

# **Claret Civil Engineering Ltd**

## **Anti-Bribery and Corruption Policy**

**May 2024**

## Contents

Section 1	Policy Statement	Page 3
Section 2	Definitions	Page 4
Section 3	Scope of this policy	Page 4
Section 4	Responsibilities	Page 5
Section 5	What constitutes bribery and corruption	Page 5
Section 6	Receiving Gifts and Hospitality	Page 6
Section 7	What is unacceptable?	Page 6
Section 8	Giving Gifts and Hospitality	Page 7
Section 9	Policy Breaches	Page 8
Section 10	Charitable donations and sponsorship	Page 8
Section 11	Record Keeping	Page 8
Section 12	Whistleblowing	Page 8
Section 13	Training and Communication	Page 9
Section 14	Monitoring and review	Page 9
Section 15	Related Documents	Page 9
Section 16	Document Control	Page 9

## 1. POLICY STATEMENT

Claret Civil Engineering Ltd (Claret CE)

- 1.1. At Claret CE, we pride ourselves in being an honest and ethical business. Therefore, we take a zero-tolerance approach to bribery and corruption, and we are committed to acting professionally, fairly and with integrity in all our business dealings and relationships.
- 1.2. We do not believe that it is appropriate for employees to accept gifts from clients, suppliers or any other person or company with which Claret CE has (or might have) business connections. This is because it is important to ensure that no employee acts in any way that is inconsistent with the company's objectives or with the integrity of the business by accepting a gift in circumstances where it could influence, or be seen to influence, that employee's business actions or decisions.
- 1.3. This policy does not prohibit the giving or receiving of gifts or bona fide business hospitality providing that it is for a genuine purpose, reasonable and proportionate to the ordinary course of business, customary in a particular market or they constitute a ceremonial gift on a festival, event or at any other special time.
- 1.4. We take our legal obligation to prevent bribery and corruption seriously and will ensure that our business dealings and relationships are conducted in compliance with all UK laws relating to the prevention of bribery and corruption including the Bribery Act 2010.

This policy will be issued to all employees and other interested parties and will be reviewed annually to ensure compliance with legislation and relevance to the company's activities.



A R Gibbons  
Managing Director  
20<sup>th</sup> May 2024

## 2. DEFINITIONS

2.1. **Bribery** – Is when a gift or reward is given or promised to improperly gain a commercial or personal advantage which may constitute an offence under the Bribery act 2010. Including offering a bribe, receiving a bribe and bribing regulatory officials.

There are four key offences under the Bribery Act, they are:

- Bribery of another person (Section 1) makes it an offence to offer, promise or give a bribe
- Accepting a bribe (Section 2) makes it an offence to request, agree to receive, or accept a bribe
- Bribing a foreign public official (Section 6) makes it an offence with the intention of obtaining or retaining business or an advantage in the conduct of business
- Failing to prevent bribery (Section 7) makes it a corporate offence where there is failure by a commercial organisation to prevent bribery that is intended to obtain or retain business, or an advantage in the conduct of business, for the organisation. An organisation will have a defence to this corporate offence if it can show that it had in place adequate procedures designed to prevent bribery by or of persons associated with the

2.2. **Corruption** – Dishonest or fraudulent conduct by those in power, typically involving bribery.

2.3. **Gifts** - Any items of value or benefits exchanged at no cost.

2.4. **Entertainment** - Any activity offered or received for free - or at less than market price - including (but not limited to) meals, travel, accommodation, sporting events, recreational activities and hospitality.

2.5. **Charitable donation** - Voluntary philanthropic contributions and non-commercial sponsorships in the form of monetary / non-monetary gifts where no return payment / service is expected or made.

## 3. SCOPE OF THIS POLICY

3.1. This policy sets out our responsibilities and those of others working for us, in observing and upholding our position on bribery and corruption. It also provides information and guidance on how to recognise and deal with issues of bribery and corruption.

3.2. This policy applies to all employees at Claret CE whether employed permanently, fixed term or temporary. And includes all consultants, sub-contractors, casual & agency staff and any other persons who work on behalf of the business.

3.3. If any employee is in doubt as to whether a potential act constitutes an act of bribery, they should refer the matter to their immediate supervisor, manager or to a director.

3.4. The prevention, detection and reporting of bribery and corruption is the responsibility of all employees throughout Claret CE, therefore suitable channels of communication will be maintained as per the company's Whistleblowing policy for suspicions of bribery to be reported.

