



ANTI-BRIBERY POLICY

1. General Principles

It is the policy of York Childcare Limited (YCL) to conduct our business in an honest manner. YCL values our ethical reputation and takes a zero-tolerance approach to bribery and corruption. YCL are committed to acting fairly and with integrity in all our business dealings and relationships wherever we operate. YCL only does business with organisations with a similar zero-tolerance approach to bribery and corruption. YCL will take firm and vigorous action against any individual(s) working for us or on our behalf who are involved in bribery.

The Management Board of YCL attaches the utmost importance to this policy and will apply this zero-tolerance approach to acts of bribery and corruption by any of our employees, trustees or by business partners working on our behalf. Any breach of this policy will be regarded as a serious matter and is likely to result in disciplinary action.

2. What is bribery and corruption?

Bribery is the offer, promise, giving, demanding or acceptance of an advantage as an inducement for an action which is illegal, unethical or a breach of trust.

Corruption is the misuse of public office or power for private gain; or misuse of private power in relation to business outside the realm of the government.

3. Legislation

YCL are bound by UK laws including the Bribery Act 2010, which came into force on 1st July 2011.

The Bribery Act 2010 sets out four offences:

- Offering, promising or giving a bribe to another,
- Requesting, agreeing to receive or accepting a bribe;
- Bribing a foreign public official; and
- Failure of a commercial organisation to prevent bribery.

These offences are punishable by up to ten years' imprisonment and an unlimited fine for an individual personally, and an unlimited fine for YCL.

4. Responsibility

This policy is endorsed by the Management Board of YCL who have ultimate responsibility for ensuring that this policy is complied with by all employees and parties associated with YCL. The General Manager is nominated as the Compliance Manager for this policy and has day-to-day responsibility for implementing this policy.

Senior staff at all levels of YCL are responsible for ensuring that those people who report to them are made aware of and understand this policy.

It is the responsibility of all members of staff to ensure that they read, understand and comply with this policy at all times.



The prevention, detection and reporting of bribery and other forms of corruption is the responsibility of everybody who works for, or is associated with YCL. All employees and associated parties are expected to avoid any actions that might lead to a breach of this policy.

5. To whom does this apply?

This policy applies to all individuals working at all levels and grades. It also applies to any other persons associated with YCL (including volunteers).

6. Whistle blowing

The employees and associates of YCL are one of the greatest defences against the threat of bribery and corruption. As employees, your vigilance is vital in ensuring that these threats can be discovered and countered on a timely basis.

There may be circumstances where you are suspicious or aware that an offence under the Bribery Act has been or is being committed by someone within or associated with YCL. In these circumstances you should report the matter in accordance with YCL's Whistle Blowing Policy or report directly to the General Manager.

Employees and associates are sometimes worried about possible repercussions from reporting suspected wrongdoing. YCL encourages openness in their dealings and will support anyone who reports any genuine concerns in good faith in accordance with this policy, even if those concerns are found to be mistaken.

7. Gifts and hospitality

7.1 This policy does not prohibit normal and proportionate hospitality (both received and given) between third parties and employees and associated parties of YCL.

All gifts and hospitality given or received are subject to the following requirements:

- They must be disclosed to your line manager in advance (or at the earliest opportunity if this is not possible)
- They must not be made with the intention of influencing, inducing or rewarding a third party in order to gain any advantage through improper influence, or in exchange for either expected or actual improper performance of any function on your part
- They must comply with local laws
- They must comply with local custom (e.g. a small gift given at Christmas time)
- They must all be given or received in the name of YCL rather than in your name
- They do not include cash or cash equivalents (vouchers or gift certificates)
- They must be made at an appropriate time (e.g. unlikely to be suitable to give or receive gifts or hospitality if participating in a tendering process at that time)
- They must be given openly, not secretly
- Gifts should not be offered to or accepted from foreign public officials (government officials, state employees) or their representatives without the prior approval of the General Manager) and
- All items should be recorded.



7.2 Recording of items given

Items given which appear to be over the value of £25 (eg gifts at Christmas or when children leave) must be recorded by the Nursery Manager and forwarded to the General Manager. A record of such gifts will be held at Head Office.

8. Kickback or facilitation payments

YCL do not make and will not accept 'facilitation payments' or 'kickbacks' of any kind

All such payments are prohibited by the Bribery Act – there is no de minimis limit allowing for small payments.

Facilitation, or grease payments are (generally small) payments made to secure or speed up routine government actions. They are often demanded in addition to compliance with any official fees or documentation that are required. They are not common in the UK.

If you are asked to make payments whilst engaged in work for YCL, always consider what service or goods are being provided and whether the amount requested is proportionate. Always ask for a receipt giving details of what the payment was for and identifying the recipient of the payment.

Whilst facilitation payments or kickbacks are prohibited, you are not required to place your life, liberty or welfare at risk. If demands for payment are made and you feel that you or your colleagues are in a vulnerable position then ensuring your welfare must take precedence.

Any payments made in such circumstances should be reported to the General Manager at the earliest available opportunity, and a clear and accurate record should be made of all such payments.

9. Contacts and further information

If you have any queries in relation to this policy then please contact the General Manager at the head office.