

CAMEO-Aid

Anti Bribery Policy

October 2011

**CAMEO-Aid
CODE OF CONDUCT
Anti-Bribery**

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CAMEO-Aid CODE OF CONDUCT Anti-Bribery

SUMMARY OF BRIBERY ACT

The Bribery Act was passed in 2010 and comes into force in July 2011. It is quite a short statute – but one with a long reach as it is broad-ranging in its language and it specifically covers corruption abroad as well as at home. Anti-corruption legislation is common throughout the world and this legislation was enacted to bring the UK into line with its international treaty obligations, having signed the OECD Convention on Combating Bribery in 1997.

Key Offences

There are four key offences:

- bribery of another person
- accepting a bribe
- bribing a foreign official
- failing to prevent bribery
-

A person is guilty of **bribery**, to summarise the wording of the Act, if he offers or gives a financial or other incentive to someone with the intention of getting that person or a third party to perform a function or activity improperly or as a reward for an improper act.

He is also guilty if he knows or believes that the offer or payment itself constitutes an improper performance of a relevant function or activity.

Improper performance seems to occur when the person responsible for an activity is expected to act in good faith or impartially, or is in a position of trust, and fails to do so.

What Does This Mean in Practice?

For example, the new rules mean that paying someone to get you a new passport ahead of the queue is an offence, and so is paying another person to award your Charity a contract.

The person being bribed is also guilty of an offence under the Act.

A Charity Can Commit an Offence

Failure to prevent bribery is a crime and applies to commercial organisations: the organisation can itself be guilty of an offence if it fails to have adequate procedures in place to prevent bribery and someone associated with the organisation bribes a third party with the aim of getting an advantage for the organisation.

So, if an employee or an outside agent pays a bribe with the aim of getting business for the Charity, the Charity as well as the individual employee or agent could be prosecuted.

The only defence for a Charity is to show it have ‘adequate procedures’ in place to prevent this sort of thing – i.e. a Code of Conduct is necessary and must be implemented. The Government has issued Guidance for commercial organisations on this topic which sets out six main principles: Proportionate Procedures; Top Level Commitment; Risk Assessment; Due Diligence; Communication (including training); Monitoring & Review.

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The Long Arm of the Law: Bribery Abroad Counts Too

A person can be guilty of an offence under the Act even if he commits the offence abroad and he is either a British subject, ordinarily resident in the UK or in some other way has a close connection with this country.

Bribery of a foreign public official occurs when a person gives or offers an incentive to such an official with the intention of getting business or an advantage in the conduct of business. And the definition of foreign public official is wide enough to cover anyone from a customs officer to a government minister anywhere in the world outside the UK as well as officials of international organisations such as the United Nations.

Penalties

Penalties can be severe – up to 12 months or a fine on summary conviction and up to 10 years imprisonment on indictment.

Exemptions

The law applies to employees of the Government but there is a defence for the intelligence services (MI5 and MI6) and for the armed forces when engaged on active service, if they can show the bribery was necessary for the proper exercise of their functions.

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INTRODUCTION

CAMEO-Aid is required by law to formulate, implement and monitor, evaluate and amend an Anti-Bribery policy, and to communicate this policy to all personnel, including Trustees, volunteers, full time and part time employees, Aid recipients, as well as freelance consultants and contractors, partners and agents.

All personnel are expected to familiarise themselves with the policy, undertake the necessary training and comply with its requirements.

GENERAL PRINCIPLES

We act with integrity in all our dealings

We do not tolerate any corrupt practices

This Code affects all our Trustees, Volunteers, and Employees, Associates, Consultants, Agents, Partners and Aid recipients

CAMEO-Aid has a culture of ethical behaviour and we expect our personnel to act with integrity in all their dealings related to our business.

The Board of Trustees has established this Code of Conduct. Please read it carefully and be sure to comply with it at all times. The Code applies to all personnel, including Trustees, volunteers, full time and part time employees, Aid recipients, as well as freelance consultants and contractors, partners and agents, all of whom are expected to know this Code, observe its terms and keep themselves up to date with any changes.

Bribery is both a criminal offence and bad business. Research shows that a culture of corruption is a disincentive to investment and trade and adds to the costs of doing business as well as being unethical.

