



Anti-bribery, Anti-corruption and Fraud Policy

Approved by the Trustees on 23 August 2021

Anti-bribery, anti-corruption and fraud policy

1. What does this policy cover?

This anti-bribery, anti-corruption and fraud policy exists to set out the responsibilities of Hay2Timbuktu Trustees and those who work with them regarding observing and upholding a zero-tolerance position on bribery, corruption and fraud.

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, corruption and fraud issues, as well as understand their own responsibilities.

2. Policy statement

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

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

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, regarding conduct both at home and abroad.

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 activities and takes its legal responsibilities seriously.

3. Who is covered by the policy?

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

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

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.

A bribe refers to any inducement, reward, or object/item of value offered to another individual 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. 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

This section of the policy refers to three areas:

- Gifts and hospitality.
- Facilitation payments.
- Political contributions.

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).

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 Compliance Trustee, who will assess the circumstances. The Compliance Trustee is also responsible for the Whistleblowing Policy.

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.

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

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

Facilitation payments

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

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 Compliance Trustee.

Political contributions

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

6. Trustee Responsibilities

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.

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 Compliance Trustee.

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

7. Whistleblowing

Hay2Timbuktu has a Whistleblowing Policy which should be referred to as soon as any person:

- suspects that there is an instance of bribery, corruption or fraud occurring in relation to Hay2Timbuktu or any activity it finances.

- is offered a bribe by anyone, is asked to make one, suspects that they may be bribed or asked to make a bribe in the future, or has reason to believe that they are a victim of another corrupt activity.

8. Training and communication

Hay2Timbuktu will require all new Trustees to familiarise themselves with this policy.

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.

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

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

Hay2Timbuktu's Compliance Trustee 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. As part of this process, Trustees will be requested to confirm that they have complied with the policy.