



# Anti-Bribery and Corruption Policy

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# CONTENTS

1	POLICY STATEMENT .....	3
2	SCOPE AND PURPOSE .....	3
3	DEFINITION OF A BRIBE .....	4
4	FACILITATION PAYMENTS AND KICKBACKS .....	4
5	BRIBERY IMPLICATIONS .....	4
6	INTEGRITY .....	5
7	COMPLIANCE .....	5
8	GIFTS AND HOSPITALITY .....	6
9	POLITICAL CONTRIBUTIONS .....	6
10	CHARITABLE CONTRIBUTIONS .....	6
11	EMPLOYEE RESPONSIBILITIES .....	6
12	CONTRACTS.....	7
13	RECORD KEEPING.....	7
14	COMMUNICATION AND PROTECTION.....	7
15	HOW TO RAISE A CONCERN.....	8
16	WHAT TO DO IF YOU ARE THE VICTIM OF BRIBERY OR CORRUPTION ...	8
17	TRAINING AND COMMUNICATIONS.....	8
18	POSSIBLE INDICATORS OF BRIBERY .....	8
19	MONITORING AND REVIEW .....	9

This document forms part of our Management Systems and compliance is mandatory for all staff and contractors. If you find any weaknesses in the document or examples of non-compliance, please report it to the Compliance Team at [compliance@bcs.uk](mailto:compliance@bcs.uk).

## 1 Policy Statement

The Bribery Act 2010 (“the Act”) applies to all organisations including charities. Its scope is extremely wide and covers crimes of bribery, being bribed, the bribery of foreign public officials and the failure of a commercial organisation to prevent bribery on its behalf.

The Trustee Board supports and promotes an anti-bribery and corruption culture across the BCS Group and expects all Trustees, volunteers and staff to adhere to the laws relevant to countering bribery and corruption, to conduct all business dealings with integrity and honesty and to promote an anti-bribery and corruption culture throughout the BCS Group.

The purpose of this policy is to set out the anti-bribery and corruption responsibilities of the BCS Group, its staff and Associated Persons, defined in accordance with Section 8 of the Act as a person who ‘performs services’ for or on behalf of an organisation, and to provide information and guidance on how to recognise and deal with bribery and corruption so that appropriate steps may be taken to avoid this.

All new members of staff in the BCS Group will receive awareness training on anti-bribery and corruption as part of their induction process and existing staff will also receive awareness training at regular intervals. All those acting on behalf of the BCS Group including volunteers, agents, suppliers and others performing services for the group and Associated Persons must observe the requirements of this policy when dealing on behalf of the BCS Group.

If you are unsure about any of the requirements in this policy or would like further information, it is your responsibility to contact the Head of Legal & Compliance and ask for guidance. All staff in the BCS Group are responsible for familiarising themselves with the requirements of this policy and for complying with it. The BCS Group takes this requirement very seriously and any non-compliance may lead to disciplinary steps against you and/or criminal liability. Regular monitoring and auditing will be carried out to assess the BCS Group’s compliance with this policy.

## 2 Scope and Purpose

This policy applies to the BCS Group of companies comprising BCS, The Chartered Institute for IT, BCS Learning & Development Limited, Activ Training Limited and all other wholly owned and other subsidiaries of BCS, The Chartered Institute for IT based in the United Kingdom and overseas.

For the purposes of this policy a third party means any individual or organisation you come into contact with during the course of your employment and includes actual and potential clients, customers, suppliers, distributors, business contacts, agents, advisors and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

The Bribery Act applies to the business dealings of the BCS Group in the United Kingdom and overseas.

This policy covers:

- Bribes
- Facilitation payments
- Political contributions
- Charitable contributions

### 3 Definition of a Bribe

A “bribe” is defined as a “financial or other advantage” offered, promised or given to induce a person to perform a relevant function or activity improperly or to reward that person for doing so.

Bribery is a criminal offence in the United Kingdom and is defined as ‘requesting, accepting or agreeing to accept such an advantage in exchange for improperly performing such a function or activity.

There are 4 main offences and it is a criminal offence to:

- offer, promise or give a bribe;
- request, agree to receive or accept a bribe;
- bribe a foreign official to obtain or retain business or an advantage in the conduct of business; or
- fail to prevent any person acting on behalf of an organisation from committing bribery to obtain or retain business or an advantage in the conduct of business for the organisation.

Any advantage or benefit offered, promised, requested or accepted may be made by or to the BCS Group or made by or to an individual member of staff. For example, if a member of staff offered a payment or other advantage to a university admissions officer to secure a university place for their child, this would constitute a bribe and thus a criminal offence, with potentially serious implications for the member of staff and the BCS Group.

