



Anti-Corruption and Bribery Policy



ANTI-CORRUPTION AND BRIBERY POLICY

Date Approved by Governors	March 2022
Review Date	March 2024
On Behalf of Governors Signed	Signed Copy on File.
Print Name	
On Behalf of Governors Signed	
Print Name	
Principal's Signature	

All One In A Million Free School Policies have been devised to ensure that:

- OIAM core values are at the heart of all we do: compassion, honesty, integrity and excellence
- Students from all backgrounds and all abilities are welcome
- Each student has the opportunity to flourish and achieve their potential
- We value the individuality of each student within the context of membership of our community
- We are committed to raising educational attainment and improving our students' life chances
- We provide an environment in which all students will be self-aware, self-disciplined and confident
- All students will understand how to make a positive contribution to our extended community
- We support academic, creative and personal achievement through our focus on Sport, the Arts and Enterprise.



Anti-Corruption and Bribery Policy

One In A Million advises all staff, governors and other persons who may be affected by this policy to be open in all actions in this area and to always seek advice from the Business Manager before accepting a gift or hospitality.

1. POLICY STATEMENT

1.1 One In A Million Free School OIAMFS is committed to conduct all of its business in an honest and ethical manner and to act in good faith. Governors and Senior Leadership take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all business dealings and relationships wherever the school operates and to implementing and enforcing effective systems to counter bribery.

1.2 OIAMFS will uphold all laws relevant to countering bribery and corruption in all the jurisdictions in which it operates. It remains bound by the laws of the UK, including the Bribery Act 2010, in respect of conduct both at home and abroad.

1.3 The purpose of this policy is to:

1. (a) set out the school's responsibilities, and of all persons "associated" with the school, in observing and upholding the correct position on bribery and corruption; and
2. (b) provide information and guidance to all such persons on how to recognise and deal with bribery and corruption issues.

NOTE A person is associated with the school if that person performs services on behalf of the school. This would include governors, employees and agents, and may also include contractors and business partners (e.g. as in a joint venture arrangement). It would not usually include someone who merely supplies the school with goods.

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 it could face an unlimited fine, be excluded from tendering for public contracts and face damage to its reputation. One In A Million Free School therefore takes its legal responsibilities very seriously.

1.5 The following areas have been identified as particular risks for One In A Million Free School:

1. (a) Accepting payment or donations in return for securing a place for a particular child or the appointment of a particular child to a position within the school, without following the school's usual admissions and appointment procedures;



Anti-Corruption and Bribery Policy

2. (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 an “associated” person (see paragraph 1:3 Note) acted improperly as a result, he/she would also have committed an offence);
3. (c) Accepting a lavish gift or gifts which might induce someone to favour one particular student over others;
4. (d) Offering free or subsidised places to senior members of staff at feeder schools with the intention of influencing the advice or information that they give to parents about their applications to senior schools;
5. (e) Accepting a charitable donation from a business tendering for a contract with the school or its subsidiaries or favouring donors when choosing suppliers;
6. (f) Accepting personal gifts or stock personally from suppliers of products in order for them to remain as a supplier;
7. (g) Gaining benefit from the commencement of a school in a location secured following a bribe to a government official either to obtain the land or the consents necessary to construct or operate the school.

1.6 To address those risks the school has:

1. (a) Ensured that the Governing Body is aware of the new legislation and designated the School’s Responsible Officer to oversee compliance with this legislation;
2. (b) Ensured that the school’s Senior Leadership Team is aware of the new legislation and appointed the Business Manager as the officer in charge of compliance with the legislation on a day to day basis.
3. (c) Communicated this new policy to all employees and held meetings with those staff who are thought to be most at risk of being induced with bribes –

i.e. in addition to the Senior Leadership Team, those responsible for:

1. i) Procuring material contracts
2. ii) Significant budgets
3. iii) Admitting students
4. iv) Awarding scholarships
5. v) Collecting unpaid debts
6. vi) Those liaising with donors



Anti-Corruption and Bribery Policy

4. (d) Posted this Bribery Policy on the school's website to communicate the policy to current and potential parents, suppliers and business partners.
5. (e) Ensured that the school's policy on whistle blowing refers to the bribery act;
6. (f) 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 with whom employees of One In A Million Free School come into contact during the course of school business, and includes actual and potential clients – typically parents and hirers of the school facilities, other customers, suppliers, distributors, business contacts, agents, advisers, and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

2. WHO IS COVERED BY THE POLICY?

This policy applies to all Governors and individuals working at One In A Million Free School at all levels, including senior managers, officers, employees (whether permanent, fixed-term or temporary), consultants, contractors, seconded staff, casual workers and agency staff, volunteers, agents, sponsors, or any other person associated with One In A Million Free School, wherever located.

