



## ANTI-BRIBERY POLICY

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<b>Applicable Committee(s)</b>	Management Committee
<b>Owner - role</b>	Corporate Services Manager

<b>Record of Updates/Changes</b>			
<b>Current Version</b>	<b>Date Approved</b>	<b>Approved By</b>	<b>Changes</b>
V2	March 2022		Updated Corporate Compliance Officer job title to Compliance Advisor.

## INTRODUCTION

Castlehill Housing Association (including Castlehill Housing Trust and Castlehill Solutions) (CHA) is committed to the highest standards of ethical conduct and integrity in all its activities. CHA is committed to the prevention, deterrence and detection of bribery and will not condone any person connected with CHA giving or taking bribes.

CHA acknowledges the provisions of the Bribery Act 2010 and aims to maintain anti-bribery compliance as 'business as usual', rather than as a one-off exercise. It recognises that failure to do so is likely to seriously damage CHA's reputation. CHA may also face criminal liability for unlawful actions taken by its employees or associated persons.

This Policy applies to all CHA employees and associated persons including Management Committee Members, temporary workers, consultants, contractors, agents and subsidiaries acting on its behalf. Breaches of this Policy are likely to constitute serious disciplinary, contractual and/or criminal action for the individual(s) concerned.

This Policy applies to all of CHA's activities.

## OBJECTIVE OF THIS POLICY

This policy, together with other relevant policies, will assist employees and associated persons to recognise bribery and engage in whistleblowing if necessary.

All CHA employees and associated persons must:

- Act honestly and with integrity at all times and safeguard CHA's resources, for which they are responsible;
- Comply with the spirit, as well as the letter, of the relevant laws and regulations.

## LEGISLATIVE FRAMEWORK

Under the Bribery Act 2010, a bribe is a financial or other type of advantage that is offered or requested with the:

- Intention of inducing or rewarding improper performance of a function or activity or
- Knowledge or belief that accepting such a reward would constitute the improper performance of such a function or activity

CHA acknowledges that a criminal offence will be committed under the Bribery Act 2010 if:

- An employee or associated person acting for, or on its behalf, offers, promises, gives, requests, receives or agrees to receive bribes or
- It does not have the defence that it has adequate procedures in place to prevent bribery by its employees or associated persons

CHA further recognises that non-compliance could result in CHA receiving an unlimited fine and potentially being excluded from tendering for public contracts. Individuals could be liable on conviction to imprisonment for up to 10 years, to a fine, or both.

All employees and associated persons are required to comply with this policy, in accordance with the Bribery Act 2010.

## POLICY REQUIREMENTS

CHA prohibits employees or associated persons from offering, promising, giving, soliciting or accepting any bribe. This includes cash, a gift or other inducement made to gain personal, commercial, regulatory or contractual advantage.

In particular, it is unacceptable to:

- give, promise to give, or offer a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given
- 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
- accept payment from a third party (directly or indirectly) that you know or suspect is offered with the expectation that it will obtain a business advantage for them
- accept a gift or hospitality from a third party (directly or indirectly) if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided by CHA in return
- retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy
- engage in activity in breach of this policy

## RELATED POLICIES

In addition to this Policy, CHA’s commitment to preventing, deterring and detecting bribery is clearly articulated through CHA’s operational policies and procedures including:

- Financial Regulations
- Treasury Management
- Procurement and Contracting
- Management Committee Rules & Standing Orders
- Whistleblowing
- Entitlements, Payments & Benefits
- Codes of Conduct for Staff and Committee Members
- Service based policies covering tenancy related matters, repairs, maintenance, development, estate services and staff recruitment

## ROLES AND RESPONSIBILITIES

The responsibility to control the risk of bribery occurring resides at all levels of CHA.

CHA’s Management Committee is responsible for:

- Ensuring CHA operates an anti-bribery culture
- Ensuring CHA has relevant policies and systems in place to deter, detect and report suspected bribery

- Ensuring CHA maintains appropriate procedures that ensure reported incidents of suspected bribery are promptly and vigorously investigated and appropriate action is taken in instances where bribery is detected
- Ensuring assurances clearly demonstrate this Policy is being applied consistently across CHA

The Senior Management Team are responsible for:

- Developing and maintaining effective policies, procedures and control systems for deterring, detecting and reporting bribery
- Ensuring Management Committee Members and staff are appropriately trained on recognising bribery
- Encouraging vigilance and reporting of any suspicions of bribery
- Rigorously investigating instances of alleged bribery and assisting the police and other appropriate authorities
- Taking firm and vigorous action against any individual(s) involved in bribery
- Ensuring the notification requirements of regulators are met
- Ensuring communication with third parties (including actual and prospective customers, suppliers and joint-venture partners) of CHA's zero-tolerance approach to bribery and commitment to working only with other organisations and individuals that also commit to doing business without bribery
- Ensuring contracts contain appropriate clauses covering prevention of bribery

All staff are responsible for:

- Reading, understanding and complying with this Policy
- Remaining vigilant to bribery or attempted bribery, within their respective areas of work
- Reporting as soon as possible any suspicions of bribery/attempted bribery/conflicts with this Policy

## SPECIFIC REQUIREMENTS

### GIFTS AND HOSPITALITY

CHA operates to strict procedures governing the giving and receiving of corporate entertainment, gifts, hospitality and promotional expenditure. These are detailed within the Code of Conduct and the Entitlements, Payments & Benefits Policy.

In all cases, gifts and hospitality must not be offered, promised or accepted to secure an advantage for CHA or any of its employees or associated persons or to influence the impartiality of the recipient.

### CHARITABLE DONATIONS

CHA considers that sponsorships and donations can form part of its wider commitment and responsibility to the communities where it operates.

CHA Entitlements, Payments and Benefits Policy details the approach CHA will adopt in relation to this.

## RAISING A CONCERN

CHA is committed to ensuring there is a safe, reliable and confidential way of reporting any suspicious activity.

CHA's Whistleblowing Policy enables staff and associated persons to raise concerns relating to conduct which they believe to be improper, illegal or immoral. All suspicions of bribery or attempted bribery should be reported in accordance with this.

While any suspicious circumstances should be reported, employees and associated persons are required particularly to report:

- Close family, personal or business ties that a prospective agent, representative or joint-venture partner may have with government or corporate officials, directors or employees
- Requests for cash payments
- Requests for unusual payment arrangements for example via a third party
- Requests for reimbursement of unsubstantiated or unusual expenses or a lack of standard invoices and proper financial practices

The Chief Executive should be informed of all suspected or detected bribery at the earliest opportunity. Where suspicions or allegations of bribery relate to the Chief Executive, the Chairperson of the Management Committee should be informed. CHA's Compliance Advisor can provide Management Committee contact details on request.

CHA aims to encourage openness and will support anyone who raises a genuine concern in good faith under this Policy, even if they turn out to be mistaken.

## POLICY COMPLIANCE

As well as the possibility of civil and criminal prosecution, staff who breach this policy will face disciplinary action, which could result in summary dismissal for gross misconduct.