Under the Bribery Act 2010, bribery is widely defined. Not only can individuals be guilty of an offence but a Charity can also be prosecuted if it fails to prevent bribery – whether in the UK or overseas.

Personnel are encouraged to be vigilant at all times and report any suspicions that they may have: corrupt activity could seriously damage our business, so it is in the interest of all personnel to be on their guard.

CAMEO-Aid's ANTI-BRIBERY STRUCTURE

The Board is committed to this Code

The Compliance Officer has day to day responsibility

Managers and Volunteers must ensure compliance by their teams and third party associates

All relevant transactions must be recorded

Board of Trustees

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The Board has a clear commitment to our anti-bribery policy and will monitor compliance on a regular basis.

Compliance Officer.

The Charity has a Compliance Officer who is a director or senior manager and who will report regularly to the Board. He is the primary point of contact for advice and guidance and to whom any suspicion of bribery or any other concern relating to unlawful activity should be reported. The name of the Compliance Officer is posted on the Charity's website.

Trustees and Managers

Each of our senior personnel, including Trustees, has a duty to ensure that the Code is understood and observed by their own teams and to monitor compliance. This will involve initial training courses for all personnel as well as refresher courses from time to time.

Associates & Third Parties

It is also the responsibility of senior management to bring this Code of Conduct to the attention of our business partners, contractors, agents and consultants and our Aid recipients. Those outside parties who provide services to the Charity or act on our behalf should be given a copy of the Code and be asked to confirm that they will observe its terms in their dealings on behalf of the Charity. Appropriate checks will be introduced, which may range from signing a questionnaire to a full on-site audit of the party in question.¹ Our formal contracts with them should reflect this commitment on their part as a binding contractual obligation. In appropriate cases, the Charity should have the right to terminate the contract or cancel a transaction if the Code is breached.²

Volunteers / Employees

Each employee is expected to conduct business honestly and to be on guard against any conduct by other members of the Charity or by third parties that is or appears to be corrupt in any respect. Tell your line manager or the Compliance Officer if you have any concerns. It is extremely important that you do not notify or alert the suspected party in such circumstances. Confidentiality will be observed in any such discussion. How to deal with the offer and acceptance of gifts and hospitality is dealt with in more detail below. Any breach of the Code will be treated seriously and could constitute gross misconduct by an employee resulting in dismissal.

Accounting Records The Charity will maintain appropriate procedures to ensure all relevant transactions including entertainment and hospitality costs are recorded and any abnormal expenses identified and scrutinised.

HOSPITALITY & GIFTS.

¹ The Appendix contains a Risk Register to assess these risks and decide an appropriate response.

² The Appendix contains some sample wording for inclusion in contracts.

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Hospitality & Gifts must be:

- **Modest**
- **Appropriate**
- **Transparent**
- **Recorded/Approved in advance**

Personnel must always avoid accepting or offering any hospitality or gift when this is in the hope that the Charity will receive a business advantage or to reward an advantage that has already been received.

All hospitality and gifts must be transparent: i.e. disclosed to the Charity and, in appropriate circumstances, approved in advance.

HOSPITALITY

Entertaining or being entertained by clients and contacts is not in itself prohibited. But it must be appropriate, modest and given or accepted in the context of our business. Also, all offers of and invitations to hospitality must be reported to the Trustees before any commitment is made and a Hospitality Form filled in (See Appendix).

Lavish entertainment is prohibited. We have a marketing budget within which there is scope for corporate entertaining. Incurring expenditure outside the budget should not occur.

For those Trustees/volunteers/employees with an expense allowance, you have to report your expenditure promptly as well as supplying relevant receipts and vouchers.

Frequent entertainment of an individual employee by a third party and frequent entertainment of the same client or contact by a member of the Charity are not permitted and should be reported.

GIFTS

Generally, gifts should not be offered or accepted unless the value and type of gift is clearly not a potential factor in any business decision. So, for example, a gift of a Charity calendar or felt tip pen with the Charity logo is acceptable.

In some countries the giving of gifts is expected as part of the culture but advice should be obtained and no extravagant gifts should be offered. If any valuable gifts are offered to any personnel, they must be reported and senior management will decide on how they are to be dealt with. A valuable gift is anything worth more than [£50]

CASH & FINANCIAL INCENTIVES

It is prohibited to solicit any cash or financial benefit or assistance from any third party with whom the Charity may have a business connection. It is also prohibited to make any

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cash gifts or payments to third parties with whom you deal in relation to the Charity's business.

