



## **ANTI-BRIBERY POLICY**

### **1. Introduction and overview**

The School is committed to the highest standards of ethical conduct and integrity in its business activities in the UK and overseas. The Governors and the School will not tolerate any form of bribery by, or of, its employees, agents or consultants or any person or body acting on its behalf. Senior management is committed to implementing effective measures to prevent, monitor and eliminate bribery.

Under the Bribery Act 2010, the School may face criminal liability for unlawful actions taken by its employees or associated persons under the Act. This policy outlines the School's position on preventing bribery, in accordance with the Act.

SWPS is fully committed to ensuring that the application of this policy is non-discriminatory, in line with the UK Equality Act (2010). Further details are available in the school's Equal Opportunities policy.

### **2. Definitions and scope of this policy**

This policy applies to all Governors, officers and employees of the School, and to temporary workers, consultants, contractors, agents and subsidiaries acting for, or on behalf of, the School ("associated persons") within the UK and overseas.

NOTE: The School does not currently have any day-to-day operations overseas. Occasional overseas School trips are conducted which might involve School employees or associated persons in situations which might give rise to risks relevant to this policy. However, the likelihood of a situation arising overseas which might be covered by this policy is considered to be very low. This policy therefore focuses primarily on the School's UK operations.

Bursaries awarded in line with the requirements of the relevant policy, which includes formal means-testing of applicants; and Scholarships, which are awarded based upon clear merit-related criteria administered by the Head, are considered to fall outside the terms of this policy.

#### ***Bribery Act 2010 - areas of liability***

Under the Bribery Act 2010, a bribe is a financial or other type of advantage that is offered or requested with the:

- intention of inducing or rewarding improper performance of a function or activity; or
- knowledge or belief that accepting such a reward would constitute the improper performance of such a function or activity.

A relevant function or activity includes public, state or business activities or any activity performed in the course of a person's employment, or on behalf of another School, organisation or individual, where the person performing that activity is expected to perform it in good faith, impartially, or in accordance with a position of trust.

A criminal offence will be committed under the Bribery Act 2010 if:

- an employee or associated person acting for, or on behalf of, the School offers, promises, gives, requests, receives or agrees to receive bribes; and
- the School does not have the defence that it has adequate procedures in place to prevent bribery by its employees or associated persons.

### **3. Roles and responsibilities**

#### **3.1 Prohibition of Bribery**

The School prohibits Governors, officers, employees and associated persons from offering, promising, giving, soliciting or accepting any bribe. The bribe might be cash, a gift, donation or other inducement to, or from, any person or organisation, whether a public or government official, official of a state-controlled industry, political party or a private person or company, regardless of whether the employee or associated person is situated in the UK or overseas.

This prohibition also applies to indirect contributions, payments or gifts made in any manner as an inducement or reward for improper performance, for example through consultants, sub-contractors, agents or other 3<sup>rd</sup> parties.

The bribe might be made to ensure that a person or the School improperly performs duties or functions (eg in respect of the admission of a student) to gain any commercial, contractual or regulatory advantage for either obtaining or maintaining School business, or to gain any personal advantage, financial or otherwise, for the individual or anyone connected with them.

#### **3.2 Maintenance of Records**

Employees and, where applicable, associated persons, are required to take particular care to ensure that all School records are accurately maintained in relation to any contracts or business activities, including financial invoices and all payment transactions with clients, suppliers and public officials.

Specific Hospitality and Donations registers/ records will be maintained by the Director of Finance & Operations (DFO). All business entertainment, gifts, hospitality or donations given or received with a value - either individually or cumulatively - estimated as in excess of £100 must be recorded in the appropriate Register, in consultation with the DFO.

#### **3.3 Reporting suspected bribery**

The School depends on its employees and associated persons to ensure that the highest standards of ethical conduct are maintained in all its business dealings. Employees and associated persons are requested to assist the School and to remain vigilant in preventing, detecting and reporting bribery.

Employees and associated persons are encouraged to report any concerns that they may have to the appropriate member of the Senior Leadership Team (SLT) as soon as possible, who will investigate such concerns appropriately within the School. Any concerns relating to a Governor or to the Head should be reported to the Chair of Governors, or to the Vice-Chair of Governors.

Issues that must be reported include:

- any suspected or actual attempts at bribery;
- concerns that other employees or associated persons may be being bribed; or
- concerns that other employees or associated persons may be bribing third parties, such as clients or government officials.

The School's whistle-blowing policy will reference the Anti-Bribery policy.

### **3.4 Consequences of any breaches of this policy**

Every employee and associated person acting for, or on behalf of, the School is responsible for maintaining the highest standards of business conduct. A material breach of this policy may constitute a serious disciplinary, contractual and criminal matter for the individual concerned and may cause serious damage to the reputation and standing of the School.

