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# ANTI-BRIBERY AND CORRUPTION POLICY



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# 1. SCOPE

1.1. The purpose of this policy is to establish controls to ensure compliance with all applicable anti-bribery and corruption regulations, and to ensure that Smart Awards business is conducted in a socially responsible manner.

1.2. Strong business ethics are a priority at Smart Awards. It is important that our customers, investors, suppliers, employees and other stakeholders feel trust in Smart Awards and know that we represent a high level of business ethics.

1.3. "Corruption is the abuse of your position to achieve an improper advantage for your own, or someone else's, gain" (Transparency International). Corruption hampers economic development, distorts competition, leads to increased costs and erodes trust, reputations and brands. Bribery and corruption can cause immense damage, both to our company and the individual, such as in the form of fines and imprisonment.

1.4. Smart Awards is owned by the Hexatronic Group who has a zero tolerance policy towards bribery and corruption.

1.5. This policy aims to provide support in complying with Smart Awards and Hexatronic's zero tolerance policy on bribery and corruption by clarifying what is and is not acceptable when giving and receiving benefits, such as gifts, meals and entertainment, trips, study visits, training, conferences and promotional events, as well as in various situations where there is a conflict of interests. In addition, the policy provides support on what factors must be taken into account when hiring intermediaries.

# 2. OFQUAL GENERAL CONDITIONS

2.1. A4.5: An awarding organisation must take all reasonable steps to avoid any part of the assessment of a Learner (including by way of Moderation) being undertaken by any person who has a personal interest in the result of the assessment.

# 3. SQA ACCREDITATION PRINCIPLES

3.1. Principle 4. The awarding body must demonstrate an effective approach to the identification and management of risk.

# 4. RESPONSIBILITIES

4.1. This policy is for all those involved with the development, delivery and quality assurance of Smart Awards qualifications and its business. Smart Awards has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it. Smart Awards has the day-to-day responsibility for implementing this policy and for monitoring its use and effectiveness and dealing with any queries on its interpretation.

4.2. The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for us or under our control. Smart Awards individuals are required to avoid any activity that might lead to, or suggest, a breach of this policy. You must notify the MD of Smart Awards as soon as possible if you believe or suspect that a conflict with or breach of this policy has occurred or may occur in the future.

4.2. Any person working on behalf of Smart Awards who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct. We reserve our right to terminate our contractual

relationship with others if they breach this policy.

4.3. Each manager at Smart Awards responsible for operations that involve contacts with customers, suppliers and similar business contacts may set out additional rules in their respective unit for approving benefits in accordance with locally issued addenda to these guidelines. The rules in any such addendum may not restrict the content of these guidelines in any respect.

## 5. DEFINITIONS

5.1 In this policy, a benefit is something that has tangible or intangible value for the recipient. Benefits can take different forms such as gifts, meals and entertainment, cash, gift cards, goods, services, discounts, trips, loans of money or objects, tickets to events, sponsorship, commission, employment or assignments, priority in a queue, or a prestigious award. In order for it to constitute a benefit, it must be given to an employee or contractor by someone other than the employer or client.

5.2. A bribe is when a person seeks to influence another person's decision or gain unauthorised access to something by offering a benefit. The legislation uses the term 'undue advantage' and it is illegal to either give or receive an undue advantage.

5.3. The term employee also includes contractors hired by Smart Awards. A facilitation payment is when a person pays a public official to speed up a decision or process. A conflict of interest is when a person's private interests risk clashing with those of the business. For example, a person may have to make a decision that affects a relative or friend, or their own financial interests.

5.4. In this policy, an intermediary is someone appointed by Smart Awards to represent our company/operation/ or the Hexatroinc Group on certain matters and to whom Smart Awards provides money or other assets. The important point here is not what the intermediary is called but what their actual function is. Intermediaries can take various forms such as agents, consultants, representatives, brokers or business intermediaries.

