

Anti-Bribery and Corruption Policy

Our guiding principle

We are committed to operating a strict zero tolerance policy towards bribery and corruption in all forms, whether directly or through third parties. This policy applies to all members of Barbers Rural, and to our business partners including suppliers. We will not participate in or condone any form of bribery in our dealings. In the UK, where we operate, it is a criminal offence to offer, promise, provide, request or accept a bribe.

In the UK, the Bribery Act 2010 contains a specific criminal offence of failure by a company to prevent bribery committed on its behalf. We take this responsibility very seriously. As well as potential criminal prosecution, bribery results in a loss of reputation which can be just as damaging. This can lead to us losing existing business, being excluded from bids and severe financial consequences. Individuals involved can face heavy fines and even imprisonment.

What is bribery and corruption?

Bribery is when a person offers, promises or gives a financial (or other) advantage to another person with the intention of persuading them to act improperly. Corruption is any form of illegal, dishonest or bad behaviour, especially by people in positions of power.

These risks can occur at every level of an organisation and across all sectors of our industry. Bribes are not always a matter of handing over cash. The offer or receipt of excessive or inappropriate gifts, hospitality or entertainment can be bribes if they are intended to influence a business decision.

Bribery and corruption risks within our industry may include:

- 'Facilitation' payments are usually small payments (or gifts) made to staff/employees in order to speed up or facilitate actions the staff are already duty-bound to perform. We make no distinction between facilitation payments and bribes. If you feel a payment is extorted or coerced or that your safety (or that of your family or colleagues) is at risk, then you should make the payment but you must report it immediately to the Senior Partner. Kickbacks and reciprocal agreements are never acceptable. We will not participate in cartels, cover pricing, bid-rigging or any form of collusion.
- False claims can arise when claiming for time, services, materials and so on. We will only claim for items we believe we are entitled to. We will ensure all our figures are accurate and can be substantiated. We will provide thorough and clear estimates and quotations and differentiate between each.
- Corrupt third parties can include a range of people acting on our behalf such as agents, consultants, contractors or sub-contractors. We wish to work only with those who are committed to our standards and will undertake due diligence to ensure this. We will engage a third party only when there is a clear business rationale for doing so and with an appropriate contract. We will ensure all payments made to third parties are properly authorised and recorded.
- Excessive gifts and hospitality can be used to exert improper influence on decision-makers. We will ensure any such benefits we offer and receive are reasonable in terms of value and frequency. We will never offer or accept gifts or hospitality if we feel it could influence a business decision or give the appearance of doing so.
- Inadequate financial controls or record-keeping can be exploited to hide bribes or corrupt practices. We will ensure we have robust controls in place so that our financial and other records are accurate, complete and never misleading. We will not tolerate any form of bribery or corruption.

Preventing bribery

Our 'zero tolerance' of bribery relies on each one of us – employees and third parties acting on our behalf - choosing to always do the right thing. All this takes is a few simple commitments:

We will always:

- Comply with this Anti-Bribery and Corruption Policy
- Act according to the Barbers Rural Code of Conduct
- Be guided by our vision and values of openness and honesty
- Comply with company policy on gifts, hospitality, entertainment, political contributions and charitable donations
- Comply with our Conflicts of Interest Policy
- Record all activities and transactions accurately, completely and transparently
- Be alert to 'red flags' (see below) and immediately report or seek guidance about them
- Before proceeding with any contract or other arrangement, follow appropriate due diligence and other risk mitigation procedures
- Seek advice if unsure how to proceed
- Report any suspected or actual breaches of this policy promptly and accurately
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We will never:

- Use company funds, in the form of payments or gifts and hospitality, for any unlawful, unethical or improper purpose
- Authorise, make, tolerate or encourage, or invite or accept, any improper payments to obtain, retain or improve business
- Permit anyone to offer or pay bribes or make facilitation payments on our behalf, or do anything else we would not be permitted to do ourselves
- Offer or give anything of value to a public official (or their representative) to induce or reward them for acting improperly in the course of their public responsibilities
- Offer or accept gifts or hospitality, if we think this might impair objective judgement, improperly influence a decision or create a sense of obligation, or if there's a risk it could be misconstrued or misinterpreted by others