The School will fully investigate any instances of alleged or suspected bribery. Employees suspected of bribery may be suspended from their duties while the investigation is being carried out. The School may invoke its disciplinary procedures where any employee is suspected of bribery, and proven allegations may result in a finding of gross misconduct and immediate dismissal, subject to any mitigating circumstances. The School may terminate the contracts of any associated persons, including consultants or other workers who act for, or on behalf of, the School who are found to have breached this policy.

The School may also report any matter to the relevant authorities, including the Director of Public Prosecutions, Serious Fraud Office, Revenue and Customs Prosecutions Office and the police. The School will provide all necessary assistance to the relevant authorities in any subsequent prosecution.

## **4. Overview of the School's procedures for ensuring compliance with the policy**

### **4.1 Governance**

- The Board of Governors tasks its Finance and Investment Committee with oversight of the school's procedures to prevent bribery.
- As part of the School's annual consideration of the Audit Report, the Chair of the Finance and Investment Committee may ask the Auditors whether there are any concerns of which the Trustees should be aware.
- Governors, SLT members and selected other School managers will be required to complete a 'Related Parties & Conflicts of Interests' form on an annual basis and are required to record all gifts and hospitality valued - either individually or cumulatively - in excess of £100 in the school's Hospitality and Col register.
- The policy will be published on the School's Servers and on the School's website. Induction of new Governors and new staff will cover the School's zero tolerance of bribery in any form.
- The Director of Finance & Operations (DFO) will be responsible for implementing and maintaining procedures to support the School's compliance with this policy.

### **4.2 Receipt by the School of Business entertainment, gifts, hospitality, promotional expenditure or donations**

- Any gifts, rewards, hospitality, entertainment, trips or donations with a value estimated as in excess of £100 - or less, if the value is in doubt - received or offered from prospective parents, parents, public officials, potential or actual suppliers, other business contacts, or from individuals or organisations connected with these sources, to Governors, officers, staff or associated persons, related directly or indirectly to the business of the School, must be reported immediately to the DFO, for recording in the Hospitality and Col register discussed in section 3.2.
- In certain circumstances, it may not be appropriate to retain such gifts or donations or be provided with the entertainment and employees and associated persons may be asked to return the gifts to the sender or refuse the entertainment, for example, where there could be a real or perceived conflict of interest.
- Specifically, any trip offered by a supplier as a 'reconnaissance' trip must be discussed with and approved by both the Head and the Director of Finance & Operations prior to its acceptance.
- The School will make offers of places at the School in accordance with the procedures and criteria set out in the School's Admissions policy as published on the School's

website. No receipt of Business entertainment, gifts, hospitality, promotional expenditure or donations to the School, or by individuals within it, is considered appropriate as part of the Admissions process.

- Small tokens of appreciation from parents or students to staff, such as flowers, chocolates or a bottle of wine, with a value – either individually or cumulatively - lower than £100, are considered to be outside the scope of this policy and may be retained by employees.

#### **4.3 Allocation by the School of material long-term contracts and one-off expenditure**

##### **▪ One-off purchases**

Any manager wishing to make an individual purchase of greater than £10k will need to present to the Bursary: (a) evidence that multiple quotes or tenders have been obtained in arriving at the chosen supplier; or (b) a justification as to why a supplier is proposed to be used without other quotes having been obtained e.g. if it is a long-standing, strategic supplier relationship difficult to change (e.g. the School's Internet Broadband supplier), or a specialist supplier where multiple quotes are difficult to obtain. NOTE: This applies to large School trips and other rechargeable activities, even though this expenditure will be recovered from parents.

##### **• Ongoing 'account' purchases**

For all regular e.g. annual external contracts for goods and services worth over £30,000 the Bursary will consider that the supplier continues to provide good value and service to the School and therefore why investigating alternative suppliers and re-tendering is not required for the coming year, or alternatively that they wish to undertake a formal re-tendering exercise. On an ad-hoc basis, the Bursary will also look at suppliers who provide less than £30,000 of supplies to the School each year – using a risk-based approach.

##### **• Conflicts of interests in procurement**

Any member of staff considering the purchase or acquisition of goods or services from, or the engagement in order to undertake work for the School of, a related party e.g. a family member, friend or an organisation for which a related party works, should discuss this in advance with the Director of Finance & Operations (DFO) or the Head and, if appropriate, submit formal documentation as to why this is required by the School and how a Conflict of Interests can be avoided. The DFO will record any such procurement in the Col Declarations Matrix.

