

EuroRAP - ANTI BRIBERY AND CORRUPTION POLICY

1. POLICY STATEMENT

- 1.1 We take a zero tolerance approach to bribery and corruption and will uphold all laws relevant to countering bribery and corruption in all the jurisdictions in which we operate. We welcome the international community's efforts to stamp out bribery and corruption and support the implementation of the United Nations Anti-Corruption Convention and the Group of Twenty Anti-Corruption Action Plan. EuroRAP is a Belgian based International Non-Profit organisation, however because EuroRAP operates substantially from the UK, we are in practice required to operate as if bound by the laws of the UK Bribery Act 2010 ("the Act") in respect of our activities both at home and abroad. We undertake due diligence on our partners, contractors and grant recipients and take reasonable steps to ensure that they apply all applicable anti-bribery and anti-corruption laws.
- 1.2 We are in turn required to show others who consider us for grants and contracts that we have policies and procedures in place to tackle bribery and corruption.
- 1.3 The purpose of this policy is to:
- (a) set out our responsibilities in observing and upholding our policy on bribery and corruption; and
 - (b) provide information and guidance to our employees and partners, grant recipients and contractors on how to recognise and deal with bribery and corruption issues.
- 1.4 Under the Act, bribery and corruption are punishable for individuals by up to ten years' imprisonment and if we are found to have taken part in corruption EuroRAP could face an unlimited fine, be excluded from tendering for public contracts, and face damage to our reputation. We therefore take our legal responsibilities very seriously.

2. WHO IS COVERED BY THE POLICY?

- 2.1 This policy applies directly to our Board of Directors and to all individuals working within EuroRAP as employees or agents. The policy is provided to our other partners, grant recipients and contractors, who will be required to take reasonable steps to ensure that in carrying out activities supported by EuroRAP, they and their employees, directors and associates comply with all applicable anti-bribery and anti-corruption laws.
- 2.2 In this policy, "third party" means any individual or organisation you come into contact with during the course of your role as a Director, employee or agent of EuroRAP AISBL.

3. WHAT IS BRIBERY AND CORRUPTION?

- 3.1 A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage.

- 3.2 Corruption is the misuse of public office or power for private gain or the misuse of private power in relation to business outside the realm of government.
- 3.3 Acts of bribery or corruption are intended to influence an individual in the performance of their work to act dishonestly and/or improperly. The person being bribed is usually someone who can obtain, retain or direct business for example during a tender or contracting process or it may be through the handling of administrative tasks or customs matters.
- 3.4 A bribe can take many forms, for example, a direct or indirect promise or offer of something of value, the offer or receipt of a kickback, fee, reward or other advantage, the giving of aid, donations or voting designed to exert improper influence.
- 3.5 Those engaged in bribery and corruption can include an employee, officer, director or any person acting on behalf of EuroRAP i.e. our agents, contractors, individuals or organisations who authorise someone else to carry out these acts, Government or public officials whether foreign or domestic.

4. **GIFTS AND HOSPITALITY**

- 4.1 This policy does not prohibit gifts, entertainment, hospitality or other promotional expenditures (given and received) to or from third parties which are proportionate, transparent, reasonable and for bona fide purposes related to the aims and objectives of EuroRAP .
- 4.2 The giving or receipt of gifts is not prohibited if all of the following requirements are met:
- (a) it is not made with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage, or in explicit or implicit exchange for favours or benefits;
 - (b) it complies with local law;
 - (c) it is given in our name, not in your name;
 - (d) it does not include cash or a cash equivalent (such as gift certificates or vouchers);
 - (e) it is appropriate in the circumstances. For example, it is given as a ceremonial gift on a festival or at another special time (e.g. Christmas);
 - (f) taking into account the reason for the gift, it is of an appropriate type and value and given at an appropriate time;
 - (g) it is given openly, not secretly; and
 - (h) gifts should not be offered to, or accepted from, government officials or representatives, or politicians or political parties, without the prior approval of the Chief Financial Officer (Compliance Officer – Shona Holroyd) or Chairman.

- 4.3 We appreciate that the practice of giving business gifts varies between countries and regions and what may be normal and acceptable in one region may not be in another. The test to be applied is whether in all the circumstances the gift or hospitality is reasonable and justifiable. The intention behind the gift should always be considered.
- 4.4 Gifts to a value of more than £250 (or of comparable value in a different country)¹ should not be given or offered (to or from a single source on a single occasion) unless they have the written approval of the Compliance Officer or the Chairman.
- 4.5 All gifts and hospitality accepted or offered by any employee or Board Director should be entered on the Hospitality Register.
- 4.6 Any approval required by the above policies relating to the Compliance Officer must be provided by the Chairman and vice versa.

