

**INVICTUS**

Education Trust

**ANTI-BRIBERY, GIFTS  
AND HOSPITALITY  
POLICY**

Approved by Board of Trustees  
25<sup>th</sup> March 2019

To be reviewed by Board of Trustees  
February 2022

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## **1 Introduction**

We are committed to the highest standards of ethical conduct and integrity in the work we do. We are also committed to preventing and prohibiting bribery, in accordance with the Bribery Act 2010. Invictus Education Trust will not tolerate any form of bribery by, or of, its employees, agents or consultants or any person or body acting on its behalf. The Board of Trustees is committed to implementing effective measures to prevent, monitor and eliminate bribery.

## **2 Scope of this Policy**

- 2.1 This policy applies to anyone working for us or on our behalf, including all our employees, consultants, contractors, agency workers and volunteers, who are all responsible for maintaining the highest standards of conduct. These are referred to as employees and associated persons for the purpose of this policy.
- 2.2 We may face criminal liability for unlawful actions taken by our employees or associated persons under the Bribery Act 2010. All employees and associated persons are required to familiarise themselves and comply with this policy, including any future updates that may be issued from time to time by Invictus Education Trust.
- 2.3 Employees are also required to comply with the Whistleblowing Policy, available on school websites and school intranet.
- 2.4 Any breach of this policy is likely to constitute a serious disciplinary, contractual and criminal matter for the individual concerned and may cause serious damage to our reputation and standing.
- 2.5 This policy does not form part of any employee's contract of employment and we may amend it at any time.

What is Bribery?

- 2.6 A criminal offence will be committed under the Bribery Act 2010 if an employee or associated person acting for, or on behalf of Invictus Education Trust:
    - offers, promises, gives, requests, receives or agrees to receive bribes; or
    - offers, promises or gives a bribe to a foreign public official with the intention of influencing that official in the performance of his/her duties (where local law does not permit or require such influence)
    - failure to prevent bribery
- And:
- Invictus Education Trust does not have the defence that it has adequate procedures in place to prevent bribery by its employees or associated persons.

## **3 What is prohibited?**

- 3.1 Invictus Education Trust prohibits employees or associated persons from offering, promising, giving, soliciting or accepting any bribe. The bribe might be cash, a gift or other inducement to, or from, any person or company, 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. The bribe might be made to ensure that a person or company improperly performs duties or functions (for example, by not acting impartially or in good faith or in accordance with their position of trust) to gain any commercial, contractual or regulatory advantage

for Invictus Education Trust in either obtaining or maintaining Company business, or to gain any personal advantage, financial or otherwise, for the individual or anyone connected with the individual.

- 3.2 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, contractors or sub-contractors, agents or sub-agents, sponsors or sub-sponsors, joint-venture partners, advisors, customers, suppliers or other third parties.

#### **4 Records**

- 4.1 Employees and, where applicable, associated persons, are required to take particular care to ensure that all company 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.
- 4.2 Due diligence should be undertaken by employees and associated persons prior to entering into any contract, arrangement or relationship with a potential supplier of services, agent, consultant or representative in accordance with Invictus Education Trust's procurement procedures.
- 4.3 Employees and associated persons are required to keep accurate, detailed and up-to-date records of all corporate hospitality, entertainment or gifts accepted or offered.

#### **5 Corporate Entertainment, Gifts, Hospitality and Promotional Expenditure**

- 5.1 Invictus Education Trust permits corporate entertainment, gifts, hospitality and promotional expenditure that is undertaken:
- for the purpose of establishing or maintaining good business relationships;
  - to improve our image and reputation
  - to present our services effectively

provided that it is:

- arranged in good faith, and
- not offered, promised or accepted to secure an advantage for Invictus Education Trust or any of its employees or associated persons or to influence the impartiality of the recipient.

- 5.2 We will authorise only reasonable, appropriate and proportionate entertainment and promotional expenditure.