FACILITATION PAYMENTS

It is not acceptable to make a facilitation payment (or 'grease payment') to any Government or other official or any other third party in order to speed up an official procedure or achieve an advantage through the payment when no such payment is officially required. If in doubt whether a payment being requested is legitimate, enquiries should be made.

Any request for a facilitation payment must be reported to the Compliance Officer or Trustees. While the sums involved can be small, they can still constitute an offence. Any payment to a public official in the UK or elsewhere should only be made if it is legally justified and an official receipt is obtained.

GOVERNMENT AND OTHER OFFICIALS

You must be careful when dealing with public officials in relation to contracts that the Charity is negotiating with any governmental or other official body, whether in the UK or overseas. Any expenses involving an official should be cleared both with the Compliance Officer and with the body with which that official works – for example arranging travel and/or accommodation for an official to attend a meeting with the Charity needs to be arranged with the public body with whom that official works and not just with the individual. In such cases, the Charity representative must confirm in writing that such hospitality does not constitute an act of bribery.

PERSONAL BENEFITS

It is not acceptable to have any dealing with a third party with whom the Charity has a business connection whereby you or a friend or relative might gain an advantage in return for some business advantage for that third party. For example, an employee must not favour a potential building contractor because the contractor offers to do some work for the employee at a low price or in order to secure a job for his cousin with that contractor. Any offer of personal benefit must be reported. In addition, if the Charity representative suspects that a personal benefit may result from the course of legitimate business; this must be reported to the Compliance Officer, for the avoidance of doubt, before that business takes place.

DONATIONS TO POLITICAL PARTIES AND CHARITIES

The Charity is prohibited from making donations to political parties. Where it makes donations to other charities these will be part of an aid project grant.

Private donations by volunteers or staff to registered charities are not the concern of the Charity and do not have to be reported. However, any fund raising involving volunteers, or staff members of the Charity, needs management approval and this will normally be given. If a volunteer or member of the Charity decides in their private capacity to fundraise (as opposed to making a private donation) for another charity, this must be

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notified to the Charity and recorded in the Register of Members Interest, as it poses a potential conflict of interest situation.

RISK ASSESSMENT

Whenever the Charity considers a new venture with another organisation or individual, a risk assessment must be undertaken as a first step. This must be accompanied by due diligence on the prospective business partner. The Board will then consider the results before sanctioning any formal relationship.

Risk assessment falls into four main categories:

- **Sector Risk**
Is the type of business that we carry on exposed to the risk of bribery and if so what are the main risk areas? How can these be minimised or eliminated?

- **Transaction Risk**
Is a potential business or project opportunity or contract one where there is a risk of bribery or corrupt activity on the part of the client, any member of our team or any competitor, and is the risk most likely to be found at pre-qualification, tender, pre-contract negotiation or contract performance?

- **Country Risk**
When considering doing business overseas, whether as exporter, importer, or setting up an office or manufacturing or distribution base, what are the risks to which we may be exposed due to the different culture in the new country and the need for dealing with unfamiliar systems and organisations – from immigration officials to local sponsors? Here we should always seek assistance from outside specialists – e.g. GovRisk and/or banks, accountants, lawyers and Foreign Office officials who are based in or familiar with the territory.

- **Partner Risk**
When considering a joint venture, term contract with a supplier or customer, or the appointment of an external consultant, agent or distributor, are we exposed to any new risks due, for example, to the fact that we may not be in control of certain financial or contractual aspects of the new relationship? If yes, then how can we restructure the process so risk is minimised or eliminated?

Once risks have been identified and assessed, the Board will decide on how best to proceed and protect our interests. The risk assessment will be used to determine appropriate controls, which are sensitive to the likelihood and severity of each risk.³

³ A sample checklist can be found in the Appendix.

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DUE DILIGENCE

Before entering into negotiations with third parties and before any letter of intent, commitment or contract is made with a third party, appropriate due diligence on that third party and the foreseeable related transactions should be undertaken. The importance of extensive and robust due diligence cannot be overstated as this can save companies from costly and possibly embarrassing complications further down the line.