5.5. Qualification assessments are designed to evaluate the knowledge and skills of the learners objectively, and any attempt to manipulate the results through bribery is unacceptable. Engaging in such activities could have serious consequences for all parties involved and undermine the credibility and trustworthiness of the qualification assessment process. It is important that third parties working on behalf of Smart Awards maintain the integrity and follow ethical standards in any assessment or evaluation process.

## 6. OUR COMMITMENT

6.1. We are committed to implementing effective measures to prevent bribery and corruption within Smart Awards. This includes:

- Conducting regular risk assessments to identify and address any potential bribery and corruption risks in our operations and implementing appropriate controls to manage those risks.
- Providing training and awareness-raising programs to our employees, contractors, to ensure they understand the laws and regulations around bribery and corruption and their responsibilities to prevent such conduct.
- Implementing due diligence procedures to ensure that all third parties we work with, such as suppliers, contractors, and business partners, comply with our anti-bribery and corruption policy.

- Encouraging and promoting a culture of transparency and reporting, where employees and other stakeholders can report any concerns about potential bribery and corruption without fear of retaliation.
- Investigating all reports of potential bribery and corruption promptly and thoroughly and taking appropriate remedial action where necessary.

## 7. POLICY STATEMENT

7.1. It is our policy to conduct all of our business in an honest and ethical manner. We take a zero-tolerance approach to bribery and corruption. We are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate and implementing and enforcing effective systems to counter bribery.

7.2. We will uphold all laws relevant to countering bribery and corruption in all the jurisdictions in which we operate. However, we remain bound by the laws of the UK, including the Bribery Act, in respect of our conduct.

7.3. Bribery and corruption are punishable for individuals by imprisonment and a fine. If we are found to have taken part in corruption, we could face an unlimited fine, be excluded from tendering for public contracts and face damage to our reputation. We therefore take our legal responsibilities very seriously.

7.4. Bribes: Bribery is the offering, promising, giving, accepting or soliciting of an advantage as an inducement for action which is illegal or a breach of trust. A bribe is an inducement or reward offered, promised, or provided in order to gain any commercial, contractual, regulatory or personal advantage. All who work for or on behalf of Smart Awards must not engage in any form of bribery, either directly or through any third party.

7.5 Benefits may be given and received if they are moderate and given openly. All benefits, whether received or given, must be agreed to by the MD of Smart Awards.

7.6. Gifts must not exceed the stipulated value for each country. For gifts given or received multiple times, the value must be added up over 6 months. If an individual gift or the total value of multiple gifts within half a year exceeds the stipulated value, the gift may not be given or received. If, however, it can legitimately be assumed that declining a gift from a foreign donor will seriously damage the business relationship due to cultural reasons, the gift may still be received and accepted as received on behalf of Smart Awards, but the immediate manager must be informed straight away. The received gift will be dealt with by Smart Awards.

7.7. Benefits without economic value can also constitute a gift. This might, for example, be membership of an exclusive club or a prestigious award.

7.8. Meals and entertainment are given to create and maintain good business relations. They must have a commercial relevance and mainly be used for work purposes, such as working lunches.

7.9. Invitations to meals and entertainment may only be given or accepted if they are for a normal meal and/or if the entertainment is modest. If in doubt, consult your immediate manager before accepting an invitation. Meals and entertainment related to business negotiations, except for customary work meals, should be avoided.

7.10. Multiple invitations to or from a business contact over short periods of time should be avoided.

7.11. Invitations issued to the employee's or business contact's spouse/partner or another relative or

related party are of special significance when assessing whether or not a benefit is permitted. The general rule, therefore, is that relatives may not attend. Exceptions to this rule may be granted by the immediate manager, who must take a very restrictive approach when assessing the situation.

7.12. Trips, study visits, training, conferences and promotional events are permitted if they play a natural and useful role in fulfilling work duties. One basic prerequisite is that the content is professional and that there is a set programme that is specified in the invitation.

7.13. The work element of the trip must be predominant and there must only be limited scope for entertainment and leisure.

7.14. Trips, study visits, training, conferences and promotional events related to business negotiations, except for customary events, should be avoided.

