



Anti-Bribery and Corruption Policy

Policy Statement

It is the policy of CPA to conduct all of our work in an honest and ethical manner. CPA takes a zero-tolerance approach to bribery and corruption. CPA is committed to acting professionally, fairly and with integrity in all relationships in all countries and to implementing and enforcing effective systems to counter bribery and corruption.

CPA expects its volunteers to uphold all laws relevant to countering bribery and corruption. We remain bound by the laws of the UK, including the Bribery Act 2010, in respect of our conduct both in the UK and abroad, and by anti-bribery and corruption laws of the countries in which we operate.

The purpose of this policy is to:

- set out our responsibilities, and of those working for us, in observing and upholding our position on bribery and corruption; and
- provide information and guidance to those working for us on how to recognise and deal with bribery and corruption issues.

Under UK law, bribery and corruption are punishable for individuals by up to ten years' imprisonment. If CPA is found to have taken part in corruption, we could face an unlimited fine and irreparable damage to our reputation. We therefore take our legal responsibilities very seriously.

We have identified that certain of our activities create particular risks for our organisation, in particular:

- Implementing programmes in partnership with organisations based in developing or middle-income countries;

To address these risks, we have taken the following steps:

- 1 Implemented an Anti-Bribery and Corruption Policy (this policy);
- 2 Undertaken a risk assessment exercise, and documented risks in the Charity Risk Register, which will be subject to on-going review;

In this policy, third party means any individual or organisation we come into contact with during the course of our work, and includes actual and course participants, partner organisation personnel and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

This policy applies to all individuals working for CPA.

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.



Examples:

Offering a bribe

- You offer a potential donor a few days in a nice hotel, but only if they agree to do business with us.
- This would be an offence as you are making the offer to gain a commercial and contractual advantage. We may also be found to have committed an offence because the offer has been made to obtain funding for us. It may also be an offence for the potential client to accept your offer.

Receiving a bribe

- A course participant offers to take you on a weekend break to his family beach chalet but makes it clear that this is in return for project funds to be spent on his being given a place on a course abroad
- It is an offence for a course participant to make such an offer. It would be an offence for you to accept the offer as you would be doing so to gain a personal advantage.

Bribing a foreign official

- You arrange for the organisation to pay an additional payment to a foreign official to speed up an administrative process, such as clearing items through customs.
- The offence of bribing a foreign public official has been committed as soon as the offer is made. This is because it is made to gain an operational advantage for us.

Hospitality and Gifts

This policy does not prohibit normal and appropriate hospitality (given and received) to or from third parties and the giving or receipt of gifts, provided that this is done in accordance with the Bribery Act 2010.

Normal and appropriate hospitality and gifts would include where the hospitality or 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, or in explicit or implicit exchange for favours or benefits;
- complies with local law;
- is given in the name of CPA, not in your name;
- does not include cash or a cash equivalent (such as gift certificates or vouchers);
- is appropriate in the circumstances (e.g. the giving of a small gift at Christmas time), is of an appropriate type and value and is given at an appropriate time;
- is given openly, not secretly; and
- is not offered to, or accepted from, government officials or representatives, or politicians or political parties, without the prior approval of a Board Member.
- The monetary value for an acceptable gift or as token of appreciation is £30.



What is not Acceptable?

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 us in return;
- threaten or retaliate against another worker who has refused to commit a bribery offence or who has raised concerns under this policy; or
- engage in any activity that might lead to a breach of this policy.

Facilitation Payment and Kickbacks

CPA volunteers do not make, and will not accept, facilitation payments or "kickbacks" of any kind. Facilitation payments are typically small, unofficial payments made to secure or expedite a routine government action by a government official. They are not commonly paid in the UK but are common in some other jurisdictions.

If you are asked to make a payment on our behalf, you should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. You should always ask for a receipt which details the reason for the payment. If you have any suspicions, concerns or queries regarding a payment, you should raise these with the Project Manager.

Kickbacks are typically payments made in return for a business favour or advantage. All volunteers must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by us.

1.1 Fraud Policy

Fraud in all its forms is wrong and is unacceptable to CPA. It is not just a loss to CPA, but ultimately to our beneficiaries and it will have a major impact on our reputation, on donor confidence and therefore again on our beneficiaries. Any indications of fraud will be rigorously investigated and dealt with in a firm and controlled way.

Definition of Fraud

Fraud is "any illegal act characterized by deceit, concealment, or violation of trust. These acts are not dependent upon the threat or violence or physical force. Frauds are perpetrated by parties and organisations to obtain money, property, or services; to avoid payment or loss of services, or to secure personal or business advantage" – Universal definition.



For example, fraud includes but is not limited to the following:

- Expenditures double claims
- Fake invoices/receipts
- In-correctly entry on timesheet (purposely)
- Forgery or alteration of documents, e.g. signature (mostly in the timesheet and attendance list)
- Fake activities
- Bribery to get the consultant contract
- Marking-up invoices
- Conflict of interest with sub-contract/consultant
- Theft of funds or property
- Falsification of costs or expenses
- Destruction or removal of records
- Inappropriate personal use of project assets
- Blackmail or extortion
- Paying for excessive prices or fees to third parties with the aim of personal gain.

Responsibilities of Volunteers

It is the responsibility of volunteers to be familiar with the types of fraud that might occur in their area, be alert for any indication of fraud or improper activity and maintain controls to avoid such occurrences. The Project Manager will ensure that all volunteers have a copy of this policy prior to travelling to Ghana.

Reporting Suspected Fraud

Volunteers are required to report issues of suspected fraud. Volunteers should report to:

- The Project Manager, (or if it is inappropriate)
- The DFID or the Scottish International Development Department

The DfID Department of fraud email address fraud@dfid.gov.uk

Email address of the Scottish International Development Dept cev@gov.scot

Any volunteer, Trustee or trainer who suspects fraud should not do any of the following:

- Contact the suspected individual(s) directly in an effort to determine facts, demand explanations or restitution
- Discuss the issue with anyone within CPA other than with the Executive Director
- Discuss the issue with anyone outside of CPA, except as required by law

If the circumstances are such that reporting a suspicion as above is inappropriate, or if the person to whom it is reported is unable to assist, the issue should be reported to the funders' fraud offices.