

**Anti-Bribery Policy**

**Introduction**

The Bribery Act became law on 1 July 2011. It replaces what are collectively known as the Prevention of Corruption Acts 1889 to 1916. It is designed to address bribery and corruption in the public and private sectors and will mean that any incorporated organisation, potentially including schools could be liable to severe penalties if they fail to implement adequate procedures to prevent bribes being paid or received on their behalf.

There are four key offences under the Act

* Section 1 Bribing another person
* Section 2 Taking a bribe
* Section 6 Bribing a foreign public official
* Section 7 Failing to prevent bribery

The Bribery Act applies to all staff at PRISM Independent School. An organisation may be guilty of bribery even if only the individual offender knew of bribery.

The Bribery Act introduces serious penalties such as unlimited fines for organisations and up to a maximum jail term of 10 years for the individuals involved.

Organisations will have a defence against prosecution if they can demonstrate that they had “adequate procedures in place to prevent bribery”.

**Bribery is a serious criminal offence and PRISM dose not and will not, pay bribes or offer improper inducement to anyone for any purpose. Equally the School does not and will not accept any bribes or improper inducements.**

1. **Definition of Bribery**

Bribery is an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage.

1. **Objective of the Anti-Bribery Policy**

The objective of this policy is to provide a coherent and consistent approach to ensuring compliance with the Bribery Act. It will enable all employees and any person who performs services for and on behalf of the School (this could include contractors and subcontractors) to understand their responsibilities and allow them to take the necessary action, for example reporting any potential breaches of the policy.

PRISM requires that all staff and all working or performing any service on or on behalf of the School neither accept nor gibe bribes. Staff must:

* Act honestly with integrity at all times to safeguard PRISM’s resources for which they are responsible
* Comply with the law (both in spirit and in the letter)
* Abide by this policy

1. **Scope of the Policy**

The policy applies to all of PRISM’s activities including its work with strategic partners, third parties, suppliers, and others.

1. **Ownership of the Policy**

The policy has the approval of the Management Committee. This policy applies equally to all staff, regardless of grade whether permanently employed temporary agency staff, contractors, agents, all elected and non-elected committee members, volunteers and consultants.

The Executive Head, Senior Management Team and the Management Committee will own the policy, thereby ensuring that there is commitment at the highest level.

1. **Anti-Bribery Policy**

It is unacceptable to:

* Give, promise to give, or offer payment, gifts or hospitality with the expectation or hope that a favourable advantage will be received, or to reward a favourable advantage already given
* Give, promise to give, or offer payment, gifts or hospitality to a government official, agent or representative to “facilitate” or expedite a routine procedure.
* Accept payment from a third party that is offered with the expectation that it will obtain a favourable advantage for them, whether known or suspected.
* Accept a gift or hospitality from a third party if it is offered or provided with an expectation that a favourable advantage will be provided by the School in return, whether known or suspected.
* Retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy.
* Engage in activity in breach of this policy.

1. **Related Policy**

The anti-bribery policy must be considered alongside the following policies which collectively set out the School’s approach to reducing bribery risks.

* Practice and Values
* Employee Handbook
* Confidential Reporting (whistle blowing)
* Recruitment and Disciplinary Procedures

1. **Staff Responsibilities and all those working or performing any service on or behalf of the School:**

Prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for the School or under its control. All staff including third parties working or performing any service on or behalf of the School are to avoid activity that breaches this policy, and must:

* Ensure that they read, understand and comply with the policy.
* Raise concerns as soon as possible if they suspect that this policy has been breached.

1. **Adequate Procedures**

The procedures need to be applied proportionately based on the level of risk of bribery to the School.

Adequate procedures cover:

1. **Risk Assessment** – That PRISM assesses the nature and extent of its exposure to potential bribery from inside and out. The School should know who it is doing business with and whether this has risk implications
2. **Top level Commitment** – That the Management Committee is committed to preventing bribery. That there is a clear statement that bribery is not acceptable. That the anti-bribery policy is clearly communicated to all staff, volunteers and partners of PRISM.
3. **Due Diligence** – That the school has policies in place and it aware of who it does business with. PRISM is confident that its business relationships are transparent and ethical.
4. **Clear, practical and accessible policies and procedures** – That PRISM’s policies and procedures to prevent bribery being committed on its behalf are clear, practical, accessible and enforceable.
5. **Effective Implementation** – The anti-bribery policy and procedure are embedded throughout the school. This means that the anti-bribery statements are embedded in the recruitment, retention and operational policies and in training programmes.
6. **Monitoring and review** – PRISM monitors and reviews its policies and procedures on an annual basis to ensure relevance and compliance.
7. **Monitoring and Review of the Implementation of the Anti-Bribery Policy**

This policy forms part of the PRISM policy review schedule and is updated and reviewed annually.

1. **Reporting to the Police; Sanctions and Redress**

Staff who breach this policy face the possibility of civil and criminal prosecution. They also face disciplinary action, which could result in dismissal for gross misconduct.

The Executive Head and Management Committee, in consultation with the Section 151 Officer, and, if an employee is involved, they will decide whether any matter is referred to the police for further investigation and follow the reporting processes set out in the School’s Staff Handbook.