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. See Appendix for "red flag" examples.

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 The giving or receipt of gifts is not prohibited, if the following requirements are met:

1. (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;
2. (b) It complies with local law;
3. (c) If given, it is given in the school's name, not in the name of an individual;



Anti-Corruption and Bribery Policy

4. (d) If given, it does not include cash or a cash equivalent (such as gift certificates or vouchers);
5. (e) It is appropriate in the circumstances. For example, in the UK it is customary for small gifts to be given at Christmas time;
6. (f) Taking into account the reason for the gift, it is of an appropriate type and value and given at an appropriate time; and
7. (g) It is given openly, not secretly.
8. (h) Gifts should not be offered to, or accepted from, government officials or representatives, or politicians or political parties, without the prior approval of the Business Manager, who will consult with the Governing Body.

4.3 The school acknowledges that parents and students may choose to provide the Principal, teachers and other staff with modest gifts including bottles of wine, books and vouchers. These should be recorded (see below) but are unlikely to be of any concern under the Bribery Act 2010 unless their value is significant in which case the employee is advised to inform the Business Manager.

4.4 The school acknowledges that, for some visitors, or for parents on or after open days, small mementos may be provided.

4.5 The school recognises that the market practice of giving business gifts varies between countries and regions and what may be normal and acceptable in one region may not be in another. The test to be applied is whether in all the circumstances the gift or hospitality is reasonable and justifiable. The intention behind the gift should always be considered.

5. WHAT IS NOT ACCEPTABLE?

It is not acceptable for an "associated" person (see paragraph 1.3) to:

1. (a) 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.
2. (b) 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.
3. (c) Accept payment from a third party where it is known or suspected that it is with the expectation that it will obtain a business advantage for them.
4. (d) Accept a gift or hospitality from a third party where it is known or suspected that it is offered or provided with an expectation that a business advantage will be provided by us in return.



Anti-Corruption and Bribery Policy

5. (e) Threaten or retaliate against another "associated" person who has refused to commit a bribery offence or who has raised concerns under this policy.

6. (f) Engage in any activity that might lead to a breach of this policy.

6. FACILITATION PAYMENTS AND KICKBACKS

6.1 OIAMFS does 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. The use of any legal and recognised fast track process that is publicly available on payment of a fee should not be caught by this legislation. Kickbacks are typically payments made in return for a business favour or advantage.

6.2 If an "associated" person is asked to make a payment on behalf of One In A Million Free School he/she should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. He/she should always ask for a receipt, which details the reason for the payment, and if there are any suspicions, concerns or queries regarding a payment, these should be raised with the Business Manager.

7. DONATIONS and FUNDRAISING

One In A Million Free School does not make contributions to political parties. Only charitable donations are made that are legal and ethical under local laws and practices and typically for the purposes of education. The school may occasionally support fundraising events organised by "associated" persons. No donation must be offered or made without the prior approval of the Principal.

As a part of bringing income into the organisation, partnerships will be made with individuals, corporates and trusts. When working in this area there must be absolute clarity that donations cannot and will not be used as leverage when the donor is seeking opportunities to benefit them.

8. GOVERNOR AND EMPLOYEE RESPONSIBILITIES

8.1 All governors and employees must read, understand and comply with this policy.

8.2 The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all, and everyone should avoid any activity that might lead to, or suggest, a breach of this policy.



Anti-Corruption and Bribery Policy

8.3 Employees must notify the Business Manager as soon as possible if there is the belief or suspicion that a conflict with this policy has occurred, or may occur in the future. For example, if a third party offers you something to gain a business advantage, or indicates to you that a gift or payment is required to secure their business with One In A Million Free School. Further "red flags" that may indicate bribery or corruption are set out in the Appendix.

8.4 Any employee who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct. One In A Million Free School reserves the right to terminate contractual relationships with others if they breach this policy.

9. RECORD-KEEPING

9.1 Financial records should be maintained, and appropriate internal controls set in place which will evidence the business reason for making payments to third parties.

9.2 A written record should be maintained of all hospitality or gifts accepted or offered to Governors or employees with a value in excess of £100, and this may be inspected periodically by the Business Manager. As a matter of good practice you should always seek advice from the Business Manager before accepting a gift or hospitality.

9.3 All accounts, invoices, memoranda and other documents and records relating to dealings with third parties should be prepared and maintained with strict accuracy and completeness.

10. HOW TO RAISE A CONCERN

"Associated" persons are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. Concerns should be reported by following the procedure set out in the School's Whistleblowing Policy, a copy of which can be found on the school's website, in the online Central Information folder or obtained from the Business Manager.

