

## ABA Anti Bribery Policy

ABA Surveying's core values are to carry out its business in a responsible, fair, honest and open manner. We are, therefore, committed to promoting and maintaining the highest ethical standards in relation to our business activities, with our Anti-Bribery policy being designed to preserve these values.

Bribery is generally defined as giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so. For example, seeking to influence a decision maker by giving some kind of extra benefit to that decision maker rather than what legitimately can be offered as part of a tender process.

ABA Surveying has adopted a zero-tolerance approach towards bribery and corruption throughout all of its business dealings and relationships.

### Legislation

The UK legislation on which this policy is based is The Bribery Act 2010, which came into force on 1<sup>st</sup> July 2011 and applies to companies' conduct in the UK and internationally. It also applies to individuals too.

The Bribery Act contains four main offences:

- An offence of active bribery, which prohibits giving, promising or offering a bribe. It applies to both the private and public sectors.
- An offence of passive bribery, which prohibits requesting, agreeing to receive or accepting a bribe. It applies to both the private and public sectors.
- An offence of bribing a foreign public official.
- An offence, known as the corporate offence, which is committed by a commercial organisation, where an associated person performing services on the organisation's behalf (e.g. an employee or associated person) pays a bribe to obtain or retain a business advantage for the organisation. Notably, it introduces a strict liability offence for all companies and partnerships of failing to prevent bribery.

The Act does not distinguish between the public and private sectors and has a very wide geographical application e.g. an offence can be committed where no relevant acts take place in the UK.

Failure to adhere to The Bribery Act will incur considerable penalties/fines as well as substantial reputational damage.

### Scope

This policy sets out the Company's position on any form of bribery and corruption and provides guidelines aimed at:

- ensuring compliance with anti-bribery laws, rules and regulations, not just within the UK but in any other country within which the Company may carry out its business or in relation to which its business may be connected
- enabling employees and persons associated with the Company to understand the risks connected with bribery and to encourage them to be vigilant and effectively recognise, prevent and report any wrongdoing, whether by themselves or others
- providing suitable and secure reporting and communication channels and ensuring that any information that is reported will be properly and effectively dealt with
- creating and maintaining a rigorous and effective framework for dealing with any suspected instances of bribery or corruption.

This policy applies to all permanent and temporary employees of the Company (including any of its intermediaries, subsidiaries or associated companies). It also applies to any individual or corporate entity associated with the Company or who performs functions in relation to, or for and on behalf of, the Company, including, but not limited to, directors, agency workers, casual workers, contractors, sub-contractors, consultants, seconded staff, agents, suppliers and sponsors ("associated persons"). All employees and associated persons are expected to adhere to the principles set out in this policy.

### Policy statement

All employees and associated persons are required to:

- comply with any anti-bribery and anti-corruption legislation that applies in any jurisdiction in any part of the world in which they might be expected to conduct business

- act honestly, responsibly and with integrity
- safeguard and uphold the Company's core values by operating in an ethical, professional and lawful manner at all times.

The Company expressly prohibits any person employed by or associated with it from offering, promising or giving any financial or other advantage to another person where it is intended that the advantage will bring about improper performance by another person of a relevant function or activity, or, that the advantage will reward such improper performance.

The Company forbids any person employed by or associated with it from offering, promising or giving any financial or other advantage to another person where it is believed that the acceptance of the advantage offered, promised or given in itself constitutes the improper performance of a relevant function or activity.

The Company prohibits any person employed by or associated with it from requesting, agreeing to receive or receiving any financial or other advantage with the intention that a relevant function should be performed improperly as a result of the advantage or as a reward for performing the relevant function improperly.

The improper performance of a relevant function in anticipation of receiving financial or other advantage is also prohibited. (Relevant functions and activities are any function of a public nature, any activity connected with the business, any activity performed in the course of a person's employment and any activity performed by or on behalf of a body of persons where the person performing that function or activity is expected to perform it impartially, in good faith, or, is in a position of trust by virtue of performing it.)

