

# **J N PILING LTD**

## **ANTI- BRIBERY & CORRUPTION POLICY**

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### **1. Introduction**

It is our policy to conduct business in an honest way, and without the use of corrupt practices or acts of bribery to obtain an unfair advantage.

We are committed to ensuring adherence to the highest legal and ethical standards. This must be reflected in every aspect of the way in which we operate. We must bring integrity to all our dealings. Bribery and corruption harms the societies in which these acts are committed and prevents economic growth and development.

This is not just a cultural commitment on the part of the company; it is a moral issue and a legal requirement. Bribery is a criminal offence in the UK and corrupt acts expose the Company and its employees to the risk of prosecution, fines and imprisonment, as well as endangering the Company's reputation.

This policy has been adopted by the Company and is to be communicated to everyone involved in our business to ensure their commitment to it. We attach the utmost importance to this policy and will apply a "zero tolerance" approach to acts of bribery and corruption by any of our employees or by business partners working on our behalf. Any breach of this policy will be regarded as a serious matter by the Company and is likely to result in disciplinary action.

### **2. What is Bribery and Corruption?**

Bribery and corruption has a range of definitions in law, but the fundamental principles apply universally.

Bribery is the offer, promise, giving, demanding or acceptance of an advantage as an inducement for an action which is illegal, unethical or a breach of trust.

Corruption is the misuse of public office or power for private gain; or misuse of private power in relation to business outside the realm of government.

Acts of bribery or corruption are designed to influence the individual in the performance of their duty and incline them to act dishonestly.

The person being bribed is generally someone who will be able to obtain, retain or direct business. This may involve sales initiatives, such as tendering and contracting; or, it may simply involve the handling of administrative tasks. It does not matter whether the act of bribery is committed before or after the tendering of a contract or the completion of administrative tasks.

### **3. What is a Bribe?**

Bribes can take on many different shapes and forms, but typically they involve corrupt intent. There will usually be a 'quid pro quo' – both parties will benefit. A bribe could be the:

- Direct or indirect promise, offering, or authorisation, of anything of value
- Offer or receipt of any kickback, loan, fee, reward or other advantage
- Giving of aid, donations or voting designed to exert improper influence

### **4. Who Can Engage in Bribery or Corruption?**

In the eyes of the law, bribery and corrupt behaviour can be committed by:

- An employee, officer or director
- Any person acting on behalf of the Company (eg business partners)
- Individuals and organisations where they authorise someone else to carry out these acts

### **5. What Does the Law Say About Bribery and Corruption?**

Bribery is a criminal offence, and penalties can be severe. In the UK the Bribery Act 2010 not only makes bribery and corruption illegal, but also holds UK companies liable for failing to implement adequate procedures to prevent such acts by those working for the company or on its behalf, no matter where in the world the act takes place.

### **6. What Steps Can We Take to Prevent Bribery and Corruption?**

We can take the following steps to assist in the prevention of bribery and corruption:

#### **a. Risk Assessment**

Effective risk assessment lies at the very core of the success or failure of this policy. Risk identification pinpoints the specific areas in which we face bribery and corruption risks and allows us to better evaluate and mitigate these risks and thereby protect ourselves.

#### **b. Accurate Books and Record-Keeping**

Many serious bribery and corruption offences have been found to involve some degree of inaccurate record-keeping. We must ensure that we maintain accurate books, records and financial reporting within our Company.

#### **c. Effective Monitoring and Internal Control**

We must all maintain an effective system of internal control and monitoring of our transactions. Once bribery and corruption risks have been identified and highlighted via the risk assessment process, procedures can be developed within a comprehensive control and monitoring programme in order to help mitigate these risks on an ongoing basis.

## 7. Where Do the Bribery and Corruption Risks Typically Arise?

Bribery and corruption risks typically fall within the following categories:

### a. Use of Third Party Representatives

Risk can be identified where a Sub-contractor conducts activities on our behalf, so that the result of their actions can be seen as benefiting the Company. Anyone acting on the Company's behalf must be advised of the existence of and operate at all times in accordance with this policy.

Where risk has been identified, management must:

- Evaluate the background, experience, and reputation of the business partner
- Understand the services to be provided, and methods of compensation and payment
- Evaluate the business rationale for engaging the business partner
- Take reasonable steps to monitor the transactions of business partners
- appropriately
- Ensure there is a written agreement in place which acknowledges the business partners understanding and compliance with this policy

### b. Gifts, Entertainment and Hospitality

Gifts, entertainment and hospitality include the receipt or offer of gifts, meals or tokens of appreciation and gratitude, or invitations to events, functions, or other social gatherings, in connection with matters related to our business. These activities are acceptable provided they fall within reasonable bounds of value and occurrence.

How to evaluate what is 'acceptable'. Firstly, take a step back and ask yourself the following:

- What is the intent – is it to build a relationship or is it something else?
- How would this look if these details were on the front of a newspaper?
- What if the situation were to be reversed – would there be a double standard?

If you find it difficult to answer one of the above questions, there may a risk involved which could potentially damage our reputation and business. The action could well be unlawful.

Although no two situations are the same, the following guidance should be considered:

Circumstances which are never permissible include examples that involve:

- A 'quid pro quo'. (offered for something in return)
- Gifts in the form of cash/or cash equivalent vouchers
- Entertainment of a sexual or similarly inappropriate nature

Possible circumstances that are usually acceptable include:

- Modest/occasional meals with someone with whom we do business
- Occasional attendance at ordinary sports, theatre and other cultural events
- Gifts of nominal value, such as pens, or small promotional items

### **Transparency is key**

Management and Employees will be required to maintain and monitor gifts, entertainment and hospitality in an official register. Any form of gift, entertainment or hospitality given, received or offered – which meets or exceeds the equivalent of £75 in value – must be appropriately recorded in the register.

## 8. How to Raise a Concern 'Whistleblowing'

As individuals who work on behalf of the Company, we all have a responsibility to help detect, prevent and report instances not only of bribery, but also of any other suspicious activity or wrongdoing. We are absolutely committed to ensuring that all of us have a safe, reliable, and confidential way of reporting any suspicious activity. We want each and every person to know how they can "speak up".

If you have a concern regarding a suspected instance of bribery or corruption, please speak up – your information and assistance can only help. The sooner you act, the better for you and for the Company.

If you are concerned that a corrupt act of some kind is being considered or carried out – either within the Company, by any of our business partners or by any of our competitors – you must report the issue/concern to your Line Manager. If for some reason it is not possible to speak to your Line Manager, please then report it to another Senior Manager.

In the event that an incident of bribery, corruption, or wrongdoing is reported, we will act as soon as possible to evaluate the situation.

**Signed** 

**Date** 1st May 2020

**Position** Managing Director