

Reg Charity No 1122706

Reg Company No 6266222

Version 2 25 10 18 Drafted by Gill Lloyd

Hay2Timbuktu Anti-Bribery, Anti-Corruption, Fraud and Whistleblowing Policy

1. What does this policy cover?

1.1 This anti-bribery, anti-corruption, fraud and whistleblowing policy exists to set out the responsibilities of Hay2Timbuktu (H2T) Trustees and those who work with them in regard to observing and upholding a zero-tolerance position on bribery and corruption.

1.2 It also exists to act as a source of information and guidance for those working with Hay2Timbuktu. It helps them recognise and deal with bribery and corruption issues, as well as understand their own responsibilities.

2. Policy statement

2 .1 Hay2Timbuktu is committed to conducting business in an ethical and honest manner, and is committed to implementing and enforcing systems that ensure bribery and fraud are prevented.

Hay2Timbuktu has zero-tolerance for bribery, fraud and corrupt activities. We are committed to acting professionally, fairly, and with integrity in all business dealings and relationships, wherever in the world we operate.

2.2 Hay2Timbuktu will uphold all laws relating to bribery, corruption and whistle-blowing in all the jurisdictions in which it operates. It is bound by the laws of the UK, including the Bribery Act 2010, in regard to conduct both at home and abroad.

2.3 Hay2Timbuktu Trustees recognise that bribery and corruption are punishable by up to ten years of imprisonment and a fine. If the charity is discovered to have taken part in corrupt activities, it may be subjected to an unlimited fine, be excluded from tendering

for public contracts, and face serious damage to its reputation. It therefore commits to preventing bribery and corruption in its business, and takes its legal responsibilities seriously.

3. Who is covered by the policy?

3 .1 This anti-bribery, fraud and corruption policy applies to all Trustees and should be extended where possible to all partners with whom H2T works.

3.3 Any arrangement H2T makes with a third party should be subject to clear contractual terms, including specific provisions that require the third party to comply with minimum requirements.

4. Definition of bribery

4 .1 Bribery refers to 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.

4.2 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.

4.3 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.

4.4 Bribery is illegal. No person associated with Hay2Timbuktu must engage in any form of bribery, whether 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 or a gift or act of hospitality, they must seek further advice from the Trustees.

5. What is and what is not acceptable

5 .1 This section of the policy refers to three areas:

• Gifts and hospitality.

• Facilitation payments.

• Political contributions.

5.2

Gifts and hospitality

Hay2Timbuktu 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 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 is in compliance with local law.
* It is given in the name of an organisation, not in an individual’s name.
* It does not include cash or cash equivalent (e.g.a voucher or gift certificate).
* It is appropriate for the circumstances
* 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 not selectively given to a key, influential person with the intention of directly influencing them.
* It is not above a certain excessive value, as pre-determined by the Trustees (usually in excess of £100).

5.3 Where it is inappropriate to decline the offer of a gift (i.e. when meeting with an individual who may take offence), the gift may be accepted so long as it is declared to the Trustee in charge of compliance, who will assess the circumstances.

5.4 Hay2Timbuktu 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.

5.5 As good practice, gifts given and received should always be disclosed to the Trustee in charge of compliance. Gifts from suppliers should always be disclosed.

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

5.7 Hay2Timbuktu does not accept and will not make any form of facilitation payments of any nature.

5.8 This policy recognises that, despite a strict policy on facilitation payments and kickbacks, persons associated with Hay2Timbuktu may face a situation where avoiding a facilitation payment may put their personal security at risk. Under these circumstances, the following steps must be taken:

* keep any amount to the minimum.
* ask for a receipt, detailing the amount and reason for the payment.
* create a record concerning the payment.
* report this incident to the Trustee in charge of compliance.

5.9 Hay2Timbuktu will not make donations, whether in cash, kind, or by any other means, to support any political parties or candidates.

6. Trustee Responsibilities

6 .1 Trustees of Hay2Timbuktu must ensure that they read, understand, and comply with the information contained within this policy, and with any training or other anti-bribery, fraud and corruption information they are given.

6.2 If Trustees have reason to believe or suspect that an instance of bribery, fraud or corruption has occurred or will occur in the future that breaches this policy, they must notify the Trustee in charge of compliance.

6.3 Trustees acting together may take any appropriate action including terminating the appointment of a Trustee or any partnership with any organisation.

7. Whistleblowing

7.1 This section of the policy covers 3 areas:

* How to raise a concern.
* What to do if you are a victim of bribery, corruption or other unwelcome attention.
* Protection.

7.2 If any person suspect that there is an instance of bribery, fraud or corrupt activities occurring in relation to Hay2Timbuktu or any activity it finances, they are encouraged to raise concerns at as early a stage as possible. In any case of uncertainty over whether a certain action or behaviour can be considered bribery, fraud or corruption, they should speak to the Trustee in charge of Compliance.

7. 3 Hay2Timbuktu will familiarise all persons with whom it is associated with its whistleblowing procedures so they can express their concerns swiftly and confidentially. The Trustee in charge of compliance will ensure confidentiality and will only refer concerns to the Trustees where required.

7.4 Trustees must tell the Trustee in charge of compliance as soon as possible if they are offered a bribe by anyone, if they are asked to make one, if they suspect that they may be bribed or asked to make a bribe in the near future, or if they have reason to believe that they are a victim of another corrupt activity.

7.5 Hay2Timbuktu will support anyone who raises concerns in good faith under this policy, even if investigation finds that they were mistaken.

7. 6 Hay2Timbuktu will work to ensure that no one suffers any detrimental treatment as a result of refusing to accept or offer a bribe or other corrupt activities or because they reported a concern relating to potential act(s) of bribery, fraud or corruption.

8. Training and communication

8 .1 Hay2Timbuktu will provide orientation on this policy as part of the induction process for all new Trustees. Trustees will also be asked annually to formally accept that they will comply with this policy.

8.2 Hay2Timbuktu’s anti-bribery, fraud and corruption policy and zero-tolerance attitude will be clearly communicated to all suppliers, contractors, business partners, and any third-parties at the outset of business relations, and as appropriate thereafter.

8.3 Hay2Timbuktu will ensure that relevant anti-bribery, fraud and corruption training is provided to all downstream partners, where it feels their knowledge of how to comply with the Bribery Act needs to be enhanced.

9. Record keeping

9.1 Hay2Timbuktu will keep detailed and accurate financial records, and will have appropriate internal controls in place to act as evidence for all payments made. It will keep a written record of the amount and reason for hospitality or gifts accepted and given.

10. Monitoring and review

10.1 Hay2Timbuktu’s Trustee in charge of compliance is responsible for monitoring the effectiveness of this policy and will review its implementation on a regular basis. Trustees will annually assess its suitability, adequacy, and effectiveness.

Trustee in charge of compliance:

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Reviewed and approved by the Trustees on 26th October 2018