Anti-Bribery and Corruption

Bribery and corruption remain a major issue in world trade, despite the many dedicated efforts to prevent them. A Brunton Waste Limited's legal obligation have been substantially greater since 1 July 2011 when the Bribery Act 2010 came into force in the UK. That Act affects A Brunton Waste Limited, as a UK company, if bribery occurs anywhere in A Brunton Limited's business.

Corruption and bribery are very damaging to the societies in which they occur. They divert money and other resources from those who need them most. They hinder economic and social development. They damage business, not least by increasing the cost of goods and services.

A Brunton Limited run its businesses with integrity. All of us must work together to ensure that they remain untainted by bribery or corruption. This policy is the core of that effort. It is the personal responsibility of the Managing Director; it has the full support of A Brunton Limited's Board; and it is the Managing Director's responsibility to make sure it is followed. But the policy needs the full support of you, A Brunton Limited's employee, to make it work. In all our interests, A Brunton Limited is relying on you to give the policy that support.

This policy sets out the steps all of us must take to prevent bribery and corruption in A Brunton Limited's business and to comply with relevant legislation and A Brunton Limited requirement.

What are bribery and corruption?

Corruption is the misuse of office or power for private gain. Bribery is a form of corruption. It means:

giving or receiving money, gifts, meals, entertainment or anything else of value;

as an inducement to a person to do something which is dishonest or illegal;

in the course of doing business.

In other words, bribery is designed to make a person act wrongly to secure an advantage for the giver.

Who can be involved in bribery and in what circumstances?

Bribery and corruption may be committed by:

A Brunton Limited employee, officers or directors;

anyone they authorise to do things on their behalf.

A Brunton Limited's representative and other third parties who act on its behalf.

A Brunton Limited's supplier;

even A Brunton Limited's customer (for example, they might try to induce one of its employees to give them more favourable terms).

Bribery can occur in both the public and private sectors. The person receiving the bribe is usually able to influence the award or the progress of business, often a government or other public official.

The legal position on bribery

Bribery and corruption are criminal offences in most countries where A Brunton Limited does' business. UK-incorporated companies, including A Brunton Limited, are subject to the Bribery Act 2010. Under the Act, it is illegal:

to pay or offer to pay a bribe.

to receive or agree to receive a bribe.

to bribe a foreign public official.

for a commercial organisation, to fail to have adequate procedures in place to prevent bribery.

It does not matter whether the bribery occurs in the UK or abroad. A corrupt act committed abroad may well result in a prosecution in the UK. Nor does it matter whether the act is done directly or indirectly.

A Brunton Limited's position on bribery

A Brunton Limited's position is simple. A Brunton Limited conduct its businesses to the highest legal and ethical standards. A Brunton Limited will not be party to corruption or bribery in any form. Such acts damage A Brunton Limited's reputation and expose A Brunton Limited, and its employees, to the risk of fines and imprisonment. A Brunton Limited takes a zero-tolerance approach to bribery and corruption by its employees and its third-party representatives.

Bribery may be more widespread in some countries, and business sectors, than others. In some cases, you may be told that unless A Brunton Limited pay bribes it will not win business or be able to complete contracts. That does not matter. If A Brunton Limited was to be involved in even one instance of bribery, it would have shown that it engages in such conduct. It does not.

Risks of not acting with integrity

Involvement in bribery or corruption carries many risks. Among them are:

a company which pays—or accepts—bribes is not in control of its business and is at risk of blackmail.

the UK Bribery Act is one of the widest-ranging pieces of legislation in the field. It covers any corrupt act by a UK company (or by a foreign company trading here) wherever it occurs.

if A Brunton Limited is found guilty of bribery—or even of failing to have adequate procedures in place to prevent bribery—it will be subject to large fines.

any person guilty of bribery will be subject to fines and/or imprisonment (up to 10 years under the Bribery Act);

a public exposure, or even allegation, of bribery would entail severe reputational damage. Banking or supply facilities might be withdrawn or be available on much less favourable terms, and A Brunton Limited could be blacklisted as an approved tenderer for both public and private sector contracts.

the cost of A Brunton Limited's insurance cover could increase very significantly; and

good people will not want to work for A Brunton Limited.

Benefits of integrity

Equally, there are very clear benefits to acting with propriety. These include:

A Brunton Limited increase its chances of being selected as a supplier in both the public and private sectors. The supply chain organisations of A Brunton Limited's large customers cannot deal with Recycling Lives Limited unless we have an effective anti-bribery programme in place.

Brunton Limited remains in good standing with its banks and suppliers and they will want to keep doing business with us.

a business with high ethical standards is a good place to work. It promotes clear communication and lets A Brunton Limited act with confidence.

What are indicators of bribery?

Common indicators of corruption include those listed below. There may well be others. Examples include:

Payments are for abnormal amounts (e.g. commission), or made in an unusual way, e.g. what would normally be a single payment is made in stages, through a bank account never previously used, or in a currency or via a country which has no connection with the transaction;

Process is bypassed for approval or sign-off of terms or submission of tender documents, payments, or other commercial matters; those whose job it is to monitor commercial processes may be prevented from or hindered in doing so.

Individuals are secretive about certain matters or relationships and/or insist on dealing with them personally. They may make trips at short notice without explanation or have a more lavish lifestyle than expected.

Decisions are taken for which there is no clear rationale.

Records are incomplete or missing.

Who is responsible for this policy?

The Managing Director has overall responsibility for this policy. Directors have responsibility for it in their departmental areas. The Financial Controller is responsible for ensuring that this policy is adhered to by all departments.

Risk assessment

Risk in A Brunton Limited's business will vary by area. The Managing Director, working with the Legal Director and the Financial Controller, are responsible for assessing the level of risk to which the business is subject, and putting in place any measures additional to those outlined in this policy they consider are required.

Records

It is essential that A Brunton Limited keeps full and accurate records of all its financial dealings. Transparency is vital; false or misleading records could be very damaging to A Brunton Limited. Under money laundering regulations A Brunton Limited's lawyers and accountants are obliged to report anything which appears to be irregular.

Monitoring

Everyone in A Brunton Limited must observe this policy. It will count for nothing unless we do. The Compliance Department will monitor the policy regularly to make sure it is being adhered to. In doing this, they act in the interest of the business, and it is therefore the responsibility of all of us to help them in this. Peter Brunton, Legal Director, will report regularly to the Managing Director on business unit and region compliance with this policy.

Your responsibility

Everyone in A Brunton Limited is responsible:

for reading and knowing the contents of this policy.

for keeping full and accurate records of all cases where bribery is suspected.

for reporting cases where you know, or have a reasonable suspicion, that bribery has occurred or is likely to occur in the business.

What to do if you think something is wrong

Each of us has a responsibility to speak out if we discover anything corrupt or otherwise improper occurring in relation to the business. A Brunton Limited cannot maintain its integrity unless we do that. If you discover or suspect corruption, whether:

by another member or staff.

by a third party who represents Recycling Lives Limited.

by one of A Brunton Limited's suppliers or competitors.

or by anyone else—perhaps even a customer seeking to get better terms from A Brunton Limited,

Please report it to your line manager and the Compliance Department as soon as possible. If for any reason you cannot do this, please report it to Human Resources. We will investigate all allegations of corruption immediately.

Peter Brunton Legal and Compliance Director

A Brunton Ltd.

Signed ………………………………………………………………………….   Date……………………………………………………….

Review date…………………………………………………