



Cavers & Co.

Solicitors and Estate Agents

BRIBERY PREVENTION POLICIES AND PROCEDURES

POLICY STATEMENT

It is the policy of this firm that all members of staff shall actively avoid and prevent incidents of bribery involving the firm, its staff, and any persons or organisations associated with it or acting on the firm's behalf. This policy has as its objectives:

- ensuring the firm's compliance with all applicable laws and guidance, including but not exclusively the Bribery Act 2010, and requirements of the firm's supervisory body
- protecting the firm, its principals, and all its staff as individuals from the risks associated with breaches of the law, guidance and supervisory requirements
- preserving the good name of the firm against the risk of reputational damage presented by implication in bribery and corrupt practices
- making a positive contribution to the elimination of bribery and corrupt practices within the sphere of the firm's operations.

To achieve these objectives, it is the policy of this firm that:

- every member of staff shall meet their personal obligations on bribery prevention as appropriate to their role and position in the firm, and breaches of these policies and procedures may lead to action under the firm's disciplinary procedures
- the firm shall appoint a Bribery Prevention Officer, and a deputy to cover in his or her absence, and they shall be afforded every assistance and cooperation by all members of staff in carrying out the duties of their appointment
- all members of staff shall refer issues involving potential bribery offences to the firm's Bribery Prevention Officer, including any knowledge or substantiated suspicion of bribery offences arrived at in the course of their work, whether or not the firm is directly involved
- neither commercial considerations nor a sense of loyalty to clients, suppliers or other parties shall be permitted to take precedence over the firm's anti-bribery and corruption commitment.

POLICY AND PROCEDURE ON 'COMMISSIONS'

POLICY

It is the policy of this firm that the firm shall not offer or pay any 'commissions' to individual persons, or corporate entities under their effective control, in order to induce them to act, or reward them for having acted, improperly in their employment or official capacity by favouring the firm, in breach of the Bribery Act 2010.

It is the policy of this firm that no member of staff of the firm, or of any organisation appointed to act of the firm's behalf, shall request or accept payment of any 'commission', to themselves as individuals or to the firm, as inducements to act, or reward for having acted, improperly in their employment in breach of the Bribery Act 2010.

PROCEDURE

- 1 Payments shall not be offered or paid to individual persons, or to corporate entities which are effectively controlled by them or acting on their behalf, to induce them to act or reward them for having acted improperly by favouring the firm in business arrangements over which they have influence due to their employment, appointed position, or official capacity.
- 2 Payments shall not be requested or accepted by members of staff, either personally or on behalf of the firm, that may be interpreted as inducements to act, or rewards for having acted, improperly in their employment by the firm.
- 3 All members of staff responsible for making or receiving legitimate payments that may reasonably fall under the heading of 'commissions' shall assess the risk that such payments might represent a bribery risk, and if so, shall refer the matter to the firm's Bribery Prevention Officer for prior approval.
- 4 Approval for the payment or acceptance of legitimate recurring commissions may be requested on a 'batch' basis when the payments, their offerors or recipients, and the reasons for making them, are similar in nature.
- 5 This policy and procedure is in addition to, and does not replace, the firm's controls and approval procedures governing legitimate business expenditure of this nature.
- 6 The firm's Bribery Prevention Officer shall maintain a record of all requests for approval of the payment or acceptance of commissions, and whether approval was granted.

POLICY AND PROCEDURE ON OFFERING BUSINESS GIFTS

POLICY

It is the policy of this firm that the offering of 'business gifts' on behalf of the firm shall not be considered routine. Where the decision is made to offer a gift, its nature and value shall be appropriate and proportionate, and it shall be offered only as a token of appreciation of past business conducted, with no implication regarding future business. For the purposes of this procedure, the term 'gift' shall include charitable donations and contributions made by the firm or in the firm's name.

