



## **ANTI-BRIBERY AND CORRUPTION POLICY**

(for Schools and the Kindergarten)

This policy will be reviewed annually or in response to changes in legislation		
Created	2013	Finance Manager, Personnel Manager
Last Review	September 2023	Chief Finance Officer, Chief People Officer
Approved	September 2023	Operations Board

### **1. POLICY STATEMENT**

- 1.1. Thomas's London Day Schools ("the School") has a commitment to carry out its business fairly, honestly and in good faith and therefore adopts a 'zero-tolerance' approach towards bribery for or on its behalf. The School specifically prohibits the offering, giving, solicitation or acceptance of any advantage (whether in cash or otherwise) to or from any person or company.
- 1.2. The School will uphold all laws relevant to countering bribery and corruption in all jurisdictions in which it operates and will comply with the Bribery Act 2010.
- 1.3. The purpose of this policy is to:-
  - i. set out the Schools responsibilities, and of those working for it, in observing and upholding its position on bribery and corruption; and
  - ii. provide information and guidance to those working for the School on how to recognise and deal with bribery and corruption issues.
- 1.4. The School expects all employees to:-
  - i. Comply with the Code of Conduct of the school and with the principles of the Anti-Bribery and Corruption policy.
  - ii. Maintain high standards of integrity in their dealings for the School.
  - iii. Ensure that all activity is undertaken with due regard to relevant legislation.
  - iv. Keep confidential all confidential aspects of their work.
  - v. Refuse any payment, gift, service or hospitality that could be construed as a bribe.
  - vi. Avoid creating or appearing to create an obligation on others to offer inducements.
  - vii. Not offer such gifts or services themselves if it might or might be perceived as a way of obtaining an advantage.

- viii. Avoid situations of actual or perceived conflicts of interest.
  - ix. Optimise the use of resources for which they are responsible and over which they have influence.
  - x. Report breaches of this code in particular notifying their Head if they believe they are the subject of an attempted bribe, or if they suspect that bribery or corruption is taking place within the School.
- 1.5. To address those risks the School has:
- i. Communicated this policy to all employees.
  - ii. Posted this policy onto the school website to communicate the policy to current parents.
  - iii. Ensured that the School Whistleblowing policy refers to bribery;
  - iv. Added bribery to the list of offences that may constitute gross misconduct (with the potential for dismissal) for members of staff.

## **2. WHO IS COVERED BY THE POLICY?**

- 2.1. This policy applies to all individuals working for the School at all levels (whether permanent, fixed-term or temporary), and includes consultants, contractors, trainees, agency staff, volunteers, agents or any other person associated with the School (collectively referred to as 'employees' in this policy).
- 2.2. This policy covers any activity performed in the course of a person's employment or other engagement with the school in whatever form

## **3. WHAT IS BRIBERY?**

- 3.1. A bribe is an inducement or reward offered, promised or provided in order to gain any improper commercial, contractual, regulatory or personal advantage

## **4. GIFTS AND HOSPITALITY**

- 4.1. This policy does not prohibit normal and appropriate hospitality (given and received) to or from third parties. Hospitality should never be accepted if one believes the objectivity of one's decision making could be impaired as a result of the hospitality.
- 4.2. The giving or receipt of gifts is not prohibited, if the following requirements are met:
  - i. 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;
  - ii. it complies with local law;
  - iii. it is given in the School's name, not in an employee's name;
  - iv. if given, it does not include cash or a cheque;
  - v. it is appropriate in the circumstances. For example, in the UK it is customary for small gifts to be given at Christmas time;
  - vi. taking into account the reason for the gift, it is of an appropriate type and value and given at an appropriate time;
  - vii. it is given openly, not secretly.

- viii. Gifts should not be offered to, or accepted from, government officials or representatives, or politicians or political parties without the prior approval of the Head and the Principals.
- 4.3. Specifically, the School acknowledges that parents and pupils may choose to provide teachers and other staff with modest gifts, such as bottles of wine, books and vouchers. These are unlikely to be of any concern under the Bribery Act 2010 unless their value is significant (value in excess of £100) in which case, the employee is advised to consult their Head.
- 4.4. The School also acknowledges that for some visitors, or for parents on or after open days, small mementos may be provided.
- 4.5. The School appreciates that the market practice of giving business gifts varies between countries and regions and what may be normal and acceptable in one country or region may not be in another. The test to be applied is whether in all the circumstances the gift or hospitality is reasonable and justifiable. The intention behind the gift should always be considered.

