



# Anti-Bribery Policy

Date of Policy Statement: July 2019

## 1. Purpose and context

This policy applies to all persons working for Humentum or on our behalf in any capacity, including employees, officers, consultants, contractors, partners, suppliers, interns, trustees, volunteers, third party representatives, business partners, sponsors, or any other person or organization providing services to Humentum whether paid or unpaid (together, the “**staff**”), wherever located.

This policy does not form part of any member of staff’s contract of engagement or employment and we may amend it from time to time.

In this policy, “**Third Party**” means any individual or organization encountered during work, and includes actual and potential clients, customers, suppliers, distributors, business contacts, agents, advisers, and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

Humentum’s policy is to conduct its work in an honest and ethical manner. Humentum, wherever it operates, takes a zero-tolerance approach to bribery and is committed to ensuring that its employees act professionally, fairly and with integrity in all business dealings and relationships, wherever Humentum operates.

## 2. Principles

Humentum is committed to implementing and enforcing effective systems to counter bribery.

Humentum values its reputation for ethical behavior and is committed to maintaining it which means avoiding corruption of all kinds, including bribery. The purpose of this anti- bribery policy is to maintain donor and partner confidence in Humentum enabling the organization (and ultimately the people Humentum work with) to benefit from its reputation for ethical behavior.

This policy will:

1. set out the responsibilities of staff in observing and upholding our zero-tolerance approach to bribery; and
2. provide information and guidance to those working for us on how to recognize, deal with and counter bribery.

On joining the organization or working with the organization, all employees, interns, volunteers and trustees will receive training on this anti-bribery policy as part of their induction. They will be asked to sign that they have read, understood and agree to abide by its content. All other staff will be informed through their contractual arrangements at the time of contracting with Humentum.

Staff will have this policy communicated to them by the HR Manager as part of their Induction.

### **3. What is bribery?**

In the United Kingdom, the Bribery Act 2010 (which came into effect in July 2011), legislates for anti-bribery and corruption offences and applies to UK organizations across all countries in which they work. The US Foreign Corrupt Practices Act of 1977 can also be referenced.

Bribery is offering, promising, giving or accepting any financial or other advantage:

1. to induce the recipient or any other person to act improperly in the performance of their functions;
2. to reward them for acting improperly; or
3. where acceptance of the advantage itself constitutes improper performance of the recipient's functions or actions.

Bribes can be given or received, promised or expected, financial or in-kind, and can be of any size. Examples include money, gifts, loans, fees, hospitality services, discounts, the award of a contract or anything else of value.

A person acts "improperly" if they act illegally, unethically or contrary to an expectation of good faith or impartiality, or where they abuse a position of trust. The improper acts may be in relation to any charitable or professional activities, public functions, acts in the course of employment, or other activities by or on behalf of Humentum.

Under the UK Bribery Act 2010, bribery offences are split into the following four categories:

1. offering, promising or giving a bribe
2. requesting, agreeing to receive or accepting a bribe;
3. bribing a foreign public official or another person; and
4. failure of a commercial organization to prevent bribery (strict liability offence).

### **4. Gifts and hospitality**

This policy does not prohibit the giving and receiving of promotional gifts of low value and normal and appropriate hospitality, if gifts or hospitality is not offered or given with the intention of persuading anyone to act improperly or to influence a public official in the performance of their duties. Gifts of up to USD 15.00 can be accepted and hospitality of up to USD 75.00 provided this is approved by the Line Manager and recorded on the Gifts and Hospitality Register, held by finance. Items of truly negligible value such as paper calendars and pens are usually acceptable and do not have to be declared to finance. However, if you are in doubt, we invite you to check with finance before accepting the gift.

The limits above apply per person, meaning that a gift (such as a box of chocolates) that has a value over USD 15.00 but that is shared among staff to bring the value per person to USD 15.00 or less, is considered acceptable.

We appreciate that gifts and hospitality practices vary between countries and what may be considered normal and acceptable in one country 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 it should always be considered.

The Gifts and Hospitality Register will be accessible by any staff and external auditors.

## **5. Facilitation payments and kickbacks**

Humentum does 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 governmental procedure or duty (for example by the action of a government official clearing goods or persons through customs).

All staff must avoid any activity that may lead to, or suggest, that a facilitation payment or kickback will be made or accepted by or on behalf of Humentum.

If you are asked to make a payment on behalf of Humentum, 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 a receipt which details the reason for the payment. If you have any suspicions, concerns or queries regarding a payment, you should raise these with the Global Finance Director.

## **6. Breaching this policy**

Each of the bribery offences under the UK Bribery Act 2010 are criminal offences. Individuals found guilty can be punished by up to ten years' imprisonment and/or a fine. As an employer if we fail to prevent bribery, we can face an unlimited fine, exclusion from tendering for public contracts, and damage to our reputation. We therefore take our legal responsibilities very seriously.

Any internal staff member (such as employees, interns, volunteers or trustees) who breaches this policy will be investigated under Humentum's disciplinary policy, and will face disciplinary action, which could result in dismissal for gross misconduct.

We will terminate our relationship and any contracts with, and seek financial compensation from, any other staff or staff organization (such as contractors or partners) if they breach this policy. All business dealings will cease, and the activity will be reported to the authorities.

## **7. Donations**

Humentum does not make contributions of any kind to political parties.

## **8. Situations under duress**

The personal security and safety of our staff is our priority. Sometimes, facilitation payments or bribes are demanded under duress, and must be paid in order to protect against loss of life, limb or liberty. The Ministry of Justice Guidance for the Bribery Act 2010 recognizes this, and states that where such payments are made, the common law defense of duress could be available, if the individual faces prosecution at all.

Instances of duress necessitating a facilitation payment are rare. If such a situation does arise, it must be reported to senior management.

Such situations and payments being repeated, systemic or accepted as part of the way of doing business are not situations under duress, but bribes, therefore a contravention of this policy.

## **9. Record keeping**

Humentum will keep financial records and ensure appropriate internal controls are in place to ensure there is an evidence trail for any payments made to third parties and in order to prevent corrupt payments from taking place.

All expense claims relating to hospitality and gifts given to third parties must be authorized and submitted in accordance with Humentum's Finance Manual and must record the reason for the expenditure.

All accounts, invoices, memoranda and any other documents and records relating to dealings with third parties, such as clients, suppliers and other business contacts, must be prepared and maintained with strict accuracy and completeness. No accounts must be kept "off-book" to facilitate or conceal any payments.

#### **10. Monitoring**

The effectiveness of this policy will be regularly reviewed by the Senior Leadership Team. Relevant internal control systems and procedures will be subject to audit under the external audit process.

#### **11. Your responsibilities**

You must ensure that you read, understand and comply with this policy.

The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for Humentum or under its control. You are required to avoid any activity that might lead to, or suggest, a breach of this policy.

You should notify your 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 client or potential client offers you something to gain a business advantage with us or indicates to you that a gift or payment is required to secure their business.

#### **12. How to raise a concern**

You are encouraged to raise concerns about any issue or suspicion of bribery at the earliest possible stage.

If you are offered a bribe, or are asked to make one, or if you believe or suspect that any bribery or other breach of this policy has occurred or may occur, you should report it to your line manager if possible or in accordance with our Whistleblowing Policy as soon as possible.

We are committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery 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 unfavorable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the HR Manager immediately. If the matter is not remedied, and you are an employee, you should raise it formally using the Grievance Procedure.