Due diligence includes checking the following issues in relation to a third party:

- Creditworthiness
- Financial records
- Charity structure – Deed of Trust, Trustees, Volunteers and employees etc.
- Bank references
- Trade references
- Personal references
- Trading reputation – with competitors, suppliers customers
- Resources – does it have appropriate staff, premises, equipment etc
- Any proceedings (civil or criminal) in which the third party has been involved
- Conflicts of interest – does it have dealings/close relationships with our competitors

When planning to sign up a long term deal with a third party - supplier, joint venture partner, manufacturer, agent, distributor etc. these checks are especially important. Visits to the other party's premises and investigation of their business operation methods are important as a preliminary to any contractual commitment.

As for the contract, the terms will always require Board approval and no binding commitment can be made before this is given. The terms of all contracts should contain the usual protection for the Charity and must include a provision that obliges the other party to comply with this Code of Conduct and not to do or permit anything that might put the Charity in breach of the Bribery Act.

Some sample clauses can be found in the Appendix. The Charity's lawyers should be asked to advise before any contract is finalised.

COMMUNICATION (INCLUDING TRAINING)

Within the Charity, all personnel must be made aware of the Code and undergo training on our anti-bribery policies and procedures.

The Compliance Officer will liaise with Trustees and managers and implement a training programme with regular updates across the Charity.

All new personnel will undergo anti-bribery training as part of their induction process and a similar programme will be established for our external agents and consultants.

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Forms for approval of entertainment and promotional expenses and records of those expenses must be used on all occasions.

If you need advice on how to handle any particular situation, the Compliance Officer is the primary contact.

If any member of the Charity has any genuine concerns, whether in relation to the activities of outside contacts or clients or any of their colleagues, those concerns should be conveyed either to your line manager or directly to the Compliance Officer. Any discussion of this type will be kept confidential.

Speaking up, whether on small or large issues is encouraged and will not have adverse implications for you. Indeed, since bribery is bad for our business, it could enhance your position. In such circumstances where an act of bribery is discovered or suspected, the Charity representative will take the matter directly to the Compliance Officer and/or senior management and will not notify the parties involved unless specifically instructed to do so.

There may be circumstances when we find it necessary to contact the Serious Fraud Office (SFO) or other authorities, whether in this country or abroad, either for advice or to report a problem. Our Compliance Officer, probably with a[*nother*] member of the Board will normally handle any such situation.

MONITORING & REVIEW

The implementation of this Code will be monitored by the Compliance Officer who will report regularly to the Board.

All cases involving bribery or attempted bribery will be considered by Trustees.

All recommendations for changes to our procedures – including this Code of Conduct – will be considered by the Board before being implemented.

The Charity will arrange with a suitable independent person or body to check our financial controls in the context of this Code at least every two years.

REGISTER OF MEMBERS INTERESTS

All volunteer members of CAMEO-Aid, should register their interests in the Register of Members Interests. Trustees and paid staff, consultants and agents, must register their interests.

The register of members' interests is provided to protect members against claims of conflict of interest or potential conflict of interest. It is a public document but would only be made available to the public on written application to the Trustees.

The members Register is held by the Compliance Officer. Each person registering interests will be allocated a separate page on which their interests will be recorded.

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Applications to include a member's interest should be made to the Compliance Officer who will record the details.

A member is allowed to review their personal record of interests at all reasonable times. Application to view the record of interests of other members, or applications to view the register by members of the public, must be made in writing, in the initial instance, to the Compliance Officer. The Compliance Officer will raise the matter with the Trustees. The Compliance Officer will indicate, in writing to the applicant, the Trustees decision.

In any dispute about whether to disclose information or not, advice will be sought from the Data Commissioner and / or the Charity Commissioners. It is for the Trustees, on receipt of such advice, to determine what course of action to take. The decision of the Trustees will be minuted and their response made in writing and communicated to the applicant. Hard copies of all correspondence will be kept on file. This will include electronic transmissions on this matter.

The Trustees will monitor and review the Register on an annual basis to ensure that entries are being made, are relevant and appropriate. All entries will be evaluated to determine if any problems have arisen and to determine what actions to take. This review will be minuted.

