



Devonshire House Preparatory School

## The Bribery Policy

*This policy is for the whole school including EYFS*

Written by: Mr Henry Keighley Elstub	September 2022
This Policy is the responsibility of SLT in conjunction with the Head.	
Reviewed:	July 2023
Next review:	July 2024

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## **1. Policy statement**

- 1.1 D.H.S has the policy to conduct all of its business in an honest and ethical manner and to act in good faith. The School 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 wherever it operates and implementing and enforcing effective systems to counter bribery.
- 1.2 The school will uphold all laws relevant to countering bribery and corruption in all the jurisdictions in which it operates. However, it remains bound by the laws of the UK, including the Bribery Act 2010, in respect of its conduct both at home and abroad.
- 1.3 The purpose of this policy is to:
  - a) Set out The Schools responsibilities, and of those working for the School, in observing and upholding its position on bribery and corruption; and
  - b) Provide information and guidance to those working for the School on how to recognise and deal with bribery and corruption issues.
- 1.4 Bribery and corruption are punishable for individuals by up to ten years' imprisonment and if the School is found to have taken part in corruption the School could face an unlimited fine, be excluded from tendering for public contracts and face damage to its reputation. It therefore takes its legal responsibilities very seriously.
- 1.5 The School has identified the following are particular risks for its business:
  - a) Accepting payment or donation in return for securing a place for a particular child or appointment of a particular child to a position within the School, without following the School's usual admissions and appointment procedures;
  - b) Accepting an invitation from a supplier or a parent to attend an event as their guest where the supplier or parent intends to secure an improper advantage (in this case, the offence would be committed by the supplier or parent although there is a reputational risk to the School. If the member of staff acted improperly as a result, the member of staff would also have committed an offence);
  - c) Accepting a lavish gift or gifts which induce someone to favour one particular pupil over others;
  - d) Accepting a charitable donation from a business tendering for a contract with the school or its subsidiaries or favouring donors when choosing suppliers;
  - e) Accepting personal gifts or stock personally from suppliers of products in order to induce the School to choose to keep them as a supplier;
- 1.6 To address those risks the School has:
  - a) Ensured the senior leadership team of the School are aware of the legislation and appointed the Head as the officer in charge of compliance with the legislation on a day to day basis.
  - b) Communicated this policy to all staff.

- c) Posted this bribery policy to the School website to communicate the policy to current and potential parents, suppliers and business partners.
- d) Amended the School policy on whistleblowing and public disclosure to ensure it refers to the bribery act;
- e) Added bribery to the list of offences that may constitute gross misconduct (with the potential for dismissal) for members of staff.

1.7 In this policy, third party means any individual or organisation a member of staff comes into contact with during the course of their work for the School, and includes actual and potential clients – typically parents and users of the school facilities, other customers, suppliers, distributors, business contacts, agents and advisers.

## **2. Who is covered by the policy?**

The policy applies to all individuals working at all levels and grades, including senior managers, employees (whether permanent, fixed-term or temporary),

## **3. What is bribery?**

A bribe is an inducement or reward offered, promised or provided in order to gain any improper commercial, contractual, regulatory or personal advantage.

## **4. Gifts and hospitality**

- 4.1 This policy does not prohibit normal and appropriate hospitality (given and received) to or from third parties.
- 4.2 There is no need for staff to seek prior approval from the Head for hospitality events that appear in the school calendar (e.g. drinks for parents,) as these have already been approved by the SLT who are satisfied that they meet the necessary requirements under the relevant legislation.
- 4.3 The giving or receipt of gifts is not prohibited, if the following requirements are met:
  - a) It 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;
  - b) It complies with the law;
  - c) It is appropriate in the circumstances. For example, in the UK it is customary for gifts to be given at Christmas time;
  - d) Taking into account the reason for the gift, it is not expensive or valuable
  - e) It is given openly, not secretly.
- 4.4 Specifically, the School acknowledge that parents and pupils may choose to provide teachers and other staff with modest gifts including

inter alia, bottles of wine, books and vouchers. Where the estimated value of an individual item exceeds £50 these should be recorded (see below) but are unlikely to be of any concern under the Bribery Act 2010 unless these value is significant in which case, the member of staff should consult the Head.

## **5. What is not acceptable?**

It is not acceptable for a member of staff (or someone on their behalf) to:

- Accept payment from a third party that they know or suspect is offered with the expectation that it will obtain a business advantage for them.
- Accepting a gift or hospitality from a third party if they know or suspect that it is offered or provided with an expectation that a business advance 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.
- Charitable contributions which are lined to expectations of a service or other advantage.

## **6. Record-keeping**

- 6.1 A member of staff must declare to the Heads EA who will keep a written record of all hospitality or gifts accepted or offered (where the value exceeds £50), which will be subject to managerial review by the School Governance should that be deemed necessary.
- 6.2 A member of staff must ensure all expenses claims relating to hospitality, gifts or expenses incurred to third parties are submitted in accordance with the expenses procedures form should be attached to any expenses claims.

## **7. How staff should raise a concern**

All members of staff are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. If they are unsure whether a particular act constitutes bribery or corruption, or if they have any other queries, these should be raised with the Head. Concerns should be reported by following the procedure set out in the School's Whistleblowing policy.

## **8. What to do if a member of staff believes they are a victim of bribery or corruption**

It is important that the member of staff tells the Head as soon as possible if they are offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that they are a victim of another form of unlawful activity.

## **9. Protection**

Staff who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. The School aims to encourage openness and will support

anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.

**10. Who is responsible for the policy?**

- 10.1 Governance have overall responsibility for ensuring this policy complies with the Schools legal and ethical obligations, and that all those under its control comply with it.
- 10.2 The Head has primary and day-to-day responsibility for implementing this policy, and for monitoring its use and effectiveness and dealing with any queries on its interpretation.
- 10.3 The Head is responsible for collating examples, monitoring records of gifts and hospitality and as a first point of call for possible concerns.
- 10.4 Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy and are given adequate and regular training on it.
- 10.5 Training is given to all staff at the outset of their employment and there are regular reminders at Christmas and the end of the Summer term. This includes reference to the seriousness of the issue and the possibility of criminal charges.

ANNEX A: Gifts, Hospitality and Sponsorship Declaration

<b>DEVONSHIRE HOUSE SCHOOL</b> <b>Gifts, Hospitality and Sponsorship Declaration</b>
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Name:	
Job Title:	
Details Of Gift/Hospitality/Sponsorship Received:	
Approximate Value Of Hospitality Received:	
Organisation and/or Person Offering Gift/Hospitality/Sponsorship:	
Date of Event: (if relevant)	

**To be sent to the HR Manager, Devonshire House Prep School, 2  
Arkwright Road, London, NW3 6AE**  
**Tel: 0207 435 1916, #203, [hrm@dhpren.co.uk](mailto:hrm@dhpren.co.uk)**