5. **WHAT IS NOT ACCEPTABLE?**

- 5.1 It is not acceptable for you (or someone on your behalf) to:
- (a) give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that this will influence the decision-making of EuroRAP or that a business advantage will be received, or to reward a business advantage already given; or
 - (b) give, promise to give, or offer, a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure; or
 - (c) accept payment from a third party that you know or suspect is offered with the expectation that EuroRAP's decision making will be influenced in any way and that it will obtain a business advantage for them; or
 - (d) accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that EuroRAP's decision making will be influenced in any way and that a business advantage will be provided by us in return; or
 - (e) threaten or retaliate against another worker who has refused to commit a bribery offence or who has raised concerns under this policy; or
 - (f) engage in any activity that might lead to a breach of this policy.

6. **FACILITATION PAYMENTS**

- 6.1 We do not make, and will not accept, facilitation payments or "kickbacks" of any kind. Facilitation payments are typically small, unofficial payments made to secure or expedite a routine government action by a government official (e.g. processing a

¹ In deciding whether a gift is of comparable value, the relevant employee or trustee should consider all surrounding circumstances including, but not limited to, the average income in the location where the recipient of the gift is based.

visa, customs invoice or other governmental paper). They are not commonly paid in the UK, but are common in some other jurisdictions.

- 6.2 If you are asked to make a payment on our behalf, you should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. You should always ask for an invoice and/or receipt which details the reason for the payment. If you have any suspicions, concerns or queries regarding a payment, you should raise these with your line manager or the Compliance Officer.
- 6.3 If such a payment is extorted or forced under duress or because of a threat to personal safety then the payment may be made provided that either the Compliance Officer or Chairman is promptly informed, a written report submitted, and the payment recorded in EuroRAP's financial records.
- 6.4 Kickbacks are typically payments made in return for a business favour or advantage. All our partners, grant recipients, contractors and associates must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by us.

7. **YOUR RESPONSIBILITIES**

- 7.1 You must ensure that you read, understand and comply with this policy.
- 7.2 The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for EuroRAP or under our control. You are required to avoid any activity that might lead to, or suggest, a breach of this policy.
- 7.3 You must notify your line manager as soon as possible if you believe or suspect that a conflict with this policy has occurred, or may occur in the future. For example, if a partner, contractor, grant recipient or potential partner, contractor, grant recipient offers you something to gain an advantage with us, or indicates to you that a gift or payment is required to secure their co-operation with EuroRAP supported activities.
- 7.4 Any employee who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct. We reserve our right to terminate our contractual relationship with our partners, grant recipients and contractors if they breach this policy.

8. **RECORD-KEEPING**

- 8.1 We must keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties.
- 8.2 You must declare and keep a written record of all hospitality or gifts accepted or offered on the gifts register, which will be subject to managerial review.
- 8.3 You must ensure all expenses claims relating to hospitality, gifts or expenses incurred to third parties are submitted in accordance with our expenses policy and specifically record the reason for the expenditure.
- 8.4 All accounts, invoices, memoranda and other documents and records relating to dealings with third parties, such as clients, suppliers and business contacts, should

be prepared and maintained with strict accuracy and completeness. No accounts must be kept "off-book" to facilitate or conceal improper payments.

9. HOW TO RAISE A CONCERN

You are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. If you are unsure whether a particular act constitutes bribery or corruption, or if you have any other queries, these should be raised with the Compliance Officer or the Chairman. Concerns should be reported as a protected disclosure to your line manager or to a Director. Statutory protection of whistle blowers is afforded under the (UK) Public Interest Disclosure Act 1998.

10. PROTECTION

10.1 Employees who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. We aim to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.

10.2 We are committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or other corruption offence has taken place, or may take place in the future. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the Compliance Officer immediately.

11. TRAINING AND COMMUNICATION

11.1 All employees will receive relevant training on how to implement and adhere to this policy.

11.2 Our zero-tolerance approach to bribery and corruption will be communicated to all partners, grant recipients, suppliers, and contractors at the outset of our relationship with them and as appropriate thereafter.

12. WHO IS RESPONSIBLE FOR THE POLICY?

12.1 The Board of Directors has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it.

12.2 The Chief Financial Officer, as Compliance Officer, has primary and day-to-day responsibility for implementing this policy and for monitoring its use and effectiveness and dealing with any queries on its interpretation. Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy and are given adequate and regular training on it.

13. RISK ASSESSMENT, MONITORING, AND REVIEW

13.1 As part of its annual risk assessment process the Board of Directors will monitor the effectiveness and review the implementation of this policy, considering its suitability, adequacy and effectiveness. The Compliance Officer will carry out regular audits of

our control systems and procedures to provide assurance that they are effective in countering bribery and corruption.

- 13.2 All employees are responsible for the success of this policy and should ensure they use it to disclose any suspected danger or wrongdoing.
- 13.3 This policy does not form part of any employee's contract of employment and it may be amended at any time.

**Adopted by the Board of Directors
EuroRAP AISBL
22 May 2012**