



Avoiding Bribery & Corruption Tool Box Talk

On receiving this Tool Box Talk, all persons present will have available on request a copy of our Anti Bribery Policy

What is Bribery & Corruption?

We have legal obligations imposed on us through Acts of Parliament, and through regulations that are issued by Government or via one of the regulators we are governed by. We also have internal policies and procedures that we need to adhere to.

- corruption is the misuse of office or power for private gain
- bribery is a form of corruption

Our main obligations relating to anti-bribery and corruption are contained in the Bribery Act 2010. (BA2010)

Corruption and bribery are serious offences that we need to ensure we are not involved with, inadvertently or otherwise. The potential consequences of committing a crime under the Bribery Act 2010 include:

- a maximum of ten years' imprisonment
- an unlimited fine
- criminal penalties under the Proceeds of Crime Act 2002

These penalties don't just apply to the organisation—they could apply to people within the organisation, including you

What is an offence of Bribery?

To commit this offence you would have to offer or give something to someone else in return for them doing something for you improperly

Whatever you offer them you have to:

- intend to bring about improper performance by the other person, or

- know or believe that if the other party accepts, this would be improper performance on their part

Examples of an offence:

- Cash or Cash Equivalent
- Preferential treatment in a tender
- Gifts / Hospitality / Entertainment / Donations

A commercial organisation is an incorporated body or partnership formed under UK law or carrying on business in the UK.

The offence of failing to prevent bribery is the most dangerous for our organisation, as it is widely drawn. The individual's intention does not have to be dishonest and the organisation does not have to know about the bribery for it to have failed to prevent bribery.

You should be aware that someone is an 'associated person' if they perform services for an organisation—the test is not one of control, so agents, distributors, joint venture partners, etc, as well as employees and subsidiaries, are 'associated persons' for the purposes of BA 2010

Remember that the bribery may occur in the UK or elsewhere—even if the corrupt act takes place outside of the UK it could still result in prosecution in the UK

Proceeds of Crime Act 2002 (POCA)

This Act is commonly referred to as 'POCA' and it is very important that I tell you a bit about this as it is relevant to Bribery & Corruption.

The proceeds of any bribe will be criminal property under the POCA. If you handle or are involved in handling proceeds of any crime (or monies or assets representing the proceeds of crime) you will commit an offence under the Act

POCA carries heavy penalties—a maximum sentence of 14 years' imprisonment and/or an unlimited fine!

What you should do!

Every member of staff has a responsibility to speak out if they suspect bribery or corruption or are concerned about any activities that may indicate bribery or corruption

Each of us has a contractual responsibility to comply with all our anti-bribery and corruption policies

Your support and active involvement is critical in ensuring that we adhere to the law

You should report any concerns which relate to possible breaches of any of our anti-bribery and corruption policies

Any individual employee who reports an instance of possible Bribery is protected by whistle blowing legislation and therefore should not feel unsafe to report it

Questions – Please answer the following questions.

- How many offences did the Bribery Act 2010 create
- Give examples of the offence of Bribing Another Person
- What is the maximum penalties for individuals found guilty of an offence under the Bribery Act 2010
- What is the maximum penalties for individuals found guilty of an offence under the Proceeds of Crime Act 2002
- What should you do if you know or have formed a suspicion that another person is engaged in bribery or corruption?

Do you have any questions for me?

Attendance Record – [Bribery – Toolbox Talk]

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Anything I did not understand has been explained to me to my satisfaction.

Print Name	Signed	Date