made thereto, or those with ongoing investigation, should be reported to the Finance, Audit and Risk Committee in the normal sequence of meetings.
- 8.5 However, if an incident reported is deemed to have a severe impact on the Association, it should be notified to his committee immediately upon its initial reporting and to Board directly if deemed injurious or detrimental to the Association in any way possible.

Policy Name:	Date Created:	
Anti-Bribery Policy		
Approved By:	Date Approved:	
Department Director:	Last Review Date:	October 2015

Director of Finance and I.T.		
Linked Policies and Procedures:	Next Review Due: (+2 years)	