The Company prohibits the bribing of foreign public officials in order to obtain or retain business or an advantage in the conduct of the Company's business.

Bribery of any kind is strictly prohibited.

The Company recognises that industry practices may vary from country to country or from culture to culture. What is considered unacceptable in one place may be normal or usual practice in another. Nevertheless, a strict adherence to the guidelines set out in this policy is expected of all employees and associated persons at all times. If in doubt as to what might amount to bribery or what might constitute a breach of this Policy, refer the matter to Senior Management.

#### **Hospitality, Promotional and Other Business Expenditure**

The Bribery Act does not prohibit bona fide hospitality, promotional (advertising/sponsorship), or other business expenditure that seeks to improve the image of a commercial organisation, better to present products and services, or to establish cordial relations that are a recognised, established and important part of doing business. However, it is clear that hospitality, promotional or other similar business expenditure can be employed as bribes and would then constitute an offence under the Bribery Act.

Therefore, the Company expressly prohibits the giving and receiving of business gifts from third parties, any corporate hospitality offered to or received from third parties and gifts from clients/suppliers where the intention in doing so is to receive or confer an advantage in return for that giving or receiving of that hospitality, promotional or other business expenditure. This forms part of the Company's zero tolerance policy towards bribery.

That being said, the Company may wish to give business gifts (e.g. small promotional items such as diaries, pens, notebooks, usbs or similar) or provide acceptable hospitality/entertaining (e.g. providing a modest lunch after a business meeting or occasional provision of or attendance at a sporting/cultural event) to clients, customers, contractors and suppliers that are not prohibited and that meet the following strict requirements:

- the gift is made to build a business relationship and NOT 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
- it complies with local laws
- it is given in the Company's name, not in the giver's personal name
- it does not include cash or a cash equivalent (such as gift vouchers)
- it is of an appropriate and reasonable type and value and given at an appropriate time
- it is given openly, not secretly
- it is approved in advance by senior management of the Company
- a record of all business/promotional gifts, hospitality or other business expenditure made (and received) must be kept (including cost and reason for the gift, hospitality and/or business expenditure)
- it does not include the provision or acceptance of any entertainment of a sexual nature which is expressly prohibited
- if there are any concerns or suspicions as to whether the hospitality, promotional or business expenditure constitutes a bribe it should be reported immediately to senior management.

In summary, it is not acceptable 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, or to accept a payment, gift or hospitality from a third party that you know or suspect is offered or provided with the expectation that it will obtain a business advantage for

them.

### Facilitation Payments

Any payment or gift to a public official or other person to secure or accelerate the prompt or proper performance of a routine government procedure or process, otherwise known as a “facilitation payment”, is illegal and strictly prohibited. Facilitation payments are not commonly paid in the UK, but they are common in some other jurisdictions. Any member of staff or associated persons placed under pressure to make a facilitation payment must contact a member of senior Company management immediately.

### Donations

All charitable donations must be made without expectation of reward.

All charitable donations must be acknowledged and agreed by senior management before being given and recorded fully.

The Company expressly forbids the making of charitable donations where the purpose of the donation is to secure an advantage.

### Responsibilities and Reporting Procedure

It is the contractual duty and responsibility of all employees and associated persons to take whatever reasonable steps are necessary to ensure compliance with this policy and to prevent, detect and report any incidences or suspected incidences of bribery or corruption and to be alert to the possibility of bribery. Any employee or associated person must immediately disclose to the Company senior management any knowledge or suspicion they may have that they, or any other employee or associated person has regarding plans to offer or, to be offered or, promise or, give a bribe or to request, agree to receive or accept a bribe in connection with the business of the Company. For the avoidance of doubt, this includes reporting your own wrongdoing. The duty to prevent, detect and report any suspicion of or incident of bribery and any potential risks rests not only with the Company but applies equally to all individual employees and associated persons.

