

# Anti-bribery and Corruption Policy incorporating Anti-Slavery and Human Trafficking

## Andrews Fasteners Limited

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<b>Policy</b>	This policy sets out the company rules in relation to anti-bribery, corruption and anti-slavery including Human Trafficking.
<b>Why do we need this policy?</b>	The purpose of this policy is to set out the responsibilities of all employees and associated persons engaged in any company activities to comply with the Bribery Act 2010 and the Modern Slavery Act 2015 and any subsequent amendments. Both acts can extend to activities of a UK-based business no matter where they are carried out in the world. This policy applies to all activities worldwide, whatever the local law, practice or custom may be.  This policy sets out guidance on how to recognise and deal with bribery, corruption and slavery issues.
<b>How does the principle apply and what does it apply to?</b>	This policy applies to all activities carried out for or on behalf of the company, irrespective of the location.
<b>Which parts of the company are affected?</b>	This policy applies to all the company employees and associated persons (defined as appointees, agents, individuals, customers, suppliers, advisors and officials) engaged by the company.
<b>What support is available to help the company implement this policy?</b>	Support and advice are available from Managing Director.  This document should be read in conjunction with any other Company Policies, Company Handbook and Terms of Employment.

## Introduction

The purpose of this policy is to provide guidance for the company staff and associated persons involved in any the company activity, to ensure compliance with statutory requirements whilst enabling the company to meet its aims and objectives.

The company has zero tolerance of bribery and fraud committed by any person working for the company, or any person who provides services on behalf of the company. Any allegation of bribery will be investigated by the company in accordance with the company's disciplinary procedures and may be reported to the authorities. Any individual who is found to have committed bribery will be subject to disciplinary actions as defined in the Dispute Resolution Policy.

The company has zero tolerance of acts of slavery or human trafficking by any person working for the company, or any person who provides services on behalf of the company. Any allegation of slavery will be investigated by the company in accordance with the company's disciplinary procedures and may be reported to the authorities.

The company has a hard-won reputation for acting with integrity, transparency and honesty. We are committed to the prevention of bribery because we recognise the importance of maintaining our reputation and the confidence of the public and other partner organisations.

The company will not work with other organisations which we consider do not share our commitment to preventing bribery, corruption or acts of slavery.

## Legislative requirements

The company must comply with the Bribery Act 2010 and the Modern Slavery Act 2015.

## Definition of a bribe

A bribe is:

*“The act of offering, promising or giving a financial or other advantage to another person with the intention of inducing conduct that amounts to a breach of an expectation that the person will act in good faith, impartially, or in accordance with a position of trust.”*

It is an offence under the Bribery Act to offer a bribe or accept a bribe. A bribe can be given or received by an employee or associated person. Bribes can include money, gifts, hospitality, loan payments, business or another advantage. A bribe must encourage the recipient to act in a way which is dishonest, illegal, or a breach of a position of trust.

It is an offence under the Bribery Act to offer a bribe to a foreign public official. Bribes to foreign officials include the payment of facilitation payments. A ‘facilitation payment’ is when there is an offer of money to a public official in order to expedite or gain an improper advantage.

Corruption is the misuse of entrusted power for personal gain.

## Failure to prevent bribery

The Bribery Act also makes it an offence for an organisation to fail to prevent bribery. This is commonly called the ‘corporate offence’.

If the company employee or associated person breaches the Bribery Act then the company could be found to have committed the offence of failing to prevent bribery. This offence can be committed by any ‘relevant commercial organisation’ which carries on a business in any part of the UK, even if the offence itself takes place abroad.

The Ministry of Justice has issued guidance on the Bribery Act and this guidance includes a description of a ‘relevant commercial organisation’. The guidance is clear that even if an organisation pursues primarily charitable or educational aims, or purely public functions, it can still be a ‘relevant commercial organisation’. the company is therefore liable for prosecution if there is a breach of a corporate offence.

