

NORTH KENT MIND

Anti Bribery Policy

North Kent Mind is committed to upholding responsible and fair business practices. And the highest level of ethical standards in relation to all of its business activities. Its reputation for maintaining lawful business practices is of paramount importance and this Policy is designed to preserve these values. North Kent Mind therefore has a zero tolerance policy towards bribery and corruption and is committed to acting fairly and with integrity in all of its business dealings and relationships and implementing and enforcing effective systems to counter bribery.

This Policy applies to all permanent, temporary employees and volunteers of North Kent Mind (including any of its intermediaries, subsidiaries or associated companies- “made in kent”). It also applies to any individual or corporate entity associated with North Kent Mind or who performs functions in relation to, or for and on behalf of the organisation, including, but not limited to, trustees, agency workers, volunteers, contractors, consultants, seconded staff, agents, suppliers and sponsors (“associated persons”). All employees and associated persons are expected to adhere to the principles set out in this Policy.

Purpose and Scope of this Policy

This Policy sets out the North Kent Mind position on any form of bribery and corruption, providing guidelines aimed at:

- Ensuring compliance with anti-bribery laws, rules and regulations, not just within the UK but in any other country within which North Kent Mind may carry out its business or in relation to which its business may be connected
- Enabling employees and persons associated with North Kent Mind to understand the risks associated with bribery and to encourage them to be vigilant and effectively recognise, prevent and report any wrongdoing, whether by themselves or others
- Providing suitable and secure reporting and communication channels and ensuring that any information that is reported is properly and effectively dealt with
- Creating and maintaining a rigorous and effective framework for dealing with any suspected instances of bribery or corruption.

Legal Context

The UK legislation on which this Policy is based is the Bribery Act 2010. A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage.

It is an offence in the UK to:

- Offer, promise or give a financial or other advantage to another person (i.e. bribe a person), whether within the UK or abroad, with the intention of inducing or rewarding improper conduct
- Request, agree to receive or accept a financial or other advantage (i.e. receive a bribe) for or in relation to improper conduct
- Bribe a foreign public official.

You can be held personally liable for any such offence.

It is also an offence in the UK for an employee or an associated person to bribe another person in the course of doing business intending either to obtain or retain business, or to obtain or retain an advantage in the conduct of business. North Kent Mind can be liable for this offence where it has failed to prevent such bribery by associated persons. As well as an unlimited fine, it could suffer substantial reputational damage.

Policy Statement

All employees and associated persons are required to:

- Comply with any anti-bribery and anti-corruption legislation.
- Act honestly, responsibly and with integrity
- Safeguard and uphold North Kent Mind's core values by operating in an ethical, professional and lawful manner at all times.

Bribery of any kind is strictly prohibited. Under no circumstances should any provision be made, money set aside or accounts created for the purposes of facilitating the payment or receipt of a bribe. If in doubt as to what might amount to bribery or what might constitute a breach of this Policy, refer the matter to your line manager or North Kent Mind's CEO.

Business Gifts and Corporate Hospitality

For North Kent Mind's rules and procedures in relation to the receipt of business gifts from third parties and corporate hospitality offered to or received from third parties, please refer to North Kent Mind's Employee Handbook. They form part of North Kent Mind's zero tolerance policy towards bribery and they should be read in conjunction with this Policy.

The giving of business gifts to clients, customers, contractors and suppliers is not prohibited provided the following requirements are met:

- The gift 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
- It complies with the law, and it is given in North Kent Mind's name, not in the giver's personal name
- It does not include cash or a cash equivalent (such as gift vouchers)
- It is of an appropriate and reasonable type and value and given at an appropriate time, and given openly, not secretly
- It is approved in advance by the Chair, Treasurer or CEO of North Kent Mind.

Receiving Gifts from Clients

You should be very cautious about accepting gifts of any kind from service-users, and generally you should politely decline. At times, if the gift is of low value say under £10 and more of a token, eg if the person has made it themselves, it might seem to be very disparaging to refuse to accept it, and you may decide to accept it with a reminder to the giver that this is a one-off event.

You also need to think about when, in your relationship with a service-user the gift is given: if it is at the end of a successful piece of work and your work is terminating (eg at the end of a counselling relationship), this might be more appropriate than at other times. Be wary of accepting gifts from individuals in a group situation, as this might open you to accusations of favouritism.

Where more valuable gifts are thrust on you, you can only accept on behalf of the organisation as a whole. Non-perishable gifts can be used by North Kent Mind as raffle prizes; perishable gifts must be shared amongst colleagues.

In all cases, you must report the event to the Business Manager who keeps a log of all gifts accepted.

Responsibilities and Reporting Procedure

It is the contractual duty and responsibility of all employees and associated persons to take whatever reasonable steps are necessary to ensure compliance with this Policy and to prevent, detect and report any suspected bribery or corruption in accordance with this procedure.

You must immediately disclose to North Kent Mind any knowledge or suspicion you may have that you, or any other employee or associated person, has plans to offer, promise or give a bribe or to request, agree to receive or accept a bribe in connection with our business. For the avoidance of doubt, this includes reporting your own wrongdoing.

Confidentiality will be maintained during the investigation to the extent that this is practical and appropriate in the circumstances. North Kent Mind is committed to taking appropriate action against bribery and corruption. This could include either reporting the matter to an appropriate external government department, regulatory agency or the police and/or taking internal disciplinary action against relevant employees and/or terminating contracts with associated persons. A breach of any of the provisions of this Policy will constitute a disciplinary offence and will be dealt with in accordance with North Kent Mind's disciplinary procedure (See Employee handbook: Policy No 12)

North Kent Mind will support anyone who raises genuine concerns in good faith under this Policy, even if they turn out to be mistaken. It is also committed to ensuring nobody 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 corruption offence has taken place or may take place in the future.

Record keeping

All accounts, receipts, invoices and other documents and records relating to dealings with third parties must be prepared and maintained with strict accuracy and completeness. No accounts must be kept "off the record" to facilitate or conceal improper payments.

Training

North Kent Mind will provide training to all employees to help them understand their duties and responsibilities under this Policy. North Kent Mind's zero tolerance approach to bribery will also be communicated to all business partners at the outset of the business relationship with them and as appropriate thereafter.