The Company encourages all employees and associated persons to be vigilant and to report any unlawful conduct, suspicions or concerns promptly and without undue delay so that investigations may proceed so any action can be taken expeditiously. In the event that you wish to report an instance or suspected instance of bribery, you should speak to your Line Manager or a member of Senior Management, depending on who you feel able to speak to. Alternatively, you can follow the steps set out on the Company's Bribery Report Form (QPF034) to lodge your report. **Blank Bribery Report Forms (QPF034) can be downloaded from Shared Drive: Admin – Blank Forms – Bribery Report Forms** and the form is also given at the end of this policy.

Confidentiality will be maintained during the investigation to the extent that this is practical and appropriate in the circumstances. However, concerns can be reported anonymously to the Managing Director. The Company is committed to taking appropriate action against bribery and corruption and this could include either reporting the matter to an appropriate external government department, regulatory agency or the police and/or taking internal disciplinary action against relevant employees and/or terminating contracts with associated persons.

The Company will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken and are committed to ensuring nobody 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 corruption offence has taken place or may take place in the future.

The following is a non-exhaustive list of possible issues which raise bribery concerns and which you should report in accordance with the reporting procedure set out above:

- a third party insists on receiving a commission or fee before committing to signing a contract with the Company, or carrying out a government function or process for the Company
- a third party requests payment in cash, 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 an unexpected additional commission or fee to facilitate a service
- a third party demands lavish, extraordinary or excessive gifts or hospitality before commencing or continuing contractual negotiations or provision of services
- you are offered an unusually lavish, extraordinary or excessive gift or hospitality by a third party
- you receive an invoice from a third party that appears to be non-standard or extraordinary
- the Company is invoiced for a commission or fee payment that appears large given the service stated to have been provided.

## Record Keeping

All accounts, receipts, invoices and other documents and records relating to dealings with third parties must be prepared and maintained with strict accuracy and completeness. No accounts must be kept "off the record" to facilitate or conceal improper payments, with a record of all business/promotional gifts, hospitality or other business expenditure made (and received) kept (including cost and reason for the gift, hospitality and/or business expenditure)

## Sanctions for Breach

The Company treats breaches of its Anti-Bribery Policy very seriously and will investigate any potential breach in accordance with disciplinary procedures. Depending on the gravity of the offence, it may be treated as gross misconduct and could render the employee liable to summary dismissal.

As far as associated persons are concerned, a breach of this policy could lead to the suspension or termination of any relevant contract, sub-contract or other agreement and depending on the severity of the offence may also result in further penalties being incurred.

## Monitoring Compliance

The Managing Director has lead responsibility for ensuring compliance with this policy and will review its contents on a regular basis. They will be responsible for monitoring its effectiveness and will provide regular reports in this regard to the Directors of the Company who have overall responsibility for ensuring this policy complies with the Company's legal and ethical obligations.

## Training

The Company will provide training to all employees to help them understand their duties and responsibilities under this policy and the procedures they need to follow in order to comply with it.

A copy of the Anti-Bribery Policy is included in the Company's policies (available electronically and as a hard copy in the office). Changes to the policy and procedures will be communicated to staff in an appropriate manner. All staff are expected to familiarise themselves with the Anti-Bribery Policy and sign a copy of said policy to confirm that they have read and understood it. The Company's zero tolerance approach to bribery will also be communicated to all business partners at the outset of any business relationship with them and as appropriate thereafter.

## Failure to Prevent Bribery

If an offence is committed by a commercial organisation, where an associated person performing services on the organisation's behalf (e.g. an employee) pays a bribe to obtain or retain a business advantage for them, then that organisation becomes liable for the offence of failing to prevent bribery.

However, a commercial organisation will have a full defence if it can show that it has procedures in place to prevent bribery and that these comply with the six principles set out by the Government:

**Proportionate procedures:** the procedures should be proportionate to the bribery risks it faces and the nature, scale and complexity of its business activities.

**Top level commitment:** The Company's top-level management are committed to preventing bribery by persons associated with it and adopt a culture where bribery is unacceptable.

**Risk assessment:** Research into the markets you operate in and the people you deal with and document the bribery risks you might face, especially if entering into new business arrangements, new markets or new sectors. This assessment should be done on a regular basis.

