



the brain injury association

Hospitality and anti-bribery policy

1. Introduction

Headway is committed to applying the highest standards of ethical conduct and integrity. When representing the charity, employees are responsible for maintaining the reputation of the charity and conducting business in an honest and professional manner.

The integrity and reputation of the charity depends on the honesty, fairness and integrity brought to the charity by everyone associated with the charity.

Headway will not tolerate any form of bribery, either by or of its employees, Trustees, consultants or companies acting on its behalf.

The Trustees and senior management team are committed to preventing, monitoring and eliminating bribery, in accordance with the Bribery Act 2012.

These anti bribery procedures apply to all employees, agency workers, consultants and external companies working with or for Headway.

All employees and those acting on behalf of the charity are required to comply with the charity's anti bribery procedures. Employees found to be in breach of this policy may be subject to disciplinary action under Headway's disciplinary procedure. In serious cases, you could be dismissed for gross misconduct. You may also be committing a criminal offence.

The standards detailed in this policy apply equally to activities conducted inside or outside the UK, we do not adopt 'local standards' overseas if they are lower than UK standards.

If you are an employee, this policy is non-contractual and may be amended from time-to-time.

2. What is bribery?

We define bribery as a reward or inducement for acting improperly, illegally or unethically to gain an advantage, whether personal, commercial, or regulatory. You do not need to have actually given or received the reward or inducement for this to amount to bribery.

A bribe does not need to involve money. Offering hospitality, entertainment or gifts can also be classed as bribery if the purpose is to exert influence.

You could face up to 10 years in prison for offering, promising, giving, asking for, or accepting a bribe, as this is a criminal offence. We may as a company also face sanctions if we don't stop bribery taking place. This can include an unlimited fine and being excluded from public contract tenders.

This list includes the most common actions we consider to be bribery, but it doesn't cover everything. You must not become involved in any of these things, or allow anyone else to become involved in them on your behalf:

- promising, offering or giving money, hospitality or gifts in the expectation of receiving a business advantage, or because you have already received that advantage;
- accepting or giving hospitality or gifts in the course of commercial negotiations of any kind, including tender processes, if there is any uncertainty about whether doing so could have an impact on the outcome;
- accepting money, gifts or hospitality from anyone you suspect is seeking a business advantage in return;
- accepting hospitality that is excessively extravagant for the context in which it is offered;
- offering gifts to government or other officials, political parties, and individual politicians;
- receiving gifts from government or other officials, political parties, and individual politicians;
- offering or receiving gifts in return for the faster or smoother conclusion of a routine transaction or process;
- retaliating against or threatening anyone who refuses to take part in bribery;
- retaliating against or threatening anyone who raises concerns under the policy; and
- taking part in any other activity or process that might otherwise breach this policy.

3. Corruption

We define corruption as the abuse of power, authority, or position in return for some personal advantage.

4. Hospitality and gifts

You should exercise the utmost discretion in accepting offers of hospitality from contractors, their representatives, clients or third parties etc.

You must not receive payments or benefits of any kind, either within or outside working hours, which might reasonably be considered to compromise your personal judgement and integrity.

All hospitality and gifts should be declared to your line manager before they are accepted. Failure to do so may result in action under the disciplinary procedure in accordance with Headway's disciplinary procedure and/or the Bribery Act 2010.

What is allowed?

Offering or receiving hospitality and entertainment from third parties is allowed under this policy, provided it is appropriate and reasonable in the circumstances and the purpose is to:

- build or maintain business relationships;
- enhance or maintain our reputation; or
- help market our products and services more effectively.

You may also give and accept gifts, but only if:

- you have your manager's prior approval each time;
- it is not being done in order to influence a business decision;
- you are not giving or receiving the gift as a reward for new business or to retain existing business;
- you are not giving or receiving the gift in return for any other benefits or favours;
- you are giving the gift on behalf of the charity (it must not be in your own name);
- you are not giving cash or any kind of cash equivalent, such as vouchers;
- your gift is appropriate in the particular context – for example, a small gift at Christmas;
- it is not being done in secret; and
- you are complying with local laws.

It is generally fine to give or receive low-value business-related gifts, such as branded umbrellas.

You can reimburse a third party for business-related expenses – the costs of attending a meeting, for example – and you can also accept a third party's offer to pay your expenses. This will not normally be bribery. However, a payment made or received

that exceeds reasonable or genuine business expenses is not acceptable. An example would be payment for an extended stay in a hotel, before or after business had been concluded.

5. Kickbacks and facilitation payments

We don't make or receive kickbacks or facilitation payments.

We define kickbacks as payments made in return for a business advantage or favour.

We define facilitation payments as unofficial (and usually small) payments, made to speed up or smooth out a routine process or activity. They are sometimes described as 'back handers'.

You must avoid being put in a position where you might be asked to make or accept a kickback or facilitation payment on our behalf. You must also avoid being put in a position from where it could be inferred that such a payment was available.

If anyone asks you to make a payment on behalf of us, you must consider carefully whether what they are asking for is in proportion to the goods or services involved. Always get a receipt, and if you have any concerns you must discuss them with your manager straightaway.

6. Duty of employees

Employees and those acting on behalf of Headway are prohibited from offering, giving, soliciting or accepting any bribe, kickback or facilitation payment to or from any person or company in order to gain any advantage for Headway or for personal gain.

Headway will continue to provide hospitality to third parties and incur promotional expenditure. However, all such expenditure will be transparent, proportionate, reasonable and authorised in advance.

Employees should under no circumstances accept money, gifts or other forms of reward without the prior consent of their manager. All such reported gifts will be recorded.

If you are in doubt as to whether an act constitutes bribery, consult your line manager. A breach of Headway's anti-bribery policy will be treated as gross misconduct.

Bribery is a criminal offence.

Headway will not conduct business with third parties who are not prepared to support its anti-bribery policy.

7. Record keeping

You must keep written records of any gifts or hospitality you have given or received and declare these. All associated expenses claims must give full details of the reason for the expenditure and must be submitted in line with Headway's expenses policy.

Invoices and other records relating to third party dealings, including those with customers and suppliers, must be accurate and complete. You must never maintain 'off book' accounts to conceal or facilitate payments of any kind.