#### **4.4 Provision by the School of Business entertainment, gifts, hospitality and promotional expenditure**

- The School permits Governors, officers and employers to provide business entertainment, gifts, hospitality and promotional expenditure to external individuals/ organisations only in exceptional circumstances, where expenditure undertaken is:
  - for the purpose of establishing or maintaining good business relationships;
  - to improve the image and reputation of the School;
  - for an event, of reasonable size and cost, for alumnae or existing parents; or
  - to present the School's services effectively;provided that it is: arranged in good faith; reasonable, appropriate and proportionate; and not offered, promised or accepted to secure an advantage for the School or any of its employees or associated persons or to influence the impartiality of the recipient.
- Hospitality and gifts of low value, given to prospective parents and students as part of a formal, budgeted marketing activity for the School, such as a Taster day, are considered to be outside the scope of this policy.
- Employees and, where relevant, associated persons must submit requests for proposed relevant hospitality, gifts or promotional expenditure well in advance of proposed dates

to the DFO, who will discuss and, if appropriate, gain approval for the expenditure from the Head.

#### **4.5 Provision by the School of Donations**

- The School considers that charitable giving can form part of its wider commitment and responsibility to the community. Typically, donations made are non-financial ie providing limited resources and skills to assist in the local community or causes approved by the School. Where these are evidence for the School's provision of Public Benefit, they are recorded as part of the School's Public Benefit Audit. The School may also support fundraising events involving students, parents or employees.
- Clear records of any financial donations made by the School will be recorded in the Donations register as discussed in section 3.2 and will be reported to the Finance and Investment Committee on an annual basis.

#### **4.6 3rd Party Commercial Sponsorship**

- On occasion, an opportunity arises for the School to receive goods, services or funds sponsored by a 3rd party – an individual or an organisation. The School is receptive to such arrangements where they may provide benefit to the students and to the School and build links to the local community. However, the School is also conscious of the need to ensure that any sponsorship does not conflict with the School's charitable objects and ethos or the terms of its other policies, especially the Anti-Bribery policy.
- Accordingly, any opportunity arising will be subject to the following procedures:
- The sponsorship opportunity will be documented and assessed using the documentation in Appendix 1;
- The documentation will be reviewed and approved by the DFO and the Head to ensure that it does not represent any risk to the School or conflict with the School's charitable aims or any of its policies;
- The sponsorship agreement will be discussed in advance with the Chair of governors, if of material financial value i.e. greater than £5,000, or in any way sensitive. An outline of any sponsorship proposed will also be circulated to all governors by email, to ensure that no governors have any concerns regarding the organisation concerned;
- All sponsorship agreements will be reported to the governors on a termly basis via the Marketing Strategy Committee.

### **5. Monitoring and Review**

The Governing Body is ultimately responsible for the effective oversight, review and amendment of this policy and understands its legal obligation to do so.

This policy is reviewed and updated annually by the Director of Finance & Operations.

Next scheduled review date: July 2025		Last reviewed: July 2024	
Key updates in this version:	Minor grammatical / formatting changes.		

## Appendix 1 - Commercial Sponsorship opportunity - Assessment Form

### A. Details of Opportunity

Proposer:		HoD/ Line Manager:	
Department:		Date of application:	

Organisation name:		Website:	
Address:			
Industry:		Type of org (eg. Co.):	
Ultimate Owner:		Main Org. contact name:	
Phone No:		Connection to School:	

Opportunity value to the School? (approx.; calculation; per year):	£
Opportunity description (description; start date; duration; location):	
Benefit to the Organisation?	
Why should the School accept this opportunity - What is the Benefit?	
Involvement required from the School? (financial; resource; other)	
Potential Risks to the School? (reputational; financial etc)	

Ref	Question	Answer YES/ NO	Comment
1	Has this opportunity been discussed with the Director of Marketing & Admissions?		
2	Does the opportunity in any way conflict with the aims or ethos of the School?		
3	As far as you are aware, are the organisation's other activities broadly in line with the ethos of the School?		
4	Is it clear who the commercial sponsor is?		
5	Is it clear why they want to distribute materials to or work in partnership with us so that we can identify where bias may be present?		
6	Is the potential sponsor happy to sign a simple formal agreement outlining what each party expects to get out of the relationship?		
7	Are the materials or activities accurate, up-to-date, factual, unbiased and relevant to the age and abilities of the students who will use the materials or come into contact with the advertising?		
8	Are logos as small as possible so as not to dominate the materials?		
9	Are the materials/activities free from any suggestion that children and young people should encourage their parents/carers to buy the company's products?		

### Review by DFO:

Comments:	<b>Date:</b>
Does this comply with the relevant provisions of the Anti-Bribery policy? (Yes/ No)	
Does this require prior discussion with the Chair of Governors? (Yes/ No)	

### Approval by Head:

Comments:	<b>Approved:</b> <b>(Yes/No)</b>
	<b>Date:</b>

