Saint Edmund's Catholic Primary School

'Together we learn and grow through worship and celebration'

Anti-bribery and Corruption

Committee responsible for policy	Catholic Life and Community Committee
Approved by **Committee**/FGB	January 2025
Statutory/Non-statutory	NON-STATUTORY
Frequency of Review	Free to determine – 4 years
Date of last review	January 2021
Date of next review	**January 2029**
Purpose of policy	The Governing Body has overall responsibility for ensuring this policy complies with the School's legal and ethical obligations, and that all "*associated"* persons comply with it.
Consultation	H/T, D/H and Business Manager (Finance Officer) Bribery Act 2010
Links to other policies	Equalities, Whistle Blowing Disciplinary

Anti-Bribery and Corruption Policy

St Edmund's School is committed to conduct all of its business in an honest and ethical manner and to act in good faith. Governors and Senior Management take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all business dealings and relationships wherever the School operates and to implementing and enforcing effective systems to counter bribery.

St Edmund's will uphold all laws relevant to countering bribery and corruption in all the jurisdictions in which it operates. It remains bound by the laws of the UK, including the Bribery Act 2010, in respect of conduct both at home and abroad.

The aim of this policy is:

a) to set out the School's responsibilities, and the responsibilities of all persons "*associated"* with the School, in observing and upholding the correct position in relation to bribery and corruption;

b) to provide information and guidance to all such persons on how to recognise and deal with bribery and corruption issues.

c) to inform employees so that they can recognise and avoid potential; bribery and corruption situations themselves and to assist others in doing so; and

d) to encourage employees to be vigilant and to report any suspicion of bribery or corruption, providing them with suitable channels of communication and ensuring sensitive information is treated appropriately.

NOTE A person is 'associated' with the School if that person performs services on behalf of the School. This would include Governors, employees and agents, and may also include contractors and business partners (e.g. as in a joint venture arrangement). It would not usually include someone who merely supplies the School with goods.

Bribery and corruption are punishable for individuals by up to ten years' imprisonment and if the School is found to have taken part in corruption it could face an unlimited fine, and face damage to its reputation. St Edmund's therefore takes its legal responsibilities very seriously.

The following areas have been identified as particular risks for St Edmund's:

(a) Accepting payment or donations in return for securing a place for a particular child or the appointment of a particular child to a position within the school, without following the school's usual admissions and appointment procedures;
b) Accepting an invitation from a supplier or a parent to attend an event as their guest where the supplier or parent intends to secure an improper advantage (in this case, the offence would be committed by the supplier or parent although there is a reputational risk to the School. If an "*associated"* person acted improperly as a result, he/she would also have committed an offence.
c) Accepting a lavish gift or gifts which might induce someone to favour one particular pupil over others;
d) Accepting a charitable donation from a business tendering for a contract with the school or favouring donors when choosing suppliers;
e) Accepting personal gifts or stock personally from suppliers of products in order for them to remain as a supplier;

To address those risks the School has:
a) Ensured that the Governing Body is aware of the new legislation and the Business Manager will oversee compliance with this legislation;
b) Ensured that the School's Senior Management Team is aware of the new legislation and appointed the School Business Manager to oversee compliance with the legislation on a day to day basis.
c) Communicated this new policy to all employees and held meetings with those staff who are thought to be most at risk of being induced with bribes – i.e. in addition to the Senior Management Team, those responsible for:

i) procuring material contracts
ii) significant budgets
iii) administering the admissions process
iv) those liaising with donors
v) managing the school site and buildings

d) Posted this Bribery Policy on the School's website to communicate the policy to current and potential parents, suppliers and business partners.
e) The school has adopted the Diocesan Whistle Blowing and Disciplinary Policies which include implicit references to the Bribery Act.

In this policy, **third party** means any individual or organisation with whom employees of St Edmund's come into contact during the course of School business. and includes actual and potential clients – typically parents and hirers of the school facilities, other customers, suppliers, distributors, business contacts, agents, advisers, and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

WHO IS COVERED BY THE POLICY?
This policy applies to all Governors and individuals working at St Edmund's at all levels and grades, including senior managers, officers, employees (whether permanent, fixed-term or temporary), consultants, contractors, seconded staff, casual workers and agency staff, volunteers, agents, sponsors, or any other person associated with St Edmund's, wherever located

WHAT IS BRIBERY?
A bribe is an inducement or reward offered, promised or provided in order to gain any improper commercial, contractual, regulatory or personal advantage

WHAT IS CORRUPTION?
Corruption is the misuse of position or power for personal gain. Corruption can occur even when there has not been a benefit but an expected one. Corruption can also occur when relatives or friends/associates of an employee receive a benefit.

GIFTS AND HOSPITALITY
This policy does not prohibit normal and appropriate hospitality (given and received) to or from third parties.
The giving or receipt of gifts is not prohibited, if the following requirements are met:

a) it is not made with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage, or in explicit or implicit exchange for favours or benefits;
b) it complies with local law;

c) it is appropriate in the circumstances. For example, in the UK it is customary for small gifts to be given at Christmas time;
d) taking into account the reason for the gift, it is of an appropriate type and value and given at an appropriate time; and
e) it is given openly, not secretly.
f) gifts should not be offered to, or accepted from, government officials or representatives, or politicians or political parties, without the prior approval of the Finance Officer, who will consult with the Governing Body.

The School acknowledges that parents and pupils may choose to provide the Headteacher, teachers, and other staff with modest gifts including bottles of wine, books and vouchers. These should be recorded (see below) but are unlikely to be of any concern under the Bribery Act 2010 unless their value is significant in which case the employee is advised to inform the Finance Officer.

The School recognises that it needs to be considered whether in all circumstances the gift or hospitality is reasonable and justifiable. The intention behind the gift should always be considered.

