

RFSA - BRIBERY ACT 2010: POLICY STATEMENT

Explanation - Bribery Act

Bribery can be defined as an inducement or reward offered, promised or provided in order to gain commercial, contractual, regulatory or personal advantage. The Bribery Act, which came into force on 1 July 2011, applies to offences committed on or after 1 July 2011 and applies to both the private and public sectors. There are severe penalties for anyone convicted under the Act including 10 years imprisonment and unlimited fines. The policy statement below sets out the charity's responsibilities and those associated with it in upholding the charity's position of zero tolerance towards bribery and corruption.

Risk Assessment

The charity has assessed its main risk areas for the purpose of putting adequate procedures in place and they include the making of grants and the giving/receiving of gifts and hospitality which are intended to be, or could be perceived, as bribes.

Training

The Trustees expect that the charity's officers and professional advisers must have appropriate training from their requisite employer. Similarly, those organisations receiving grants from the charity must have in place, and ensure compliance with, anti-corruption policies and procedures. Trustees will ensure they keep abreast of Charity Commission requirements.

The Policy Statement

Statement of the Charity's Values

The RFSA's reputation is built on its values as a supporter of education and the charity's Trustees' commitment to act with integrity and transparency in its dealings. The charity condemns corruption in all its forms and will not tolerate it in its activities or in those with whom it engages. The charity has zero tolerance of bribery and corruption.

Zero Tolerance

In accordance with the Bribery Act 2010 the charity prohibits the following:

- the offering, the giving, the solicitation or the acceptance of any bribe, whether cash or other inducement, regardless of size;
- *to or from* any person, company, or other organisation wherever they are situated and whether they are a public official or body or private person or company;
- *by* any individual, agent or other person or body acting on the charity's behalf;
- *in order to* gain any commercial, contractual or regulatory advantage for the charity in a way which is illegal/unethical;
- *or in order to* gain any personal advantage, pecuniary or otherwise, for the individual or anyone connected with the individual.

This prohibition includes facilitation payments and those made to public officials for securing or accelerating routine processes and procedures.

This prohibition also covers threatening behaviors or retaliation against an individual who has refused to commit a bribery offence or who has raised concerns under this policy.

Preventing and Reporting Bribery – Responsibilities

All those associated with the charity have a responsibility to prevent, detect and report bribery. Any suspicion of bribery or attempted bribery committed by or against an individual, agent or other party acting on behalf of the charity must be reported immediately to any of the charity trustees or the Secretary or the charity's accountants and auditors, MacIntyre Hudson LLP, or the Charity Commission. Officers are expected to adhere not only to the provisions of this policy statement but also all relevant Codes and policies of their employing bodies in relation to relationships with the charity.

Grant Making Processes and Gifts/Hospitality

The charity has a grant application process which prevents related or interested parties from participating in grant making discussions and decisions, and a declaration of interests policy to which trustees adhere. Trustees and officers are prohibited from accepting gifts. Hospitality of a trivial and low key nature may occasionally be accepted with the agreement of all the trustees.

Monitoring and Review

The charity's Trustees have overall responsibility for ensuring this policy complies with legal obligations and that the charity's officers comply with it.

Approved: May 2013

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