11. WHAT TO DO IF YOU ARE A VICTIM OF BRIBERY OR CORRUPTION

If an "associated" person is offered a bribe by a third party, or is asked to make one, the Business Manager should be informed immediately.

12. PROTECTION

12.1 "Associated" persons who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing, are sometimes worried about



Anti-Corruption and Bribery Policy

possible repercussions. One In A Million Free 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.

12.2 One In A Million Free School 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. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If an employee believes that they have suffered any such treatment, the Principal or Business Manager should be informed immediately. If the matter is not remedied, the matter can be raised formally using the school's Grievance Procedure, a copy of which can be obtained from the Business Manager.

13. TRAINING AND COMMUNICATION

13.1 All new employees will be made aware of this policy as part of the induction process, and all existing employees and workers will receive regular oral reminders. Relevant training on how to implement and adhere to this policy will be given to those considered most at risk. Risk assessments will be carried out to determine where the risks lie for the school

13.2 The school's zero-tolerance approach to bribery and corruption must be communicated to all suppliers, contractors and business partners at the outset of any business relationship with them and as appropriate thereafter.

14. WHO IS RESPONSIBLE FOR THE POLICY?

14.1 The Governing Body has overall responsibility for ensuring this policy complies with the school's legal and ethical obligations, and that all "associated" persons comply with it.

14.2 The Business Manager 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.

14.3 Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy.

15. MONITORING AND REVIEW

15.1 The Responsible Officer will oversee compliance with the policy and the Business Manager will monitor its effectiveness and implementation on a regular basis, considering its suitability, adequacy and effectiveness. Any improvements



Anti-Corruption and Bribery Policy

identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in countering bribery and corruption.

15.2 All "associated" persons are responsible for the success of this policy and should ensure they use it to disclose any suspected danger or wrongdoing.

15.3 "Associated" persons are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Business Manager.

15.4 This policy does not form part of any employee's contract of employment and it may be amended at any time.

15.5 The school may report any matter to the relevant authorities including the Director of Public Prosecution, Serious Fraud Office, Revenue and Customs Prosecutions Office and/or the police.

Appendix: Potential risk scenarios: "red flags"

The following is a list of possible red flags that may arise at One In A Million Free School, which may raise concerns under various anti-bribery and anti-corruption laws. The list is not intended to be exhaustive and is for illustrative purposes only.

If an "associated" person encounters any of these red flags while performing a service for One In A Million Free School, they must report them promptly to the Business Manager (or if appropriate using the procedure set out in the Whistle Blowing Policy):

1. (a) Being offered payment or donations in return for securing a place for a particular child or the appointment of a particular child to a position within the school, without following the school's usual admissions and appointment procedures;
2. (b) Being invited by a supplier or a parent to attend an event as their guest where you suspect the supplier or parent may intend to secure an improper advantage, or after having gone to the event, any suspicions have arisen;
3. (c) Being offered a lavish gift or gifts (i.e. with a value in excess of £100) by a parent, supplier or other third party by virtue of your employment in the school;
4. (d) Being offered a charitable donation from a business which is likely to be tendering for a contract with the school or its subsidiaries;
5. (e) Being offered personal gifts or stock by suppliers of products;
6. (f) Experience an unusual change of circumstances in an overseas project, for example a sudden speeding up of timetable or being favoured for a site when it



Anti-Corruption and Bribery Policy

had looked like a long period of time would elapse between bidding and selection (or have any other cause to suspect that a bribe to a government official may have occurred to obtain licences to operate, to secure land or secure any other consent necessary to construct or operate a school).

7. (g) Being aware that a third party engages in, or has been accused of engaging in, improper business practices;
8. (h) Being aware that a third party has a reputation for paying bribes, or requiring that bribes are paid to them, or has a reputation for having a "special relationship" with foreign government officials;
9. (i) A third party insists on receiving a commission or fee payment before committing to sign up to a contract with One In A Million Free School, or carrying out a government function or process for One In A Million Free School;
10. (j) 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;
11. (k) A third party requests that payment is made to a country or geographic location different from where the third party resides or conducts business;
12. (l) A third party requests an unexpected additional fee or commission to "facilitate" a service;
13. (m) A third party demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services;
14. (n) A third party requests that a payment is made to "overlook" potential legal violations;
15. (o) A third party requests that employment is provided, or some other advantage is given to a friend or relative;
16. (p) An invoice is raised for a commission or fee payment that appears large, given the service stated to have been provided;
17. (q) 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 the school;
18. (r) An unusually generous gift or lavish hospitality is offered by a third party;
19. (r) A sudden large cash receipt appears in the bank account which has occurred other than as a result of normal business operations.