

SPECIALIST EDUCATION SERVICES

Anti-bribery and Corruption Policy and Practice

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*SES Avocet Ltd (4926028) and SES Turnstone Ltd (7972485)
are subsidiary companies of Specialist Education Services Holdings Ltd (7970185)*

CONTENTS

| | | |
|---|-------------------------------------|---|
| 1 | INTRODUCTION | 2 |
| 2 | WHAT IS BRIBERY? | 2 |
| 3 | GIFTS AND HOSPITALITY | 3 |
| 4 | UNACCEPTABLE BEHAVIOUR | 3 |
| 5 | REPORTING | 4 |
| 6 | PREVENTION, DETECTION AND REPORTING | 5 |
| 7 | RECORDS | 5 |
| 8 | DETRIMENT | 5 |
| 9 | ASSOCIATED SES DOCUMENTS | 6 |

1 INTRODUCTION

The Bribery Act 2010 modernised the law on bribery. It came into force on 1 July 2011. This document has been prepared in conjunction with the Ministry of Justice guidance “The Bribery Act 2010”.

It is the policy of Specialist Education Services to conduct all of its business in an honest and ethical manner in accordance with its ethos and principles. It takes a zero-tolerance approach to bribery and corruption and is committed to acting professionally, fairly and with integrity in all its business dealings and relationships.

SES considers that the need for extensive training is unnecessary in view of the low risks, but circulates this policy and future revisions to all staff to read and refresh their awareness of the SES stance on bribery.

Any employee who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct. Any non-employee who breaches this policy may have their contract terminated with immediate effect.

This policy applies to all staff working with SES, whether paid or unpaid, whatever their position, role or responsibilities and Staff includes employees, contractors, and volunteers. It also applies to any person or body, acting on its behalf and any third party.

(Third party means any individual or organisation you come into contact with during the course of your work for the School. This includes parents, carers or guardians of current or prospective pupils, suppliers, distributors, business contacts, agents, advisers, government and public bodies, including their advisors, representatives and officials, politicians and political parties.)

2 WHAT IS BRIBERY?

A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage. Bribery includes offering, promising, giving, accepting or seeking a bribe. All forms of bribery are strictly prohibited. If you are unsure about whether a particular act constitutes bribery, raise it with the Principal.

Specifically, you must not:

- give or offer any payment, gift, hospitality or other benefit in the expectation that a business advantage will be received in return, or to reward any business received;
- accept any offer from a third party that you know or suspect is made with the expectation that we will provide a business advantage for them or anyone else;

3 GIFTS AND HOSPITALITY

Hospitality:

This policy does not prohibit the giving or accepting of reasonable and appropriate hospitality for legitimate purposes such as building relationships, maintaining the image or reputation of SES, or marketing its services.

Prohibited gifts: SES prohibits the accepting of gifts from, or the giving of gifts to, a third party in the following circumstances:

- it is 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
- it contravenes the law
- it is given in your name, not in the name of SES
- it includes cash, or a cash equivalent, such as gift certificates/vouchers or taking into account the reason for the gift, it is of an inappropriate type and value and given secretly
- gifts should never be offered to, or accepted from, government officials or representatives, or politicians or political parties

A gift or hospitality will not be appropriate if it is unduly lavish or extravagant, or could be seen as an inducement or reward for any preferential treatment (for example, during contractual negotiations or a tender process).

You may give promotional gifts of low value such as branded stationery to or accept such gifts from existing customers, suppliers and business partners.

4 UNACCEPTABLE BEHAVIOUR

It is not acceptable for you (or someone on your behalf) 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 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 if you know or suspect that it is offered or provided with an expectation that a business advantage will be

provided by the School in return

- threaten or retaliate against another worker 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.

5 REPORTING

Raising Concerns: You are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. Concerns should be reported to the Principal.

Reporting: If you encounter any of acts of corruption or bribery, if you are offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that you are a victim of another form of unlawful activity, you must report them promptly in accordance with the School's Whistleblowing Policy.

Examples of reportable situations: If you encounter any of the following situations while working at SES, you must report them promptly using the procedure set out in the SES Whistleblowing Policy:

- you become aware that a third party engages in, or has been accused of engaging in, improper business practices
- a third party insists on receiving a commission or fee payment before committing to sign up to a contract with SES, or carrying out a government function or process for SES
- a third party requests payment in cash and / or refuses to sign a formal commission or fee agreement, or to provide an invoice or receipt for a payment made
- a third party requests that payment is made to a country or geographic location different from where the third party resides or conducts business
- a third party requests an unexpected additional fee or commission to "facilitate" a service
- a third party demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services
- you are offered an unusually generous gift or offered lavish hospitality by a third party
- a third party requests that a payment is made to "overlook" potential legal violations

- a third party requests that you provide employment or some other advantage to a friend or relative
- you receive an invoice from a third party that appears to be non-standard or customised
- a third party insists on the use of side letters or refuses to put terms agreed in writing
- you notice that SES has been invoiced for a commission or fee payment that appears large given the service stated to have been provided
- a third party requests or requires the use of an agent, intermediary, consultant, distributor or supplier that is not typically used by or known to SES.

6 PREVENTION, DETECTION AND REPORTING

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

7 RECORDS

SES obligations: keeps financial records and has appropriate internal controls in place which will evidence the business reason for making payments to third parties.

Your obligations: All Employees must make their line manager aware and keep a written record of all hospitality or gifts accepted or offered, which will be subject to managerial review.

SES expenses policy: You must ensure all expenses claims relating to hospitality, gifts or expenses incurred to third parties are submitted in accordance with SES policy and specifically record the reason for the expenditure.

Records: 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.

8 DETRIMENT

SES is 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.

9 ASSOCIATED SES DOCUMENTS

Please ensure you have read the relevant entries in the following:

- Staff Handbook
- Financial Procedures Policy and Practice