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APPENDIX

This Appendix contains the following:

- 1. Examples of prohibited activities**
- 2. Sample Risk Matrix and Register**
- 3. Sample Contract Clauses**
- 4. Training Schedule**
- 5. Entertainment/Hospitality Form**
- 6. Register of Members Interest – Sample Page**

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EXAMPLES OF PROHIBITED ACTIVITIES

- A UK-based Charity wishes to export goods into another country. The local shipping agent advises that a “facilitation fee” is required to expedite the process and to ensure that the shipment is cleared.
- A prospective client sends a delegation or representatives to meet with you and your team. During the meeting it is made plain that a generous gift or a cash donation to them would seal the deal.
- A UK-based Charity senior manager is offered an “all-expenses paid” family holiday from a client as a small token of appreciation.
- A potential client is in town and wanting to impress, you offer them VIP tickets to a Premier League match followed by a dinner at a Michelin Star restaurant.
- On a business trip abroad, a colleague confides that they intend to pay a supplier a large cash sum “off the books” to maintain a good relationship. He wants you to keep this quiet as “everybody’s doing it”.

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RISK MATRIX AND REGISTER

In order to first adapt this Code of Conduct to the organisation, it is necessary to conduct a thorough bribery risk assessment of the organisation. This must be conducted by either a qualified risk or compliance officer within the organisation, or by a qualified external professional, liaising with senior management to implement procedures at all levels. Other risk assessments and reports may provide useful information, however this risk assessment is unique and an essential step to ensuring compliance with the Bribery Act.

Each risk can be put into a risk matrix according to its **likelihood** and **severity**. All bribery risks pose a severe threat to the organisation; nevertheless they may still be classified, as per the examples below:

Very likely	6	8	10	10
Probable	4	6	8	10
May happen	2	4	6	8
Improbable	2	4	6	8
Very Unlikely	0	2	4	6
	Negligible	Moderate	Critical	Catastrophic

Example 1: The CEO sells Charity assets below market value for payment to a personal bank account. Likelihood: Improbable. Severity: Catastrophic. **Risk Rating: 8**

Example 2: A contractor in a high risk country pays a customs official to clear a package without delay. Likelihood: Very likely. Severity: Critical. **Risk Rating: 10**

Example 3: An employee buys a birthday present for a prospective client without the Charity's knowledge.⁴ Likelihood: May happen. Severity: Negligible. **Risk Rating: 2**

These risks are then put into a risk register to determine appropriate action.

Risk	Risk Rating	Existing controls	Responsibility	Further Action	Frequency
Example 1	8	CFO signature required, sensitive documents secured, quarterly audit of financial records	CFO	Security memo sent to all senior management	Quarterly
Example 2	10	Invoice requested by line manager	Line Manager	New policy to request signed confirmation of duty. Onsite audit of contractors.	All exports. All new contractors.
Example 3	2	None	Employee	Employee to sign code of conduct and receive training.	Initial training, then annual.

⁴ Note that similar risks will score differently in different circumstances, i.e. during a tender process.

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SAMPLE CONTRACT CLAUSES FOR INCLUSION IN CHARITY CONTRACTS

Appointment of Agent

The Agent undertakes with the Charity to:

- (a) comply with applicable laws (including but not limited to the Bribery Act 2010), regulations and codes of conduct in relation to anti-bribery and anti-corruption including any code of conduct from time to time issued by the Charity and ensure that all employees and other persons associated with the Agent comply with these obligations; and
- (b) comply with all reasonable instructions of the Charity, act in good faith in all dealings with the Charity and not do anything which might be contrary to the interests of the Charity in the Territory or elsewhere.

Appointment of Supplier

The Supplier warrants to and undertakes with the Charity as follows:

- (a) Neither the Supplier nor any of its officers or employees have been the subject of any prosecution for an offence involving bribery or corruption nor has the Supplier, so far as it is aware, been investigated for any corrupt activities and it shall promptly notify the Charity;
- (b) It shall comply with applicable laws (including but not limited to the Bribery Act 2010), regulations and codes of conduct in relation to anti-bribery and anti-corruption including any code of conduct from time to time issued by the Charity; and
- (c) It shall maintain and implement its own anti-corruption policies and procedures in conformity with the Bribery Act 2010 and ensure that its employees and other persons associated with the Supplier comply with the same;
- (d) It shall promptly notify the Charity if any of the circumstances referred to in this clause change.