## 4. RESPONSIBILITIES

All relevant individuals have a responsibility under this Policy as follows:

### 4.1. Directors shall:

- Not accept any bribes or actively be involved in corruption.
- Ensure that this policy is communicated to all employees and any business or subcontractor working on our behalf.
- Ensure that any matters relating to bribery or corruption are dealt with according to our policies and procedures.

### 4.2. Line Managers/Supervisors shall:

- Not accept any bribes or actively be involved in corruption.
- Ensure the policy is communicated to their teams.
- Ensure that all employees feel able to report any acts of bribery without prejudice or bias.

### 4.3. Claret CE employees shall:

- 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.
- Avoid any activities that could lead to, or imply, a breach of this anti-bribery policy.
- Not accept any bribes or actively be involved in corruption.
- If they 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, must notify their line manager or another member of our senior management team.
- Understand any employee who breaches this Policy may face disciplinary action, which could result in dismissal for gross misconduct.

### 4.4. Contractors /sub-contractors shall:

- Act according to our policy, and not accept any bribes or be involved in corrupt activities on behalf of Claret CE.

## 5. WHAT CONSTITUTES BRIBERY AND CORRUPTION

- 5.1.** Bribery is offering, promising, giving or accepting any financial or other advantage, to induce the recipient or any other person to act improperly in the performance of their functions, or to reward them for acting improperly, or where the recipient would act improperly by accepting the advantage. An advantage includes money, gifts, loans, fees, hospitality, services, discounts, the award of a contract or anything else of value. A person acts improperly where they act illegally, unethically, or contrary to any expectation of good faith or impartiality, or where they abuse a position of trust.
- 5.2.** It is an offence under the Act to offer a bribe; receive a bribe; bribe a foreign official; or consent or connive with the commission of a bribery offence by anyone associated with us in respect of business carried out on our behalf.
- 5.3.** Corruption is the abuse of entrusted power or position for private gain.

## 6. RECEIVING GIFTS AND HOSPITALITY

- 6.1. Any employee who receives a gift of any kind from an existing or potential business contact must disclose the fact of the gift, its nature and the identity of the sender to their line manager. If the gift is anything other than a small token of appreciation having no substantial financial value, the employee will be required to return the gift to the sender with a polite note thanking him/her and explaining that it is Claret CE's policy that employees should not receive gifts.
- 6.2. If, in the opinion of the line manager, the gift might constitute a bribe or other inducement, the employee will be asked to pass the gift to a Director, who will ensure it is returned to the sender with a suitable explanation of the company's policy and asking that it be respected in the future.
- 6.3. In cases where the employee's line manager agrees that the gift was sent to the employee as a token of gratitude for work carried out to a particularly high standard or for an exceptional level of service given, the employee may, at the line manager's discretion, be permitted to retain the gift. Thus, small gifts that are genuinely given as a token of appreciation or gratitude will be acceptable, provided that the employee properly declares the gift in line with this policy and provided that the employee does not subsequently treat the person who sent the gift more favourably than other clients /suppliers, etc.

Benefit Received	Estimated Value	Procedure
Small gift i.e., diary, pen, calendar etc	Up to £15	Can be accepted; no recording or approval is required
Gift i.e., bottle of wine, spirits, vouchers, presents etc	£15 - £100	Inform the business unit Director for further instruction
	£100 - £250	Obtain written approval from the business unit Director for further instruction and record.
	Up to £250	Obtain approval from a Director and await further instruction and record.
Hospitality, lunches, dinners etc	Under £15	Inform business unit Director. No recording required.
	Up to £15	Obtain approval from business unit Director and record.
Hospitality at business functions associated with your role		Inform and obtain verbal consent from business unit Director.
Hospitality at social events i.e., sporting events, golf days, horse racing etc		Obtain approval from a Director and record.

## 7. WHAT IS UNACCEPTABLE?

- 7.1. It is not acceptable to receive cash from the general public for additional works, whilst on site undertaking work on behalf of Claret CE or any of our 3<sup>rd</sup> party companies.