WHAT IS NOT ACCEPTABLE?
It is not acceptable for an "*associated"* person to:
a) give, promise to give, or offer a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given.
b) give, promise to give, or offer, a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure.
c) accept payment from a third party where it is known or suspected that it is with the expectation that it will obtain a business advantage for them.
d) threaten or retaliate against another "*associated"* person who has refused to commit a bribery offence or who has raised concerns under this policy.
e) engage in any activity that might lead to a breach of this policy.

If an *"associated"* person is asked to make a payment on behalf of St Edmund's he/she should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. He/she should always ask for a receipt which details the reason for the payment, and if there are any suspicions, concerns or queries regarding a payment, these should be raised with the Finance Officer.

DONATIONS
St Edmund's does not make contributions to political parties. Only charitable donations are made that are legal and ethical under local laws and practices. The School may occasionally support fundraising events organised by "*associated"* persons. No donation must be offered or made without the prior approval of the Finance Officer.

GOVERNOR AND EMPLOYEE RESPONSIBILITIES
All Governors and employees must read, understand and comply with this policy.
The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all, and everyone should avoid any activity that might lead to, or suggest, a breach of this policy.
Employees must notify the Headteacher as soon as possible if there is the belief or suspicion that a conflict with this policy has occurred, or may occur in the future. For example, if a third party offers you something to gain a business advantage, or indicates to you that a gift or payment is required to secure their business with St Edmund's.

Governors and employees must sign a Declaration of Interest at the beginning of each academic year to enable any interests or conflicts of interest to be openly shared and understood – see appendix 1.

RECORD-KEEPING

Financial records should be maintained, and appropriate internal controls set in place which will evidence the business reason for making payments to third parties.

A written record should be maintained of all hospitality or gifts accepted or offered to Governors or employees with a value in excess of £25, and this may be inspected periodically by the Finance Officer. This is kept on the staff area of the school server.

All accounts, invoices, memoranda and other documents and records relating to dealings with third parties should be prepared and maintained with strict accuracy and completeness.

HOW TO RAISE A CONCERN

"*Associated"* persons are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. Concerns should be reported by following the procedure set out in the School's Whistle Blowing Policy, a copy of which can be found on the School's website, or obtained from the Headteacher.

WHAT TO DO IF YOU ARE A VICTIM OF BRIBERY OR CORRUPTION

If an "*associated"* person is offered a bribe by a third party, or is asked to make one, the Headteacher should be informed immediately. If the Headteacher is the victim of bribery or corruption this should be referred to the Chair of Governors.

PROTECTION

"*Associated"* persons who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. St Edmund's aims to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.

St Edmund's is committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or other corruption offence has taken place, or may take place in the future.

TRAINING AND COMMUNICATION

All new employees will be made aware of this policy as part of the induction process, and all existing employees and workers will receive regular oral reminders. Relevant training on how to implement and adhere to this policy will be given to those considered most at risk.

The School's zero-tolerance approach to bribery and corruption must be communicated to all suppliers, contractors and business partners through sharing this policy at the outset of any business relationship with them and as appropriate thereafter.

WHO IS RESPONSIBLE FOR THE POLICY?

The Governing Body has overall responsibility for ensuring this policy complies with the School's legal and ethical obligations, and that all "*associated"* persons comply with it.

The Deputy Headteacher and School Business Manager have primary and day-to-day responsibility for implementing this policy, and for monitoring its use and effectiveness and dealing with any queries on its interpretation.

Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy.

See appendices below.

Appendix 1

To: All Staff

Dear colleague

Code of Conduct and Declaration of Interests

In accordance with the Council's Code of Conduct, employees are required to declare any interests they have outside their employment which can cause actual or perceived conflicts between their individual interests and those of the Council and can therefore affect their capacity to make effective decisions on behalf of the Council. Additionally, **officers must also declare the interests of any of their friends or relatives that could result in a conflict of interests**, The main purpose of this declaration is to safeguard everyone from any suspicion of wrongdoing, real or perceived. The Bribery Act 2010 applies to all schools.

All staff are reminded that interests must be declared at least once every 12 months.

All staff should complete a declaration of interests form and return it to *Gaynor*

It is a requirement that a Register is held which records the interests of any member of staff with an outside agency with whom the Council deals. This would include any existing suppliers or potential suppliers who may appear on a short-list as well as other agencies and organisations that the Council does business with. In this context, an "interest" would mean being related to, or being friends with, individuals who own or work for such agencies.

In addition to the above, the Code of Conduct provides advice about gifts that might be offered to you and a range of outside interest that you should declare. These include:

Gifts
Employees must not accept gifts from anyone with whom they have a professional relationship on behalf of the Council, other than token items of nominal value such as a calendar or a diary. You should refer to the Code of Conduct for full details. If you are offered or receive such a token gift you must enter this in the Hospitality Book. A copy of the Code of Conduct is available on the extranet.

Declarations of Interest
There are several other circumstances referred to in the Employees' Code of Conduct which, should they arise, must be declared by employees either via the declaration of interests form. These are summarised below:

- Additional employment
- Financial or non-financial interests which could conflict with the Council's interests
- Membership of secret societies

I would ask all staff to refer to the Code and remind themselves of the content and in particular the paragraphs referred to above. Please remember that the Code has been drawn up in order to maintain the highest standards of official conduct throughout the organisation and to protect employees from misunderstanding or criticism.

Private and confidential

Declaration of interests

Name:

Department:

☐ I declare that I do not have any interests outside my employment that could result in an actual or perceived conflict

☐ I declare that I do not have any interests outside my employment that could result in an actual or perceived conflict apart from the ones listed below:

Interest(s) declared:

Signature:..... Date: .....