

RSM Partners

# POL29 Anti Bribery & Corruption Policy

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## Table of Contents

<b>1</b>	<b>Policy Governance</b>	<b>3</b>
1.1	Purpose	3
1.2	Policy Commencement	3
1.3	Application of Policy	3
1.4	Responsibility	3
1.5	Associated Documents	3
1.6	Current Policy Version	3
<b>2</b>	<b>Policy Statement</b>	<b>5</b>
2.1	Statement	5
2.2	Definition of bribery	6
2.3	What is and what is NOT acceptable	6
2.3.1	Gifts and hospitality	6
2.4	Facilitation Payments and Kickbacks	7
2.5	Political Contributions	7
2.6	Charitable Contributions	7
<b>3</b>	<b>Raising Concerns</b>	<b>9</b>
3.1	How to raise a concern	9
3.2	What to do if you are a victim of bribery or corruption	9
3.3	Protection	9
<b>4</b>	<b>Compliance, Training and Communication</b>	<b>10</b>
4.1	Policy Compliance and Monitoring	10
4.2	Policy Training and Communication	10
4.3	Record Keeping	11
<b>5</b>	<b>Document Control</b>	<b>12</b>

## **1 Policy Governance**

### **1.1 Purpose**

The purpose of this policy is to provide clear guidance to employees and suppliers with regards to Anti Bribery and Corruption. This policy will clearly state the expectations of RSM Partners.

### **1.2 Policy Commencement**

This policy will commence with immediate effect, 1<sup>st</sup> September 2017.

### **1.3 Application of Policy**

This anti-bribery policy applies to all employees (whether temporary, fixed-term, or permanent), contractors, trainees, agency staff or any other person or persons associated with us (including third parties), or any of our clients or their employees, no matter where they are located (within or outside of the UK).

In the context of this policy, third-party refers to any individual or organisation our company meets and works with. It refers to actual and potential clients, customers, suppliers, distributors, business contacts, agents, advisers, and government and public bodies – this includes their advisors, representatives and officials, politicians, and public parties.

Any arrangements our company makes with a third party is subject to clear contractual terms, including specific provisions that require the third party to comply with minimum standards and procedures relating to anti-bribery and corruption.

### **1.4 Responsibility**

As an employee of RSM Partners, you must ensure that you read, understand, and comply with the information contained within this policy, and with any training or other anti-bribery and corruption information you are given.

All employees and those under our control are equally responsible for the prevention, detection, and reporting of bribery and other forms of corruption. They are required to avoid any activities that could lead to, or imply, a breach of this anti-bribery policy.

If you have reason to believe or suspect that an instance of bribery or corruption has occurred or will occur in the future that breaches this policy, you must notify a director.

If any employee breaches this policy, they will face disciplinary action and could face dismissal for gross misconduct. RSM Partners has the right to terminate a contractual relationship with an employee if they breach this anti-bribery policy.

### **1.5 Associated Documents**

PRO23 Disciplinary Procedure

### **1.6 Current Policy Version**

1.0 Issued

## **2 Policy Statement**

### **2.1 Statement**

RSM Partners is committed to conducting business in an ethical and honest manner, and is committed to implementing and enforcing systems that ensure bribery is prevented. RSM Partners has zero-tolerance for bribery and corrupt activities. We are committed to acting professionally, fairly, and with integrity in all business dealings and relationships, wherever in the country we operate.

RSM Partners will constantly uphold all laws relating to anti-bribery and corruption in all the jurisdictions in which we operate. We are bound by the laws of the UK, including the Bribery Act 2010, in regards to our conduct both at home and abroad.

RSM Partners recognises that bribery and corruption are punishable by up to ten years of imprisonment and a fine. If our company is discovered to have taken part in corrupt activities, we may be subjected to an unlimited fine, be excluded from tendering for public contracts, and face serious damage to our reputation. It is with this in mind that we commit to preventing bribery and corruption in our business, and take our legal responsibilities seriously.

## 2.2 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 in order 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. Employees must not engage in any form of bribery, whether it be directly, passively (as described above), or through a third party (such a client 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 company's Directors.

## 2.3 What is and what is NOT acceptable

This section of the policy refers to 4 areas:

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

### 2.3.1 Gifts and hospitality

RSM Partners 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:

- a. 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
- b. It is not made with the suggestion that a return favour is expected.
- c. It is in compliance with local law
- d. It is given in the name of the company, not in an individual's name.
- e. It does not include cash or a cash equivalent (e.g. a voucher or gift certificate)
- f. It is appropriate for the circumstances (e.g. giving small gifts around Christmas or as a small thank you to a company for helping with a large project upon completion)
- g. It is of an appropriate type and value and given at an appropriate time, taking into account the reason for the gift
- h. It is given/received openly, not secretly
- i. It is not selectively given to a key, influential person, clearly with the intention of directly influencing them
- j. It is not above a certain excessive value, as pre-determined by the company's directors (usually in excess of £100)

- k. It is not offer to, or accepted from, a government official or representative or politician or political party, without the prior approval of the company's directors

Where it is inappropriate to decline the offer of a gift (i.e. when meeting with an individual of a certain religion/culture who may take offence), the gift may be accepted so long as it is declared to the HR manager, who will assess the circumstances.

