

SPRA ANTI-FRAUD AND CORRUPTION POLICY

Last revised Feb 2020

Introduction

SPRA complies with applicable legislation, including the Fraud Act 2006, the Bribery Act 2010, and with other regulatory requirements and applicable guidance including Managing Public Money. SPRA is committed to conducting business fairly, openly and honestly and in accordance with the highest ethical and legal standards.

Scope

This Policy applies to all 'Direct Contacts' with SPRA including and not exclusive of; members, people going through training, freelancers working on behalf of SPRA, directors and SPRA Council members.

Policy Statement

SPRA has a 'zero tolerance' policy towards fraud, bribery and corruption. This means that the SPRA:

- does not accept any level of fraud, bribery or corruption within the organisation or by any other individual or organisation receiving SPRA funds or representing the SPRA; and
- will always seek to take disciplinary and/or legal action against those found to have perpetrated, be involved in, or assisted with fraudulent or other improper activities in any of its operations.

SPRA is committed to developing an anti-fraud culture and keeping the opportunities for fraud, bribery and corruption to the absolute minimum.

SPRA requires all direct contacts to act honestly and with integrity at all times and to safeguard the resources for which they are responsible.

Risk and internal control systems

SPRA will seek to assess the nature and extent of its exposure to the risks of internal and external fraud, bribery and corruption. It will regularly review these risks, using information on actual or suspected instances of fraud, bribery and corruption to inform its review.

SPRA will seek to put in place efficient and effective systems, procedures and internal controls to:

- encourage an anti-fraud culture;
- prevent and detect fraud, bribery and corruption; and
- reduce the risks to an acceptable level.

SPRA will make all those receiving SPRA funds or representing the SPRA aware of this policy.

SPRA will regularly review and evaluate the effectiveness of its systems, procedures and internal controls for managing the risk of fraud. It will do this through risk management and assurance processes and audit arrangements.

Gifts and hospitality

This policy does not prohibit normal and appropriate gifts and hospitality (given and received) to or from Third Parties unless otherwise specifically stated. However, any gift or hospitality

- must not be made with the intention of improperly influencing a Third Party or Worker 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

- must comply with local law in all relevant countries
- must be given in the name of the organisation, not in an individual's name
- must not include cash or a cash equivalent
- must be appropriate in the circumstances
- must be of an appropriate type and value and given at an appropriate time taking into
- account the reason for the gift
- must be given openly, not secretly

SPRA appreciates 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 both in the UK and any other relevant country. The intention behind the gift should always be considered. It is not acceptable for an employee (or someone on their behalf) to:

- give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that they or SPRA will improperly be given a business advantage, or as a reward for a business advantage already improperly 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 where it is known or suspected that it is offered or given with the expectation that the Third Party will improperly obtain a business advantage
- accept a gift or hospitality from a Third Party where it is known or suspected that it is offered or provided with an expectation that a business advantage will be improperly provided by SPRA in return
- threaten or retaliate against another member of staff who has refused to commit a bribery offence or who has raised concerns under this policy
- engage in any activity that might lead to a breach of this policy

Facilitation payment and 'kickbacks'

SPRA does not make, and will not accept, facilitation payments or "kickbacks" of any kind, such as small, unofficial payments made to secure or expedite a routine government action by a government official, or payments made in return for a business favour or advantage.

Charitable donations and sponsorship

SPRA only makes charitable donations and provides sponsorship that are legal and ethical under local laws and practices and which are in accordance with SPRA's internal policies and procedures.

Record keeping

SPRA maintains appropriate financial records and has appropriate internal controls in place which evidence the business reason for gifts, hospitality and payments made and received.

Reporting

All direct contacts must immediately report any suspected or actual instances of fraud, bribery or corruption to the CEO or Chair of the SPRA Council. This includes offers to pay bribes, solicitation of bribes and demands to make facilitation payments. Failure to report could result in disciplinary

action. SPRA also requires all those receiving SPRA funds or representing the SPRA to report to any suspected or actual instances of fraud, bribery or corruption involving SPRA assets or direct contacts.

SPRA will not penalise anyone for raising a concern in good faith, even if it turns out to be unfounded. SPRA will fully meet its obligations to report fraud, bribery and corruption to third parties. A Fraud Response Plan should set out:

- the parties that are suspected of fraud, bribery or corruption
- the nature and timing of the disclosure
- the person responsible for making the report
- All actions taken with relevant dates, times and people involved

Definitions

Fraud is knowingly making an untrue or misleading representation with the intention of making a gain for oneself or another or causing a loss, or risk of loss, to another.

Bribery is giving or offering someone a financial or other advantage to encourage that person to perform their functions or activities improperly, or to reward someone for having already done so.

A **facilitation payment** is a type of bribe. An example is an unofficial payment or other advantage given to a public official to undertake or speed up the performance of normal duties.

Corruption is the misuse of entrusted power for personal gain. This would include dishonest or fraudulent behaviour by those in positions of power, such as managers or government officials. It would include offering, giving and receiving bribes to influence the actions of someone in a position of power or influence, and the diversion of funds for private gain.

A **conflict of interest** is where an individual has private interests that may or does influence the decisions that they make as a direct contact or representative of an organisation.