



Document Control

Title of Policy:	Anti-Bribery and Corruption Corporate Gifts and Hospitality Policy
Policy/Procedure Owner:	Legal & Compliance Director
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Document Control

This policy will be reviewed periodically to ensure compliance with changes in employment law. If this policy or procedure is not so compliant, any relevant legislation shall prevail.

Scope

This policy applies to all UK based employees of The Wellington College, including Wellington College and Eagle House Schools, and to all subsidiaries of The Wellington College, including Wellington College Educational Enterprises and Wellington College Services.

Introduction

1. Our Policy

- 1.1 It is the College's policy to conduct all of its business in an honest and ethical manner. We do not tolerate bribery and corruption in any form and the conduct of all our business dealings, must be exemplary at all times. This policy extends the Governors' Bribery Act Policy Statement and applies to all business dealings and transactions, by and in connection with the College and its subsidiary companies in all countries.
- 1.2 The purpose of this policy is to:
- (a) set out the responsibilities of Wellington College, its subsidiary companies and of those working for us, in observing and upholding our position on bribery and corruption; and
 - (b) provide information and guidance to those working for us on how to recognise and deal with bribery and corruption issues
- 1.3 In this policy, 'third party' means any individual or organisation that staff come into contact with during the course of their work for the College, and includes actual and prospective pupils and parents, suppliers, business contacts, agents, advisers, and government and public bodies (including their advisors, representatives and officials, politicians and political parties).

2. What are Bribery and Corruption

- 2.1 A bribe is an inducement, favour or reward offered, promised or provided in order to gain any business or personal advantage. An "advantage" includes money, gifts, loans, fees, hospitality, services, discounts, the award of a contract or anything else of value. Corruption is the abuse of an entrusted power or position for private gain.
- 2.2 Examples of offences under the Act are:
- (a) an IT company providing services to the College offers individual members of staff free iPads as an incentive for renewing its contract for services;
 - (b) a travel company tendering for a contract with the College to provide a College trip offers to accommodate a member of staff's family on the trip free of charge;
 - (c) a request or an offer of a reduction in school fees at another school is made to a member of staff in return for an expectation that that member of staff would induce other families to accept places at the other school.

3. Our Risks

Our most significant risks are in the areas of admission of pupils, granting of bursaries, grants and awards, provision of educational services, procurement of goods and services, donations and requests for or payments of facilitation payments.

4. Gifts and Hospitality

What is a gift? Any present given to or by a member of staff or a member of their family (such as a new baby) as a result of their role at the College, examples of which include cash, vouchers, food or drink, gadgets, tickets to events, use of holiday homes, reimbursed expenses and other items or benefits.

What is hospitality? Where a member of staff (and/or members of his/her family) entertains a third party or is entertained by a third party as a result of their role at the College, examples of which include meals, tickets to events, holidays and any related expenses which are attended by both the member of staff and the third party and includes situations where the member of staff initially pay for the hospitality but are subsequently reimbursed.

