

1.

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Anti Bribery Policy for Contractors, Consultants and Suppliers			

Examples:**Offering a bribe**

You offer a potential client tickets to a major sporting event, but only if they agree to do business with City & Guilds.

This would be an offence as you are making the offer to gain a commercial and contractual advantage. It is also an offence for the potential client to accept your offer.

Receiving a bribe

A customer of City & Guilds gives your nephew a job, but makes it clear that in return they expect you to use your influence in our organisation to ensure we continue to do business with them.

It is an offence for the customer to make such an offer. It would be an offence for you to accept the offer because you are gaining a personal advantage for a member of your family.

Bribing a foreign official

You arrange an additional payment to a foreign official to ensure that our joint tender is accepted.

The offence of bribing a foreign public official has been committed as soon as the offer is made. This is because it is made to gain a business advantage both for us and for you.

4. Your responsibilities

The prevention and reporting of bribery or other forms of corruption is the responsibility of all persons associated with City & Guilds. All consultants, contractors and suppliers are required to avoid any activity that might lead to, or suggest, a breach of this policy.

You must:

- not offer, promise or give a bribe on behalf of City & Guilds or in connection with the provision of a City & Guilds product or service;
- not seek or accept any bribe either for yourself or on behalf of City & Guilds;
- not offer, promise or give any facilitation payment on behalf of City & Guilds (see section 5);
- if requested to do so by your Contact, complete and ensure that your staff who are also providing services to City & Guilds complete any anti-bribery training; and
- notify your Contact as soon as possible if you believe or suspect that bribery has taken place or is likely to take place.

Any breach of this policy could result in criminal proceedings against both the individual and City & Guilds and cause serious damage to the reputation of City & Guilds.

Therefore, any breach of this policy will be a material breach entitling City & Guilds to terminate your contract for services with immediate effect.

5. Facilitation payments

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Facilitation payments are typically small, unofficial payments made to secure or speed up a routine government action by a government official. They are not commonly paid in the UK, but can exist in some countries in which we operate. Facilitation payments are different from an official, publicly available fast-track process.

Examples:

Facilitation Payment

A customs officer requests a small payment to secure the clearance of some City & Guilds textbooks through customs.

This is likely to be a facilitation payment as you are paying an official to do a routine action. You should ask for details of the payment and why it is required in writing.

Fast-Track Process

During the process of booking a postal delivery, the postal service offers you a faster method of delivery which costs an additional fee.

This is likely to be a legitimate, publicly available fast-track process. If you are uncertain you can still request details in writing.

We will not make or offer any facilitation payment and we prohibit anyone else from making or offering a facilitation payment on our behalf.

This prohibition does not apply if the request for payment is accompanied by threats or if you are otherwise concerned for your personal safety, but you must report it as soon as possible, to your Contact.

Where a public official has requested a payment which you suspect is a facilitation payment, you should:

ask for further details of the purpose and nature of the payment in writing; and
report the request for the payment immediately by email or phone and, if provided,
forward written details of the purpose and the nature of the payment to your
Contact.

Your Contact will consider the nature of the payment and determine whether it is appropriate for such payment to be made.

6. Charitable and political donations

You must not make any donations to charities or political parties on behalf of City & Guilds.

7. Receiving gifts and corporate hospitality

We appreciate that you may receive gifts or corporate hospitality from clients or suppliers. You must not accept any gifts or corporate hospitality that could be seen to influence your work or that could bring the City & Guilds into disrepute.

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You must seek approval from your Contact about any hospitality that you are offered prior to acceptance.

It is your Contact _____ you during the provision of services; including both hospitality accepted and hospitality declined.

Example

On a visit to a customer, the customer arranges for refreshments to be available at a meeting. It is of course fine to accept this without the need to tell your Contact about it.

Example

A customer of City & Guilds invites you to dine with them as part of a normal business supplier relationship. You can accept this but you will need to tell your Contact about it before accepting.

Example

A customer of City & Guilds offers you tickets for an all-expenses paid trip to Paris. This is excessive as it could be seen as a bribe for City & Guilds having accepted their business and should not be accepted.

Example

A customer of City & Guilds gives you a box of chocolates to say thank you for working with them. If the value is less than £30, this could be accepted but speak to your Contact about whether you can accept the gift or not.

Example

A customer of City & Guilds invites you to participate in a golf tournament which will be attended by a number of their other suppliers. You should speak to

Your Contact is required to keep records of all gifts and hospitality accepted by their consultants, contractors and suppliers as a direct result of the services they provide to City & Guilds.

You should also keep records of all gifts and hospitality accepted by you (except small promotional gifts) and hospitality received. Records should also be kept of any gifts or hospitality declined, along with the reason for doing so.

10. Reporting suspected bribery

10.1. Reporting

If you have any concerns or suspect any act of bribery or corruption is taking place you should raise this with your Contact at the earliest possible opportunity.

Examples

which may indicate the existence of bribery or other corrupt practices. It is not intended to be exhaustive and is for illustrative purposes only.

you become aware that a third party:

- engages in, or has been accused of engaging in, improper business practices;

- has a reputation for paying bribes, or requiring that bribes are paid to them;

a third party:

- insists on receiving a commission or fee payment before committing to sign up to a contract with us, or carrying out a government function or process for us;

- requests payment in cash and/or refuses to sign a formal commission or fee agreement, or to provide an invoice or receipt for a payment made;

- requests that payment is made to a country or geographic location different from where the third party resides or conducts business;

- requests an unexpected additional fee or commission to "facilitate" a service;

- demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services;

- requests that a payment is made to "overlook" potential legal violations;

- requests that you provide employment or some other advantage to a friend or relative;

- insists on the use of side letters or refuses to put terms agreed in writing;

- requests or requires the use of an agent, intermediary, consultant, distributor or supplier that is not typically used by or known to us;

you receive an invoice from a third party that appears to be non-standard or customised;

you notice that we have been invoiced for a commission or fee payment that appears large given the service stated to have been provided; and/or

you are offered an unusually generous gift or offered lavish hospitality by a third party.

10.2. Protection

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You should not be concerned about possible repercussions if y P5P9

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