Note:

1. The precise wording needs to be cleared with the Charity's legal and business advisers.

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2. The termination clause in the relevant contract should be so written that any bribery by the Agent/Supplier or any breach of the above obligations will entitle the Charity to terminate the contract without any payment of compensation.

TRAINING SCHEDULE

It is essential to proving “adequate procedures” have been implemented that the necessary personnel have received adequate, competent training on their new responsibilities. As with the policies implemented, training must be proportionate, risk based and ongoing.

Initial Implementation Training

All employees must have a basic understanding of the act and how it affects the organisation. This should include relevant, up-to-date statistics and, where possible, include workshops or seminars from competent professionals. E-learning, questionnaires and similar formats may be useful for large, low-risk areas of the business, while more exposed areas may require direct attention from the Compliance officer, senior management or specialist training providers.

Risk-Based Specialist Training⁵

High-risk business areas (such as agents, contractors, personnel dealing with Government departments, overseas offices etc.) require specialist expertise to minimise the organisation’s exposure to bribery risk. The

This training schedule is provided as a guide only.

Specialist Area	Initial Training	Conducted by	Ongoing Training	Frequency
Board of Trustees	In-house workshop, External Conference	GovRisk, conference providers	Workshops, questionnaires	Annual
Agents	Workshops, assessment and accreditation	Trustees with advice from GovRisk	As advised by GovRisk	As advised by GovRisk
Sales staff	Q&A session, Intranet questionnaire	Compliance officer	Questionnaire on Intranet	Quarterly, depending on department
Trustees/Managers	Q&A session, instructions by department	Compliance Officer, Board of Trustees	Training sessions with Board	Quarterly

⁵ The International Governance and Risk Institute (GovRisk) provide in-house and public training on all aspects of the Bribery Act, including specialist, high-risk areas.

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Ongoing Training Framework

The Compliance Officer must implement an ongoing framework to ensure that the organisation keeps up to date with the changing business and legislative environment. Specialist training must be provided for the Board and other high-risk areas. This is part of an overall effort to monitor, review and improve Bribery Act compliance.

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HOSPITALITY & ENTERTAINMENT FORM

Hospitality & Entertainment Form

This form should be completed by all employees before offering hospitality to third parties and when offered hospitality

NAME: _____

DATE: _____

Description of Hospitality	Name of contact and organization	Date	Value £

Reviewed by:.....Date:
Department Head
Comments:

Reviewed by:.....Date:
Compliance Officer
Comments

REGISTER OF MEMBERS INTERESTS
(SPECIMEN PAGE – FOR INFORMATION ONLY)
Examples of possible entries

Example 1

Name	<i>F Smith</i>			
Address	<i>16 Any Street</i>			
	<i>Anytown</i>			
	<i>Any county</i>			
Post Code				
Role in CAMEO-Aid	<i>Volunteer – helping with Book-keeping and other duties</i>			

Date	Details of Members Interests			
<i>04/01/2010</i>	<i>Employed as book-keeper at AAAA accountants</i>		<i>Complete accounts for BBBB charity</i>	
<i>14/04/2010</i>	<i>HCPT Volunteer</i>		<i>Went to Lourdes with Group</i>	<i>Paid part of own expenses. Remainder (£120) raised through HCPT Group f/raising</i>
<i>16/05/2010</i>	<i>Church Ladies Group</i>		<i>Talk about Lourdes Experience</i>	<i>Received £20 donation by cheque. Donated this to HCPT</i>

Example 2.