7.15. It is not permitted to accept invitations made to an employee's spouse/partner or another relative or related party. Nor is it permitted to invite a business contact's spouse/partner or another relative or related party. The recipient must pay for travel and accommodation.

7.16. Non-permitted benefits. The following benefits may never be received or given, irrespective of the recipient, because, by their very nature, they affect behavior:

- a) monetary gifts and loans of money,
- b) goods that exceed the stipulated value,
- c) services for private purposes and personal discounts on goods and services,
- d) the right to use a vehicle, boat, holiday home or similar for private use,
- e) pleasure trips or holiday trips,
- f) purchases of sexual services or visits to strip or porn clubs, and
- g) benefits that may give the donor a hold over the recipient.

7.17. Facilitation payments. Smart Awards does not permit facilitation payments, i.e. payments made to speed up routine procedures carried out by officials. If an employee is asked to make a facilitation payment, they must report this to their immediate manager and provide a description of the circumstances under which the payment was requested. The manager must then immediately report the request for a facilitation payment to the MD of Smart Awards.

7.18. Benefits may not be given or received if they are being given, or suspected of being given, with the aim of influencing the recipient's behavior or decision.

7.19. Benefits may never be given or received if they are linked with terms regarding a particular course of action for the recipient.

7.20. Business contacts with people with whom an employee has a personal friendship should be avoided and/or considered carefully.

7.21. Gifts, invitations to meals and entertainment, trips, study visits, training, conferences and promotional events may never be given to a person who exercises public authority or decides on a public procurement. In addition, a very restrictive approach must be applied to gifts to employees or contractors: a) At public bodies, even if the employee or contractor does not exercise public authority or take part in public procurement. b) In privacy sensitive operations where special protective interests apply, such as publicly owned or financed companies, privately owned banks, finance and insurance companies, and companies in the fields of certification and supervisory activities.

7.22. If in doubt about whether a benefit is permitted. Employees must report any benefits that risk breaching these guidelines to their immediate manager for an assessment of whether or not the benefit

may be received. If in doubt about whether or not a benefit is permitted, raise the issue with your immediate manager. If there is still doubt surrounding the benefit, it should not be given or received.

7.23. Conflicts of interest. The decisions we make within the Smart Awards and the Hexatronic Group must be taken in the best interests of Smart Awards and the Group and not be based on individual considerations or relationships.

7.24. A conflict of interest arises when something impedes or influences our independent judgement to the detriment of Smart Awards. We must avoid situations where our personal interests could conflict with, or even appear to conflict with, the Smart Awards and the Group's interests.

7.25. See below for examples of areas that could result in a conflict of interest and what applies in that situation:

- Business opportunities/personal gain. As an employee, you may never exploit a business opportunity for your own personal gain if that opportunity has been identified in your work for Smart Awards and is in conflict with Smart Awards interests. Nor may you use Smart Awards property or information, or your position at Smart Awards, in any other way for personal gain.
- Other employment. You may not accept employment outside of Smart Awards – whether paid or unpaid– that adversely affects or could adversely affect your work for Smart Awards or that creates or could create a conflict of interest.
- Nor may you engage in business activities outside of Smart Awards that draw time and attention from your commitments towards Smart Awards or require you to work during your working hours at Smart Awards. If, nonetheless, an employee holds a position with another employer or runs their own business, a written agreement should be in place between Smart Awards and the employee.
- External assignments Smart Awards employees may not accept Board assignments, or similar assignments, for a profit-making company or government authority if it creates a conflict of interest. All such assignments must be approved in advance by your manager. Board assignments for non-profit-making or civil society organizations do not require approval in advance, provided there is no potential conflict of interest with Smart Awards.
- Political activities Smart Awards does not make any donations or provide any other support, either directly or indirectly, to political parties, political organizations or individual politicians. You may not make any political donations on behalf of Smart Awards or using the company's funds or resources.

7.26. Intermediaries. If we deem there to be a genuine need for an intermediary for a particular business transaction, they must be chosen with care. If an intermediary acts unlawfully, this could cause significant damage to our brand and also, in the longer term, entail a risk of legal penalties.