#### Procedure

- 5.3 Employees and, where relevant, associated persons should submit requests for proposed hospitality and promotional expenditure well in advance of proposed dates to the Headteacher.
- 5.4 Employees are required to set out in writing:
- the objective of the proposed client entertainment or expenditure;
  - the identity of those who will be attending;
  - the organisation that they represent; and
  - details and rationale of the proposed activity.
- 5.5 We will only approve business entertainment proposals if they demonstrate a clear business objective and are appropriate for the nature of the business relationship. Invictus Education Trust will not approve business entertainment where we consider that a conflict of interest may arise or where it could be perceived that undue influence or a particular business benefit was being sought (for example, prior to a tendering exercise).

- 5.6 Any gifts, rewards or entertainment received or offered from clients, public officials, suppliers or other business contacts should be reported immediately to the Headteacher. In certain circumstances, it may not be appropriate to retain such gifts 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. As a general rule, small tokens of appreciation, such as flowers or a bottle of wine, may be retained by employees.
- 5.7 If an employee or associated person wishes to provide gifts to suppliers, clients or other business contacts, prior written approval from the Headteacher is required, together with details of the intended recipients, reasons for the gift and business objective. These will be authorised only in limited circumstances and will be subject to a cap of £50 per recipient.
- 5.8 Employees and, where applicable, associated persons must supply records and receipts, in accordance with the Invictus Education Trust's expenses policy.

## **6 Risk management**

- 6.1 Invictus Education Trust has established detailed risk management procedures to prevent, detect and prohibit bribery. Invictus Education Trust will conduct risk assessments for each of its key business activities on a regular basis and, where relevant, will identify employees or officers of Invictus Education Trust who are in positions where they may be exposed to bribery.
- 6.2 Invictus Education Trust will:
- regularly monitor "at risk" employees and associated persons;
  - regularly communicate with "at risk" employees and associated persons;
  - undertake extensive due diligence of third parties and associated persons; and
  - communicate its zero-tolerance approach to bribery to third parties, including actual and prospective customers, suppliers and joint-venture partners.

## **7 Reporting suspected bribery**

- 7.1 We depend on all of our employees and associated persons to ensure that the highest standards of ethical conduct are maintained in all our business dealings. Employees and associated persons are requested to assist the Trust and to remain vigilant in preventing, detecting and reporting bribery.
- 7.2 Employees and associated persons are encouraged to report any concerns that they may have to the Headteacher as soon as possible.
- 7.3 Reports will be thoroughly and promptly investigated by Invictus Education Trust. Employees and associated persons will be required to assist in any investigation into possible or suspected bribery.

## **8 Action**

- 8.1 Invictus Education Trust 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. Invictus Education Trust will 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. Invictus Education Trust may terminate the contracts of any associated persons, including consultants or other workers who act for, or on behalf of, Invictus Education Trust who are found to have breached this policy.
- 8.2 Invictus Education Trust 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. Invictus Education Trust will provide all necessary assistance to the relevant authorities in any subsequent prosecution.

## **9 Review of procedures and training**

- 9.1 Invictus Education Trust will regularly communicate its anti-bribery measures to employees and associated persons and will set up training sessions where applicable. The Headteacher is responsible for the implementation of this policy.
- 9.2 The Headteacher will monitor and review the implementation of this policy and related procedures on a regular basis, including reviews of internal financial systems, expenses, corporate hospitality, gifts and entertainment policies.

## **10 Named Person Responsible for Anti-Bribery Actions**

The Executive Headteacher/CEO is the named person responsible for over-seeing all anti-bribery actions within Invictus Education Trust.

## **11 Information on Anti-Bribery**

Invictus Education Trust should ensure information is available to all employees who may potentially be involved in situations where bribery could occur. The information should make clear to employees what is, and what is not, acceptable and how to act in a situation where bribery is attempted.

## **12 Review of policy**

This policy is reviewed every three years by the Board of Trustees. We will monitor the application and outcomes of this policy to ensure it is working effectively.