- 4.1 The College wishes to ensure that gifts or hospitality given or received by staff (do not interfere with (and are not perceived to interfere with) the member of staff's judgment.
- 4.2 In order to be a genuine and appropriate gift or hospitality, something would usually meet the following six criteria: (i) not made with the intention of influencing a third party to obtain or retain business or a business advantage, to reward the provision or retention of business or a business advantage, in explicit or implicit exchange for favours or benefits or otherwise to create an obligation or expectation; (ii) comply with UK and, where relevant, local law; (iii) does not include cash or a cash equivalent such as vouchers; (iv) is given in appropriate circumstances; (v) taking into account the reason for the gift, is of an appropriate type and value and given at an appropriate time; (vi) is given and received openly, not secretly and, if relevant, in accordance with the third party's policies. The College appreciate that the practice of giving business gifts varies between countries, regions and cultures and what may be normal and acceptable in one region may not be in another. The test to be applied is whether in all circumstances the gift or hospitality is reasonable and justifiable. The intention behind the gift or hospitality should always be considered.
- 4.3 Whilst neither the College nor any member of staff has any expectation that they may receive gifts or hospitality in the course of their work, the College acknowledges that some parents or pupils may offer individual gifts or hospitality to individual members of staff or small groups of staff. Whilst consideration will always be given as to the intention behind the gift or hospitality, the College has developed the following rules to assist staff, parents and pupils in determining if a gift will ordinarily meet the criteria set out in paragraph 2 above: i) no gifts or hospitality can be accepted from prospective pupils or their families (including those who have been offered a place at the College but not yet joined the College) or pupils engaged in a disciplinary process for a Major Sanction; ii) cash – gifts of cash of any value can never be accepted by a member of staff. If a member of staff receives such a gift, they should inform the Legal & Compliance Director and return the gift to the giver or donate it to the College or to charity; iii) vouchers – gifts of vouchers of whatever value should be reported to the Legal & Compliance Director. If of a value of £25 or less, such vouchers can be kept by the member of staff. Vouchers for a value greater than this should be returned to the giver, donated to the College or to charity; iv) other gifts and hospitality – other gifts and hospitality of £250 or less over the course of an academic year from a pupil or their family can be kept by a member of staff and do not need to be reported internally. Gifts for an amount greater than this should be reported to the Legal & Compliance Director and returned to the giver, donated to the College or to charity. Whilst staff are not expected to determine the exact value of a gift, they are must make a reasonable decision, probably by doing an internet search for an equivalent item. In most cases, the usual retail value will be considered to be the value of the item; v) if a gift is received from a group of pupils (or their families), the amounts set out in paragraphs (iii) and (iv) above should be the average amount contributed by each pupil; similarly, if a gift is addressed to a small group of staff, the amounts set out in paragraphs (iii) and (iv) above should be the average amount received by each individual member of staff within the group of recipients.

Where staff wish to donate an item to the College or to a charity, they should inform the parents of this and work with the Head of Charities to determine an appropriate recipient.

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In some circumstances, it may be considered appropriate for the College to use the item itself in connection with a fundraising event organised or facilitated by it.

4.4 To avoid any potential embarrassment to either staff, parents or pupils, this policy is available on the Parent Portal.

5. Record-Keeping

5.1 Staff are required to report any gifts or hospitality received to the Legal & Compliance Director: (a) in compliance with paragraphs 5.3(i) to (iv) above; (b) if they are concerned that one or more of the criteria set out in paragraph 2 above cannot be satisfied; and (c) in any other circumstances that they consider it prudent to do so.

5.2 The Legal & Compliance Director will keep a register of all gifts and hospitality reported and will inform the Master in respect of any irregularities relating to teaching staff and the COO of any other irregularities. The Legal & Compliance Director will submit a report to the B&F Committee on at least an annual basis.

6. Donations

The College only accepts donations in pursuance of its charitable objects and not improperly to influence decisions made by or on behalf of the College. Neither the College nor any of its subsidiaries will make any donations to any political parties. Charitable donations may only be made if they are legal and ethical under local laws and practices and have been approved in advance by the COO or, in the case of the COO, the Lead Finance Governor and the Vice-President.

7. Staff Responsibilities

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

7.2 Staff must notify the Legal & Compliance Director as soon as possible if he/she believes or suspects that a breach of this policy has occurred, or may occur in the future.

7.3 Any employee who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct. We reserve our right to terminate our contractual relationship with other individuals and organisations if they breach this policy.

8. How to Raise a Concern

Staff are encouraged to raise concerns about any issue or suspicion of bribery or corruption at the earliest possible stage. Concerns should be reported by following the procedures as laid down in the Whistleblowing Policy. If you are unsure about whether a particular act constitutes bribery or corruption, it should be raised with your manager or with the Legal & Compliance Director.

9. Training and Communication

9.1 Training on this policy will form part of the induction process for all new staff. All existing staff will receive training on the reasons for this policy and how to implement and adhere to it. The training will be repeated at appropriate intervals.

9.2 Our zero-tolerance approach to bribery and corruption should be communicated to all suppliers, contractors and business partners at the outset of our business relationship with them and as repeated at appropriate intervals.

10. Amendments

As the law is constantly changing, this policy is subject to review and the College reserves the right to amend this policy without prior notice.