RSM Partners 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 HR manager. Gifts from clients 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 manager should be sought.

## 2.4 Facilitation Payments and Kickbacks

RSM Partners does not accept and will not make any form of facilitation payments of any nature. We recognise that facilitation payments are a form of bribery that involves expediting or facilitating the performance of a public official for a routine governmental action. We recognise that they tend to be made by low level officials with the intention of securing or speeding up the performance of a certain duty or action.

RSM Partners does not allow kickbacks to be made or accepted. We recognise that kickbacks are typically made in exchange for a business favour or advantage.

RSM Partners recognises that, despite our strict policy on facilitation payments and kickbacks, employees may face a situation where avoiding a facilitation payment or kickback may put their/their family's personal security at risk. Under these circumstances, the following steps must be taken:

- a. Keep any amount to the minimum
- b. Ask for a receipt, detailing the amount and reason for the payment
- c. Create a record concerning the payment
- d. Report this incident to your line manager

## 2.5 Political Contributions

RSM Partners will not make donations, whether in cash, kind, or by any other means, to support any political parties or candidates. We recognise this may be perceived as an attempt to gain an improper business advantage.

## 2.6 Charitable Contributions

RSM Partners accepts (and indeed encourages) the act of donating to charities – whether through services, knowledge, time, or direct financial contributions (cash or otherwise) – and agrees to disclose all charitable contributions it makes.

Employees must be careful to ensure that charitable contributions are not used to facilitate and conceal acts of bribery.

We will ensure that all charitable donations made are legal and ethical under local laws and practices, and that donations are not made without the approval of a director.



## 3 Raising Concerns

This section of the policy covers 3 areas:

- a. How to raise a concern.
- b. What to do if you are a victim of bribery or corruption.
- c. Protection.

### 3.1 How to raise a concern

If you suspect that there is an instance of bribery or corrupt activities occurring in relation to RSM Partners, you are encouraged to raise your concerns at as early a stage as possible. If you're uncertain about whether a certain action or behaviour can be considered bribery or corruption, you should speak to your line manager, the compliance manager or director.

RSM Partners will familiarise all employees with its whistleblowing procedures so employees can vocalise their concerns swiftly and confidentially.

### 3.2 What to do if you are a victim of bribery or corruption

You must tell your line manager as soon as possible if you are offered a bribe by anyone, if you are asked to make one, if you suspect that you may be bribed or asked to make a bribe in the near future, or if you have reason to believe that you are a victim of another corrupt activity.

### 3.3 Protection

If you refuse to accept or offer a bribe or you report a concern relating to potential act(s) of bribery or corruption, RSM Partners understands that you may feel worried about potential repercussions. RSM Partners will support anyone who raises concerns in good faith under this policy, even if investigation finds that they were mistaken.

RSM Partners will 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 or corruption.

Detrimental treatment refers to dismissal, disciplinary action, treats, or unfavourable treatment in relation to the concern the individual raised.

If you have reason to believe you've been subjected to unjust treatment as a result of a concern or refusal to accept a bribe, you should inform your line manager or a director.

## **4 Compliance, Training and Communication**

### **4.1 Policy Compliance and Monitoring**

You are required to comply with this policy and RSM will regular monitor and review this.

Where employees are found to be not adhering to company policy they may face disciplinary actions in accordance with the PRO23 Disciplinary Procedure.

### **4.2 Policy Training and Communication**

RSM Partners will provide training on this policy as part of the induction process for all new employees. Employees will also receive regular, relevant training on how to adhere to this policy.

This policy will be clearly communicated to all relevant employees, clients, contractors, business partners, and any third-parties at the outset of business relations, and as appropriate thereafter.

All policies are available in the central policy location which is communicated to all employees.

RSM Partners will provide relevant policy training to employees etc. where we feel their knowledge of how to comply with this policy needs to be enhanced.

### **4.3 Record Keeping**

RSM Partners will keep detailed and accurate financial records, and will have appropriate internal controls in place to act as evidence for all payments made. We will declare and keep a written record of the amount and reason for hospitality or gifts accepted and given, and understand that gifts and acts of hospitality are subject to managerial review.

## 5 Document Control

### POLICY HISTORY

Version	Date	Author	Approver	Date Approved
0.1	24/08/17	Sandra Hands	Jennie Holpin	

### REVIEW

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