- 7.2. It is not acceptable to give or offer a payment, gift or hospitality in the hope that they will give you a business advantage or reward.
- 7.3. It is not acceptable to give or offer a payment, gift or hospitality to a government or regulatory office to facilitate a routine procedure or audit.
- 7.4. It is not acceptable to accept a gift or payment from a third party where it is suspected that a business advantage would be offered.
- 7.5. It is not acceptable to threaten or retaliate against a colleague who has refused to commit bribery or who has raised concerns under this policy.
- 7.6. Examples of offering and receiving bribes:
  - Offering a bribe:  
The offer of tickets to a major event to a potential client but only if they agree to do business with us. - This would be an offence as the offer is made to gain a commercial and contractual advantage. Claret CE may also be found to have committed an offence because the offer has been made to obtain business for our company. It may also be an offence for the potential client to accept the offer.
  - Receiving a bribe:  
A supplier gives a gift to one of our employees but states or hints that in return they expect employee to use their influence in the company to ensure we continue to do business with them. - It is an offence for a supplier to make such an offer. It would be an offence for the employee to accept the offer as he/she would be doing so to gain a personal advantage.

In all cases where an employee feels uncomfortable or does not fully understand the request or their position, they should seek clarification before proceeding from their line manager or a Director.

## 8. GIVING GIFTS OR HOSPITALITY

- 8.1. One-off gifts of a trivial nature may be offered to third parties where it is normal and reasonable. For example, a box of chocolates may be given to a speaker at an event.
- 8.2. 'Hospitality' includes the provision of food and drink, accommodation and entertainment at business events. Conventional hospitality may be offered to third parties where it is normal and reasonable in the circumstances, and approved by the Directors and/or Managing Director.
- 8.3. Approval must be obtained from the Directors and/or Managing Director before purchasing a gift or hospitality for others.
- 8.4. Under no circumstances should hospitality be provided as a reward or incentive, nor should it be provided as a custom or right.
- 8.5. Offers of gifts or hospitality, including travel and/or accommodation with no clear business purpose will be refused.
- 8.6. Offering gifts or hospitality to a third party is not reprehensible as such, provided that:
  - they are of nominal value;
  - they are not recurrent;
  - they can in no way influence or appear to influence a contractual or commercial decision.

It is important that when offering gifts or hospitality is to act in a transparent manner, both internally and towards third parties, it must stay within the limits of what is reasonable and give due consideration to how the actions may be perceived or interpreted by others.

## 9. POLICY BREACHES

- 9.1. Breach of any of the provisions of this policy will constitute a disciplinary offence and will be dealt with in accordance with the Claret CE's disciplinary procedure. Depending on the gravity of the offence, it may be treated as gross misconduct and could render the employee liable to summary dismissal.
- 9.2. As far as associated persons are concerned, breach of this policy could lead to the suspension or termination of any relevant contract, sub-contract or other agreement with the associated person.

## 10. CHARITABLE DONATIONS AND SPONSORSHIP

- 10.1. Giving charitable Donations are permitted at Claret CE and are an important part of our social responsibility.
- 10.2. Claret CE will only make charitable donations and provide sponsorship that is legal and ethical and in accordance with this policy.
- 10.3. All charitable donations to a Charity must be recorded.

## 11. RECORD KEEPING

- 11.1. Claret CE keep financial records and have appropriate controls in place to evidence the business reason for gifts and payments made and received.

## 12. WHISTLEBLOWING

- 12.1. All employees should feel able to notify their manager of any wrongdoing in accordance with this policy. Please refer to the Whistleblowing policy.
- 12.2. We aim to encourage openness and will support anyone who raises genuine concerns about the occurrence or potential occurrence of bribery or corruption in good faith under this policy, even if they turn out to be mistaken.
- 12.3. We are committed to ensuring that no one suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or as a result of reporting in good faith, their suspicion that actual or potential bribery or corruption has occurred, or may occur in the future. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform your line manager or another member of our senior management team immediately. If the matter is not remedied, you should raise it formally using our Grievance Procedure.

## 13. TRAINING AND COMMUNICATION



- 13.1. Training on this policy is available to all employees and will be communicated to all employees, sub-contractors and business partners & suppliers where appropriate.
- 13.2. Claret CE's zero tolerance approach to bribery and corruption will also be communicated to all business partners at the outset of the business relationship with them and as appropriate thereafter.

## 14. MONITORING AND REVIEW

- 14.1. Claret CE will monitor the effectiveness of this policy on an annual basis. Any potential improvements identified will be actioned by production of an updated policy as appropriate and subsequent training where necessary. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in countering bribery and corruption.

## 15. RELATED DOCUMENTS

Whistleblowing policy.  
Disciplinary and Grievance policy.

## 16. DOCUMENT CONTROL

REVISION AND AMENDMENT REGISTER				
Date	Page number	Revision details	Issue number	Amendments made by
Feb 2021	All	Annual Review	2	PN
Nov 2022	All	Annual review	3	ZL / PN
May 2024	All	Full Review	4	LS