### 4 Facilitation Payments and Kickbacks

A facilitation payment is a form of bribery used to expedite the performance of a routine and necessary government action by a government official when “but for” that payment such action would not be performed. Facilitation payments tend to be demanded by low level officials to obtain a level of service which one would normally be entitled to.

It is BCS Group policy that facilitation payments must not be paid. However, employees may face situations where a facilitation payment is unavoidable. In this event, the matter should be reported to the Head of Legal & Compliance who will advise upon and manage the matter.

### 5 Bribery Implications

The potential consequences for an individual or organisation implicated in bribery and corruption are extremely serious. For an individual, including a member of staff, the offence is punishable in a criminal court by up to ten (10) years’ imprisonment and/or with an unlimited fine. An organisation on whose behalf the bribery offence is committed could also face an unlimited fine. This presents the risk of severe reputational damage for the BCS Group.

If any individual in the BCS Group is implicated in bribery or corruption, the Trustee Board, Executive Board and Senior Management Team will deal with the individual concerned and disciplinary steps will be taken against them, which may include dismissal for gross misconduct.

## 6 Integrity

The BCS Group is committed to:

- operating with honesty and integrity in its business dealings;
- promoting an anti-bribery and corruption culture across the BCS Group;
- complying with all laws combating bribery and corruption; and
- expects all staff, Associated Persons and those with whom it conducts business to conduct all business dealings and transactions with honesty and to act with integrity.

The BCS Group may require that a third party with which it proposes to conduct business dealings provides a written assurance of their compliance with the requirements of the Act and supplies details of the anti-bribery measures they have in place. The BCS Group will not conduct business with third parties that do not support this anti-bribery and corruption policy and the requirements of the Act.

## 7 Compliance

Staff must not:

- offer, promise or give a bribe to anyone to gain or retain a business or personal advantage; or
- request, agree to receive or accept a bribe; or
- accept a gift or hospitality from a third party if you suspect it is offered with the expectation that a business advantage will be provided by the BCS Group in return; or
- pay or receive any facilitation payment to accelerate the performance of an activity or to ensure an activity is performed in circumstances where it would not otherwise be performed; or
- threaten or retaliate against another member of staff or an Associated Person who has refused to commit a bribery offence or who has raised concerns under this policy with the appropriate person (“Whistleblowing”).

Refusal must be made clearly, unequivocally and unconditionally so it cannot be misinterpreted.

All Trustees, volunteers and staff must:

- comply with this policy and all related policies on anti-bribery and corruption;
- avoid any activity that may be or indicate a possible breach of this policy or any related policy;
- be vigilant of improper behaviour that may be a breach of this policy or any other related policy;
- report immediately any suspicion of a breach of this policy or any related policy to the Head of Legal & Compliance; and
- assist any formal investigation by the BCS Group or on its behalf;

## 8 Gifts and Hospitality

There is a separate Gifts and Hospitality Policy so please refer to that.

## 9 Political Contributions

We do not make donations, whether in cash or kind, on support of any political parties or candidates, as this can be perceived as an attempt to gain an improper business advantage.

## 10 Charitable Contributions

Charitable support and donations are acceptable whether in-kind services, knowledge, time or direct financial contributions. However, employees must be careful to ensure that charitable contributions are not used as a scheme to conceal bribery. We only make charitable contributions that are legal and ethical under local laws and practices. No donation must be offered or made without prior approval of your Line Manager.

All public charitable contributions will be publicly disclosed.

Trustees, volunteers and staff must communicate this policy at the start of a new BCS Group relationship to all Associated Persons and on an on-going basis.

Staff must report immediately any suspicion of bribery and corruption to:

- the Head of Legal & Compliance; or
- their line manager

## 11 Employee Responsibilities

All employees must ensure that they have read, understand and comply with this policy.

The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for BCS or under our control. All employees are required to avoid any activity that might lead to or suggest a breach of this policy.

All staff must notify their manager or Head of Legal & Compliance at the earliest opportunity if they believe or suspect that a conflict or breach of this policy has occurred or may occur in the future.

Any employee who breaches this policy will face disciplinary action which could result in dismissal for gross misconduct. BCS also reserves the right to terminate our contractual relationships with others if they breach this policy.

Staff who may be being open to bribes are required to complete the Anti-Bribery tutorial annually.

## 12 Contracts

The BCS Group reserves the right to terminate a contract with any third party providing services for or on behalf of the BCS Group with immediate effect and without compensation for any loss where the BCS Group suspects (i.e. has reasonable evidence) that the third party or any of its staff has committed an act of bribery.