Name	<i>J Jones</i>			
Address	<i>39 Any Street</i>			
	<i>Anytown</i>			
	<i>Any county</i>			
Post Code				
Role in CAMEO-Aid	<i>Trustee</i>			

Date	Details of members interests			
<i>05/05/09</i>	<i>Elected Trustee of XYZ Charity</i>		<i>Charity undertakes education and health projects in Africa and Asia</i>	
<i>06/07/09</i>	<i>Took up a role on XYZ's fund-raising committee</i>		<i>Visited Projects in Africa</i>	<i>Expenses claimed from charity; Made a Compensating donation of £500</i>
<i>06/09/2010</i>	<i>Delegate at DFiD conference in London</i>		<i>Seminars and lecture on new approach by DFiD to foreign Aid</i>	<i>Travel and Hotel paid by XYZ Charity</i>

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<i>11/10/2010</i>	<i>Offered VIP tickets to Premier League football match at United</i>	<i>Offer made by A Newton, SD of Academy Education Supplies</i>	<i>Accepted. A Newton is a friend. Charity has no dealings with Academy</i>
<i>04/02/2011</i>	<i>Invited to be Trustee of Local Animal sanctuary. Discussed this with Trustees of XYZ</i>	<i>Agreed there was a possible conflict of interest with fundraising. However it was agreed I should take up role.</i>	

Example 3				
Name	<i>J Blogs</i>			
Address	<i>46 Any Street</i>			
	<i>Anytown</i>			
	<i>Any county</i>			
Post Code				
Role in CAMEO-Aid	<i>Staff Member – general Admin</i>			
Date	Details of members interests			
<i>05/04/09</i>	<i>Member of Local Church Third World group</i>	<i>Group raises funds to aid project in the third works</i>		
<i>23/11/10</i>	<i>Offered free gift by Stationery supplier is order exceeded £40 ex Vat</i>	<i>Compared prices with other supplier and found them comparable</i>	<i>Paced order and received gift of coffee maker</i>	<i>Gift is the property of the charity. Gift placed in Prize Store</i>
<i>15/12/2010</i>	<i>Invited by Third World group to help with cash collections at local church</i>	<i>Helped with the collection</i>		

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EXPLANATORY NOTES

A Code of Conduct setting out the procedures it has in place for dealing with the risk of bribery is now an essential document for every business and organisation in the UK.

Under the Bribery Act 2010, effective from 1st July 2011 there are four new offences:

- bribery of another person
- accepting a bribe
- bribing a foreign official
- failing to prevent bribery

It is quite a short statute – but one with a long reach as it is broad-ranging in its language and it specifically covers corruption abroad as well as at home. **Companies as well as individuals can be prosecuted and the only defence to the new offence of failing to prevent bribery is to show you have ‘adequate procedures’ in place to prevent this sort of thing – i.e. a Code of Conduct is necessary and must be implemented and specifically tailored to the organisation’s bribery exposure.**

This means that every business should have a Code of Conduct in place which is compliant with the Act and the Guidance issued by the UK Government.

Prepared for ContractStore by solicitor Giles Dixon in conjunction with the International Governance & Risk Institute (GovRisk), this Code of Conduct is a template which should be adapted and tailored to meet your particular circumstances. These will depend on the size and nature of your business and the areas of the world in which you do business, as well as the extent of your relationships with others – joint venture partners, agents, Government clients etc. The Appendix also includes useful information to implement your Code of Conduct by conducting a bribery risk assessment, implementing effective and proportionate policies, organising initial Charity-wide training, ensuring top-down commitment, training critical personnel and ensuring an ongoing anti-bribery framework.

This Code of Conduct contains sections that follow the six principles in the Government Guidance of Proper Procedures; Top Level Commitment; Risk Assessment; Due Diligence; Communication (including training) and Monitoring & Review.

The Code is in plain English and contains 8 pages plus an Appendix which include:

A short summary of the Bribery Act; Examples of Prohibited Activities; Sample Risk Register & Matrix; Sample Contract Clauses; Sample Training Schedule; Entertainment & Hospitality Form; Sample Page – Register of Members Interests.

CAMEO-Aid
CODE OF CONDUCT
Anti-Bribery

For a UK-based Charity unfamiliar with a foreign jurisdiction, the local laws and regulations can often be at a disadvantage. Further complications can arise when a prevailing business culture is at odds with UK laws and best business practice. The International Governance and Risk Institute (GovRisk) provides expertise to ensure that your business is able to thrive in areas where geographical, legislative, regulatory and cultural barriers provide difficulties for the competition – not for you. We have local knowledge and expertise all over the globe as a result of working abroad with local government, legislators, policymakers and law enforcement in areas of transparency, prevention of corruption and good governance. For a no-obligation assessment of your Bribery Act, regulatory or other vulnerabilities, please contact us at www.govrisk.org .