7.27. Charitable and Political Contributions: We do not make donations, whether in cash or kind, in support of any political parties or learners, as this can be perceived as an attempt to gain an improper business advantage. Charitable support and donations are acceptable (and indeed are encouraged), whether of in-kind services, knowledge, time, or direct financial contributions. However, employees must be careful to ensure that charitable contributions are not used as a scheme to conceal bribery. We only make charitable donations that are legal and ethical under local laws and practices. No donation must be offered or made without the prior approval of Smart Awards. All charitable contributions should be publicly disclosed.

## 8. PROCEDURE

8.1. If an employee becomes aware of a breach of these guidelines, they must report the breach to their immediate manager or their manager's manager. Smart Awards has a whistleblower service

for reporting serious breaches anonymously. Individuals involved in corruption may be the subject of criminal penalties such as fines or imprisonment, as well as disciplinary action such as dismissal.

8.2. How to raise a concern: You are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. If you are unsure whether a particular act constitutes bribery or corruption, or if you have any other queries or concerns, these should be raised with Smart Awards.

8.3. What to do if you are a victim of bribery or corruption: It is important that you tell Smart Awards as soon as possible if you are offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that you are a victim of another form of unlawful activity.

8.4. Protection: Individuals who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. We aim 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.

8.5. We are 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.

8.6. If you believe that you have suffered any such treatment, you should inform Smart Awards. If the matter is not remedied, and you are an employee, you should raise it formally using the company's Grievance Procedure.

8.7. Our zero-tolerance approach to bribery and corruption is communicated to all employees suppliers, contractors and business partners at the outset of our business relationship with them and as appropriate thereafter.

8.8. Record keeping: Smart Awards keeps financial records and has appropriate internal controls in place which will evidence the business reason for making payments to third parties. Employees must declare and keep a written record of all hospitality or gifts accepted or offered, which will be subject to managerial review. Employees must ensure all expenses claims relating to hospitality, gifts or expenses incurred to third parties are submitted in accordance with our expenses policy and specifically record the reason for the expenditure.

## 9. RISKS

9.1. A risk assessment must be carried out when hiring an intermediary, such as an agent, consultant, representative, broker or business intermediary. The risk assessment entails gathering facts about the intermediary and the business transaction with the aim of assessing the intermediary's underlying interests and the risk of the intermediary acting corruptly.

9.2. The risk that the intermediary poses from a corruption perspective is pivotal in the level of checks carried out for an intermediary.

9.3. Important risk factors to consider are: Country risks: is the intermediary active or registered in a country that is exposed to corruption, or a country with strict banking secrecy or impenetrable tax accounting systems. Industry risk: sales to industries characterised by a high degree of public procurement, permit requirements or frequent contact with authorities in order to operate are generally more exposed to risk. Contract price, type of contract and structure of compensation: these can all be risk factors.



## 10. REVIEW OF THIS POLICY

10.1. Smart Awards will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements 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.

10.2. This policy is reviewed and revised annually in response to feedback, changes in legislation and guidance from the regulators, SQA Accreditation or Ofqual.

## 11. PROCESS FOR RAISING ISSUE

Process Step Description	Process	Person Responsibility	Organisation Responsibility
Notification Smart Awards of issue	Process	Individual or company	Centre
Notification Smart Awards of issue	Process	Smart Awards Staff, Learner, EQA, Assessor, employer	Other stakeholders
Investigate issue	Process	MD	Smart Awards
Add to risk log on SAMS	Process	MD	Smart Awards
Board reviews risk	Decision	Board - holds responsibility and experience to make decisions and measured risks	Smart Awards
Mitigate risk	Decision	Board - holds responsibility and experience to make decisions and measured risks	Smart Awards
Action	Decision	Board - holds responsibility and experience to make decisions and apply suitable actions.	Smart Awards
Report to regulators if required	Process	MD	Smart Awards
Communicate outcomes to other stakeholders	Process	MD	Smart Awards
Lessons learned	Process	MD	Smart Awards
Keep under review on risk register	Process	Board	Smart Awards
Stop	End	MD	Smart Awards