The BCS Group's contracts should include terms requiring the other contracting party to comply with the BCS Group's anti-bribery and corruption policy and with the requirements of the Act.

If the BCS Group intends contracting for services using third party's terms and conditions, where possible or practicable, the contract must include the BCS Group's anti-bribery and corruption clauses without any changes made to them. These clauses are accessible on the Green Room on the Commercial and Legal Services page. Alternatively, if any contract for services is proposed without the relevant anti-bribery clauses, please refer to Legal Services for advice on the acceptability of this.

## 13 Record Keeping

BCS will keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties.

BCS employees must declare and keep a written record of all hospitality or gifts accepted or offered, which will be subject to managerial review.

BCS employees must ensure all expenses relating to hospitality, gifts or expenses incurred to third parties are submitted and specifically record the reason for the expenditure.

All accounts, invoices and other documents relating to dealing with third parties, such as clients, suppliers and business contacts should be prepared and maintained with strict accuracy and completeness. No accounts must be kept 'off-book' to facilitate or conceal improper payments.

## 14 Communication and Protection

Trustees, volunteers and staff must communicate this policy at the start of a new BCS Group relationship to all Associated Persons and on an on-going basis.

You are encouraged to raise concerns about any issue or suspicion of bribery or corruption at the earliest possible stage. If you are offered a bribe, or are asked to make one, or if you believe or suspect that any bribery, corruption or other breach of this policy has occurred or may occur, or if you are unsure whether a particular act constitutes bribery or corruption you must notify your line manager and/or the Head of Legal & Compliance as soon as possible.

Workers who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing, may be concerned about possible repercussions. We aim to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.

We are committed to ensuring that no one suffers any detrimental treatment because of refusing to take part in bribery or corruption, or because of reporting, in good faith, their

suspicion that an actual or potential bribery or other corruption offence has taken place, or may take place 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 immediately. If the matter is not remedied, and you are an employee, you should raise it formally using our Grievance Procedure, which can be found in the Employee Handbook.

## 15 How to raise a concern

BCS staff are encouraged to raise and concerns or suspicions of malpractice at the earliest possible opportunity. If staff are unsure about whether an act constitutes bribery or corruption these should be raised with the line manager.

## 16 What to do if you are the victim of bribery or corruption

It is important that staff raise the matter with their line manager if they are offered a bribe by a third party, are asked to make one, suspect this may happen in the future or believe that they are victim of another form of unlawful activity.

## 17 Training and Communications

Training on this policy forms part of the induction process for all new employees. In addition, all employees will be asked to formally accept conformance to this policy on an annual basis.

## 18 Possible Indicators of Bribery

The following is a list of possible indicators that may arise and which may raise concerns under various anti-bribery and anti-corruption laws. The list is not intended to be exhaustive and is for illustrative purposes only. Should you encounter any of these in the course of working or acting for the BCS Group, you must report them promptly in accordance with this Policy:

- you become aware that a third party engages in, or has been accused of engaging in, improper business practices;
- you learn that a third party has a reputation for paying bribes, or requiring that bribes are paid to them, or has a reputation for having a "special relationship" with foreign government officials;
- a third party insists on receiving a commission or fee payment before committing to sign up to a contract with us, or carrying out a government function or process for us;
- a third-party requests payment in cash and/or refuses to sign a formal commission or fee agreement or refuses to provide an invoice or receipt for a payment made;
- a third-party request that payment is made to a country or geographic location different from where the third party resides or conducts business;
- a third party requests an unexpected additional fee or commission to "facilitate" a service;
- a third party demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services;



- a third-party request that a payment is made to "overlook" potential legal breaches/violations;
- a third-party request that you provide employment or some other advantage to a friend or relative of theirs;
- a third party insists on the use of side letters or refuses to put terms agreed in writing;
- you notice that we have been invoiced for a commission or a fee payment that appears large given the service stated to have been provided;

## 19 Monitoring and Review

The Head of Legal & Compliance will monitor the effectiveness and review the implementation of this policy with regards to its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in countering bribery and corruption. All Trustees, volunteers and staff are responsible for the success of this policy and should ensure they use it to disclose any suspected danger or wrongdoing. Trustees, volunteers and staff are invited to comment on this policy and suggest ways in which it might be improved.

Comments, suggestions and queries should be addressed to the Head of Legal & Compliance. This policy does not form part of any Trustees, volunteers or staff's contract of employment and it may be amended at any time.



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