**Due diligence:** Performing proportionate due diligence in order to know exactly who you are dealing with can help to protect an organisation from taking on people who might be less than trustworthy, especially in respect of persons who perform or will perform services for or on behalf of the Company.

**Communication (including training):** Communicating bribery prevention policies and procedures to employees and associated persons enhances awareness and understanding and helps to deter bribery by making clear the basis on which the Company does business.

**Monitoring and Review:** Procedures should be monitored and reviewed regularly so they keep pace with any changes in the bribery risks when, for example, new markets are entered.

We will not do business with others when we are aware that they do not accept our anti-bribery values and so may harm our reputation.

We will maintain processes, procedures and records that limit the risk of direct or indirect bribery.

We will review this policy regularly and update it when necessary.

Signed	
Job Title	Managing Director
Date	30.9.2020
Document No.	POL/17/2020.Ver.13

## BRIBERY REPORT FORM

QPF034

This form is for you to report any incident, or suspected incident, of bribery that may arise during the course of your employment with, or, engagement by the Company, whether in the UK or abroad. All incidents, and suspected incidents, of bribery should be reported to the Company using this form. Any report that you make will be treated promptly and may result in an anti-bribery investigation being launched. Confidentiality will be maintained during that investigation to the extent that this is practical and appropriate in the circumstances.

This form should be used by all permanent and temporary employees of the Company and by anyone else who performs a function in relation to, or, for and on behalf of the Company, including but not limited to: directors, agency workers, casual workers, contractors, sub-contractors, consultants, seconded staff, agents, suppliers and sponsors ('associated persons').

A bribe is effectively an inducement or reward offered, promised or provided in order to gain any commercial contractual, regulatory or personal advantage. Please refer to the Company's Anti-Bribery Policy for further information about what might amount to bribery, including examples of potential bribery risks. You should use this form if you suspect, witness or otherwise have knowledge of:

- bribery, or attempted bribery, being undertaken by yourself, other employees or associated persons in connection with the business of the Company
- bribery, or attempted bribery, being carried out by third parties, either directed at you or at other employees or associated persons in connection with the business of the Company
- a request to make a facilitation payment to a foreign public official, to secure or accelerate the prompt or proper performance of a routine government procedure or process
- yourself, other employees or associated persons making a facilitation payment to a foreign public official, to secure or accelerate the prompt or proper performance of a routine government procedure or process.

For the avoidance of doubt, this includes reporting your own wrongdoing.

This form must be completed as soon as you suspect, witness or have knowledge of an incident of bribery, or attempted bribery. It must then be handed to your Company Line Manager or member of Company Senior Management, or, your designated Senior Company contact if you are an associated person e.g. agency worker, contractor, sub-contractor, supplier, in a sealed envelope marked "confidential". Alternatively, it can be attached to an e-mail which is marked as "confidential" in the subject line, ensuring you have the correct email address of the person you wish to send it to. All reports will be treated with the utmost confidentiality and will be immediately investigated. However, concerns can always be reported anonymously to the Managing Director should the need arise.

The Company will support anyone who raises genuine concerns in good faith under the terms of its Anti-Bribery Policy, even if they turn out to be mistaken.

Name of employee or associated person making the report:	
Please give full details of the incident or suspected incident of bribery, or attempted bribery, including relevant dates, times, locations, what the bribery consisted of and the names and identities of all those involved:	
Please give the names and contact details of any other individuals who may have been involved in the incident or suspected incident of bribery, or attempted bribery, including any witnesses:	
Please provide any other information that you think may be relevant for the purposes of the Company's anti-bribery investigation:	

I declare that the information I have given on this form is correct. I understand that it is a disciplinary offence to provide false information on this form or to fail to report an incident or suspected incident of bribery (or, if I am an agency worker, contractor or consultant, providing false information on this form or failing to report an incident or suspected incident of bribery may result in my placement or contract with the Company being terminated).

Signed: .....

Date: .....

*For completion by the Company:*

Date form received by the Company	
Name and Job Title of Recipient of Anti-Bribery Report Form	
Signed	
Date	