## **5. WHAT IS NOT ACCEPTABLE?**

- 5.1. It is not acceptable for an employee (or someone on their behalf) to:
  - i. 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.
  - ii. 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.
  - iii. To accept an offer of payment or payment from a third party that they know or suspect is offered with the expectation that it will obtain an advantage for them.
  - iv. Accept a gift or hospitality from a third party if they know or suspect that it is offered or provided with an expectation that a business advantage will be provided by the School or individual in return.
  - v. Threaten or retaliate against another employee who has refused to commit a bribery offence or who has raised concerns under this policy.
  - vi. Engage in any activity that might lead to a breach of this policy.

## **6. DONATIONS**

- 6.1. The School does not make contributions to political parties. The School only makes charitable donations that are legal and ethical under local laws and practices. The School may occasionally support fundraising events organised by employees. No donation must be offered or made in the School name or on behalf of the School without the prior approval of the Head and the Principals.

## **7. YOUR RESPONSIBILITIES**

- 7.1. The employee must ensure that they read, understand and comply with this policy.
- 7.2. The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for the School or under the Schools control. All employees are required to avoid any activity that might lead to, or suggest, a breach of this policy.

- 7.3. The employee must notify the Head as soon as possible if they believe or suspect that a conflict with this policy has occurred, or may occur in the future.
- 7.4. Any employee who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct. The School reserves the right to terminate the contractual relationship with other employees if they breach this policy.

## **8. RECORD-KEEPING**

- 8.1. The School must keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties.
- 8.2. All accounts, invoices, memoranda and other documents and records relating to dealings with third parties, such as clients, suppliers and business contacts, should be prepared and maintained with strict accuracy and completeness. No accounts must be kept "off-book" to facilitate or conceal improper payments.

## **9. HOW TO RAISE A CONCERN**

- 9.1. Employees are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage.
- 9.2. They should do this by contacting any two of the following:
  - i. The Head
  - ii. Chief Executive Officer
  - iii. Chief Finance Officer
  - iv. Chief People Officer
- 9.3. If an employee is unsure whether a particular act constitutes bribery or corruption, or if they have any other queries, these should also be raised with any of those listed above.

## **10. WHAT TO DO IF YOU ARE A VICTIM OF BRIBERY OR CORRUPTION**

- 10.1. It is important that an employee tells the Head, Chief Executive Officer, Chief Finance Officer or Chief People Officer as soon as possible if they are offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that they are a victim of another form of unlawful activity.

## **11. PROTECTION**

- 11.1. Employees who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. The School 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.
- 11.2. The School 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. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If an employee believes that they have suffered any such treatment, they should speak to the Head. If the matter is not remedied, and they are an employee, they should raise it formally under the School's Grievance Procedure, a copy of which can be obtained on MSP.

## **12. WHO IS RESPONSIBLE FOR THE POLICY?**

- 12.1. The Proprietor has overall responsibility for ensuring that this policy complies with the School's legal and ethical obligations, and that all those under the School's control comply with it.
- 12.2. The Head has primary day to day responsibility for implementing this policy, and for monitoring its use and effectiveness and dealing with any queries on its interpretation.
- 12.3. Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy and are given adequate and regular training on it.

## **13. MONITORING AND REVIEW**

- 13.1. The Chief People Officer, in conjunction with the Chief Finance Officer will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in countering bribery and corruption.
- 13.2. All employees are responsible for the success of this policy and should ensure that they use it to disclose any suspected danger or wrongdoing.
- 13.3. This policy does not form part of any employee's contract of employment and it may be amended at any time.
- 13.4. The School may also report any matter to the relevant authorities including the Director of Public Prosecutions, Serious Fraud Office, Revenue and Customs Prosecutions Office and/or the police.