PROCEDURE

- 1 Business gifts shall not be offered to potential clients or any other person when it would be likely to be seen as anticipating future business. Such gifts could be interpreted as inducements for the recipient to act improperly by favouring the firm in future business arrangements, thereby constituting a bribery offence.
- 2 All business gifts to be offered on the firm's behalf as a token of appreciation of past business must be approved in advance by the firm's Bribery Prevention Officer.
- 3 This policy and procedure is in addition to, and does not replace, the firm's controls and approval procedures governing business expenditure of this nature.
- 4 The firm's Bribery Prevention Officer shall maintain a record of all requests for approval of the offer of business gifts, and whether approval was granted.

POLICY AND PROCEDURE ON ACCEPTING BUSINESS GIFTS

POLICY

It is the policy of this firm that 'business gifts' offered to members of staff by suppliers, clients, potential clients and other persons in connection with the firm's business, shall be accepted only if appropriate and proportionate, and offered as a token of appreciation of past business conducted, with no implication regarding future business.

PROCEDURE

- 1 Gifts shall not be accepted from clients or any other person when it would be likely to be seen as anticipating future business. Such gifts could be interpreted as inducements for the recipient to act improperly by favouring the giver in future business arrangements, thereby constituting a bribery offence.
- 2 Business gifts may be accepted from clients or other persons when it is clear that they are tokens of appreciation of past business conducted, without any implication regarding future business.
- 3 When a business gift cannot be accepted under the terms of this procedure, it shall be declined diplomatically with the explanation that the firm's procedures do not permit its acceptance. The reasons behind this must not be expressed, as it must not be implied that the offer had any improper motives.

POLICY AND PROCEDURE ON OFFERING AND ACCEPTING HOSPITALITY, ENTERTAINMENT AND SIMILAR BENEFITS

POLICY

It is the policy of this firm that benefits of this nature shall be offered and accepted on behalf of the firm only in the context of enhancing business relationships with clients, potential clients, suppliers and other parties through personal contact in a non-business environment, and where the cost of the benefit is appropriate and proportionate.

PROCEDURE

- 1 Benefits in this category shall be offered or accepted only where personal contact between members of the firm's staff and the personnel of the other party is involved, and enhancement of the business relationship is actively promoted.
- 2 All benefits in this category must be approved in advance by the firm's Bribery Prevention Officer.
- 3 This policy and procedure is in addition to, and does not replace, the firm's controls and approval procedures governing business expenditure of this nature.
- 4 The firm's Bribery Prevention Officer shall maintain a record of all requests for approval of the offer and acceptance of benefits in this category, and whether approval was granted.

POLICY AND PROCEDURE ON OFFERING AND ACCEPTING TRAVEL AND ACCOMMODATION COSTS

POLICY

It is the policy of this firm that payment for travel and accommodation costs incurred by members of the firm's staff, or the personnel of suppliers, clients, potential clients and other persons in connection with the firm's business, shall be offered or accepted only when the travel and accommodation in question is:

- necessary for the effective conduct of the firm's business
- made use of by persons directly involved in the business in question
- of an appropriate level of cost considering the normal and reasonable expectations of the persons concerned.

PROCEDURE

- 1 Travel and accommodation costs shall be offered or accepted only when the travel is necessary for the effective conduct of the firm's business, and the facilities are made use of by persons directly involved in the business being conducted.
- 2 When a benefit in this category cannot be accepted under the terms of this procedure, it shall be declined diplomatically with the explanation that the firm's procedures do not permit its acceptance. The reasons behind this must not be expressed, as it must not be implied that the offer had any improper motives.
- 3 This policy and procedure is in addition to, and does not replace, the firm's controls and approval procedures governing business expenditure of this nature.

POLICY AND PROCEDURE ON APPOINTING STAFF AND OUTSIDE PERSONS AND ORGANISATIONS

POLICY

It is the policy of this firm that when appointing new staff, or outside persons or organisations to act on the firm's behalf, the exposure to bribery risk of the role to be filled shall be taken into consideration. Where the risk is high, steps shall be taken to ensure that the person or organisation being appointed is of appropriate integrity, and aware of the firm's policies on bribery prevention.