The company would be guilty of an offence if an associated person to the company bribes another person to obtain business or a business advantage. The test of who is an associated person is drawn very widely: any person who ‘performs services for or on behalf of’ an organisation will be an associated person. This includes but is not limited to employees, appointees, agents or subsidiaries.

It is a defence to the corporate offence if an organisation is able to show that it has adequate procedures in place. It is important that all employees and associated persons adhere to this Anti-Bribery and Corruption Policy and relevant Company Procedures, Company Handbook and Terms of Employment.

## Employees and third-party responsibilities

1. Behave honestly, be trustworthy and set a good example.
2. Make a clear distinction between the interests of the company and your own private interests to avoid any conflict of interest. If any conflict should arise you should report it to your Supervisor or Managing Director immediately or at the soonest time thereafter.
3. Report all incidents which are contrary to this policy to your Supervisor or Managing Director. These include:
  - a. if you are asked to make a bribe
  - b. if you are offered a bribe
  - c. if you suspect this may happen in the future
  - d. if you believe that another person associated with the company has been asked to make a bribe or has been offered a bribe as defined by the company's Code of Conduct
4. Do not accept or offer bribes.
5. Report gifts and hospitality offered/provided when acting for the company.
6. Do not offer money (a facilitation payment) to any public official in order to expedite or gain an improper advantage.
7. If you are faced with a demand for a facilitation payment you must actively resist the payment and report the demand to your Supervisor or Director immediately or at the soonest time thereafter.
8. Listed below are some examples of bribes. Please note this is not an exhaustive list:
  - a. accepting/giving a cash payment to influence a decision
  - b. accepting/offering gifts and hospitality which are excessive and out with the norm of your business practice
  - c. paying for, or receiving goods or services for personal gain to influence a decision, e.g. offering/accepting a holiday, use of holiday homes, private jets, flights etc.

## Consequence of breach

If there is a breach of the Act by an employee or an associated person, the individual and/or the company could be liable to prosecution in the UK courts.

If found guilty, the maximum penalty the courts can impose on an individual and/or the company is:

- a. an unlimited fine
- b. a 10 year prison sentence for an individual; or
- c. both

## Tendering and bidding exercises

All the company staff and associated persons involved with any the company-related tender exercises must take care to avoid conduct which could be perceived as offering or accepting a financial or other advantage to influence the outcome.

## Business development

The company does not allow the giving of (or the promise to give) gifts, hospitality or payment with the intention of influencing a decision to receive a business advantage or to provide a reward for a business advantage already given.

## Charitable and political donations

The company does not make any financial payments to any charitable organisations or political parties.

## Sponsorship

The company does not permit the company personnel and/or associated persons to approach suppliers or associated external parties who are engaged in the company official business for personal sponsorship. This includes, but is not limited to, sponsorship for sporting events, football, bungee jumps etc. Reference to any personal sponsorship in official the company e-mails or letters is a breach of this policy.

## Corporate hospitality

The company personnel and associated persons offering corporate hospitality should take care to ensure:

- a. the purpose of the hospitality is to maintain good working relationships with existing clients
- b. the recipient is not given the impression that they are obliged to confer any business advantage
- c. the recipient's independence is not affected

## Definition of a Slavery and Human Trafficking

The legal definition is:

*"Trafficking in persons shall mean the recruitment, transportation, transfer, harbouring or receipt of persons, by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control of another person, for the purpose of exploitation. Exploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or removal of organs."*

The company has a zero tolerance to acts of Slavery and human trafficking by any supplier or individual engaged by the company to carry out services. The company will report all breaches of the act to the authorities and will terminate all contracts with the supplier and individual with immediate effect. The company will blacklist the supplier and individual and will report the findings to relevant enforcement bodies.

All breaches (or potential breaches) of this Act must be reported to Managing Director immediately and no further engagement should be made with the supplier or individual.

Review date: **26/02/2021**

Change date: **08/02/2021**

**Michael Carey**

Managing Director