Red flags are early warning signs of something unethical. They include:

- "No one's going to know"
- "It's not against the law"
- "What's in it for me?"
- "Don't worry, that's just the way business is done around here"
- "Shred/delete that document"

Recognising bribery and corruption

In our industry, bribery could occur in situations such as when accepting instructions, negotiating property sales and so on. Bribery and corruption can be found at all levels, from government officials through to clients and suppliers. Watch out for situations like these:

"Our suppliers gave me these amazing season tickets, but should I accept them?"

If you're offered a gift that seems out of proportion or designed to influence you it may contravene our anti-bribery policy to accept it. Gifts of low value offered in the normal course of business are acceptable.

"The only way I'm going to meet my target is if we win that project. I'll do anything it takes to get it."

Fair competition based on our reputation, service and a realistic price are the only way we win work. Doing what it takes never means trying to influence customers directly or via agents by the use of bribes or facilitation payments

Maria has been asked to make an extra 'goodwill' payment to ensure she wins a property instruction she's pitching for. Can it be justified if it helps the project?

Facilitation payments are never part of how we do business.

An applicant is seeking to purchase a property we have for sale. During the negotiation period, a large payment is made to a charity that the firm publicly supports. Is it coincidence or a bribe?

If the intention is to influence decision-making or any link is made between the charitable giving and the property sale, it would contravene our bribery policy.

A colleague confides in you about a kickback she's received from a supplier. You suspect it breaches the anti-bribery and corruption policy but as you don't know the details you ignore it.

Even if you don't know the details you must report your suspicions. Without this we can't protect you if untrue allegations about your own involvement come to light. If you are ever unsure about whether a course of action is right or wrong, just ask yourself the following questions:

Are you comfortable with it? - would you be happy if your colleagues or the press knew about it?

Would you be proud to tell your friends and family about it?

Does it seem honest? - if something seems less than totally open and above board, it probably isn't.

Is it fair? - think carefully about whether the course of action gives someone unfair advantage over others.

Is it in line with our values? - our company stands for a clear set of values. Does it sit well with these values?

If the answer to any of these questions is no, seek advice immediately.

Speaking up

Transparency and openness are effective weapons against bribery and corruption so be ready to challenge any arrangements that compromise them. Even political contributions, charitable donations and sponsorship arrangements can be used as a cover for bribery. If you have a concern or think that this policy may be being infringed, it's important to speak up about it. Speaking up early could protect you from serious legal consequences and avoid damage to the company's reputation.

Raising a concern

If you have any concerns you should raise them with the Partner in charge of Anti-Bribery and Corruption issues, Mike Taylor. If a face-to-face meeting isn't immediately possible, consider phoning, sending an email or text.

What happens next?

We will always investigate breaches of this Anti-Bribery and Corruption Policy and will then take appropriate action. Depending on the circumstances, this may include disciplinary action up to and including dismissal. If you make a report in good faith, you will never be penalised for doing so – even if after investigation you were found to be mistaken. Upholding the policy in this way will not harm your career or your relationship with your colleagues. We will not tolerate any retaliation or discrimination of any kind against anyone who does the right thing. If you or anyone else you know is experiencing retaliation or discrimination, don't put up with it – report it at once. We consider such behaviour as a serious matter and we will act against it and protect you.

Statement of commitment

This policy demonstrates the company's zero-tolerance approach to bribery and corruption. It will be regularly reviewed and updated if necessary as new threats appear. All employees are expected to have undertaken our online training or toolbox talks on the risks of bribery and corruption and made a commitment to maintaining this policy. This policy applies to the whole of the Barbers Rural and as such should be seen as setting the broad rules and guidance for all.

MMV Taylor
Senior Partner
Barbers Rural Consultancy LLP June 2011.