PROCEDURE

- 1 When a new member of staff is to be recruited, or an outside person or organisation appointed to act on the firm's behalf, the member of staff responsible for the appointment shall assess the exposure to bribery risk of the role to be filled.
- 2 Where the exposure to bribery risk is high, the member of staff responsible for the appointment shall ensure that the person or organisation being considered accepts the need to comply with the law and guidance and the firm's bribery prevention procedures. Appropriate steps should be taken to verify CVs, references, financial statements etc. supplied in support of the proposed appointment.
- 3 If the person or organisation being considered has previous experience in roles exposed to high bribery risk, it must be established that they are aware that actions which were in the past considered a normal part of doing business may now constitute offences under the Bribery Act.
- 4 Where the exposure to bribery risk is high, the member of staff responsible for the appointment shall inform the firm's Bribery Prevention Officer of the steps taken to ensure that the appointee has appropriate awareness and integrity.

POLICY AND PROCEDURE ON TRAINING AND COMMUNICATION

POLICY

It is the policy of this firm that all staff and outside persons and organisations acting on the firm's behalf shall be made aware of the firm's bribery prevention policies and procedures, and that appropriate ongoing training and communication measures shall be instigated and maintained to ensure an appropriate understanding of these policies and procedures and the importance of following them.

PROCEDURE

- 1 The firm's Bribery Prevention Officer shall ensure that all members of staff, and all outside persons and organisations acting on the firm's behalf, receive information making them aware of the firm's bribery prevention policies and procedures, and have access to this information for reference at all times.
- 2 The firm's Bribery Prevention Officer shall ensure that all members of staff, and all outside persons and organisations acting on the firm's behalf, receive training on the relevance and importance of bribery prevention appropriate to their exposure to bribery risk.
- 3 The firm's Bribery Prevention Officer shall instigate and maintain an ongoing programme of assessment to ensure that all members of staff exposed to bribery risk demonstrate their awareness of bribery issues, the firm's bribery prevention policies and procedures, and their importance and relevance to their work.
- 4 The firm's Bribery Prevention Officer shall keep records of the training received by staff and the results of awareness assessments to ensure that the firm can demonstrate that every member of staff has received appropriate training and has an appropriate level of awareness.

POLICY AND PROCEDURE ON MONITORING AND REVIEW

POLICY

It is the policy of this firm to monitor our compliance with legal and regulatory bribery prevention requirements, and conduct an annual bribery prevention compliance review, the findings of which are to be considered by the firm's owner together with appropriate recommendations for action.

The firm's owner shall provide the necessary authority and resources for the ongoing implementation of a compliant bribery prevention regime.

PROCEDURE

- 1 The firm's Bribery Prevention Officer shall monitor continuously all aspects of the firm's bribery prevention policies and procedures, and the legal framework in the jurisdictions in which the firm operates.
- 2 Any deficiencies in bribery prevention compliance requiring urgent rectification will be dealt with immediately by the firm's Bribery Prevention Officer.
- 3 The firm's Bribery Prevention Officer shall conduct an annual review of the firm's bribery prevention compliance. This review will include:
 - an assessment of the firm's bribery risk profile and vulnerabilities, together with consideration of ways in which these are changing and evolving
 - an assessment of any changes in the legal environment(s) in which the firm operates
 - an assessment of bribery prevention activities within the firm, including the delivery of appropriate training
 - an assessment of any compliance deficiencies on which action has already been taken and consideration of the outcomes
 - an assessment of any compliance deficiencies on which action needs to be taken, together with recommended actions and management support required
 - an outline of plans for the continuous development of the bribery prevention regime, including ongoing training and awareness raising activities for all staff.
- 4 The firm's owner will implement appropriate action to be taken following each review.

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