



PoppyHarp ANTI-BRIBERY POLICY

Overview

This policy outlines the definition of bribery and identifies those responsible for such actions. PoppyHarp is committed to avoiding all forms of corruption or bribery. Our policy aligns with the requirements of the UK's Bribery Act 2010.

At PoppyHarp, we are dedicated to conducting our business with honesty and integrity. We have a strict zero-tolerance policy towards bribery and corruption. Our commitment is to operate professionally, fairly, and with integrity in all our business interactions and relationships, regardless of location. We prioritise implementing and enforcing robust systems to prevent bribery and corruption.

Aims of this policy

The goal of this policy is to guide all PoppyHarp employees, volunteers, panel members, adjudicators, examiners and third-party contractors on handling offers of gifts or hospitality, establishing clear boundaries to prevent bribery, corruption, or any actions that could lead to accusations of unethical or unlawful behaviour against PoppyHarp.

About this policy

This policy applies to all individuals associated with PoppyHarp, including employees, volunteers, contractors, consultants, and others, regardless of their employment status or level within the organisation. While the policy is not contractual for employees, it is their duty to understand and adhere to its provisions. PoppyHarp retains the right to modify this policy without providing compensation.

Definition of Bribery and Corruption

Bribery refers to offering inducements or rewards improperly to gain commercial, contractual, regulatory, or personal advantages. This can involve various parties, including our staff, authorised representatives, third-party contractors, suppliers, and customers. Corruption involves misusing power or office for personal gain, with bribery being one form of corruption. It entails promising, offering, giving, or receiving financial or other benefits to influence dishonest or illegal actions in the course of business.

A financial or other advantage may encompass cash, gifts, hospitality, entertainment, political or charitable donations, sponsorship, and publicity.

Bribery and corruption constitute criminal offences in most countries where our operations extend. As a UK-registered entity, we are subject to the Bribery Act 2010. Under this Act, it is unlawful to offer, promise, or pay a bribe, to receive or agree to receive a bribe, to bribe a foreign public official, or for a commercial organisation to neglect preventing bribery by associated individuals through inadequate procedures.

The Bribery Act defines an "associated person" broadly, encompassing anyone performing services for or on behalf of a commercial organisation, regardless of their role, whether employee, agent, or subsidiary. The location of the bribery is immaterial for an offence to be established; acts of corruption abroad may lead to prosecution in the UK. Furthermore, whether the act is carried out directly or indirectly is irrelevant.

Risks and Penalties

Involvement in bribery or corruption poses numerous risks and consequences for PoppyHarp, including:

1. Facing unlimited fines if found guilty of bribery or failing to implement adequate preventative measures.
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3. Civil actions may be pursued by competitors and other third parties seeking damages.
4. Increased vulnerability to blackmail and loss of control over business operations for companies involved in bribery.
5. Severe reputational damage from any public exposure or allegation of bribery.
6. Risk of exclusion from selling or providing services to the public sector.
7. Significant increases in insurance premiums.
8. Difficulty in attracting and retaining talented employees.

Consequences of Breach: Involvement in bribery or corruption also entails significant risks and consequences for all staff and third-party contractors, including:

- Employees violating this policy will face disciplinary measures, potentially resulting in dismissal for misconduct or gross misconduct.
- Our relationship with contractors, suppliers, and other individuals working on our behalf will be terminated if they breach this policy.

Indicators of Bribery: Common signs of corruption include:

- Payments made in abnormal, unexplained, or unexpected amounts, or through unusual channels.
- Bypassing approval processes or hindering those responsible for monitoring commercial procedures.
- Individuals displaying secrecy regarding certain matters or relationships, or insisting on handling them personally.
- Decisions being made without clear rationale.
- Incomplete or missing records.

Perceptions of bribery may vary across countries and industries. Despite potential pressure to pay bribes to secure business or contracts, PoppyHarp must uphold unwavering standards of honesty, impartiality, and integrity in all business dealings.

Examples of Bribery

Offering a Bribe

Offering tickets to a major cultural event to a potential customer in order to persuade them to do business with us constitutes an offence, as it seeks to gain a commercial and contractual advantage. Additionally, we could be deemed to have committed an offence by making the offer to secure business for ourselves. Accepting such an offer may also be considered an offence for the potential client.

Receiving a Bribe

A supplier offers your family member a job with the expectation that you will use your influence within PoppyHarp to maintain business relations with them. It is illegal for a supplier to make such a conditional offer. Accepting the offer would also constitute an offence, as it would be done to gain a personal advantage.

Bribing a Foreign Official

Arranging to make an undisclosed additional payment to a foreign official to expedite an administrative process for our benefit constitutes the offence of bribing a foreign public official as soon as the offer is proposed. This action is undertaken to secure a business advantage for PoppyHarp, potentially resulting in legal repercussions for us.

Areas of Specific Risk

Gifts and Hospitality

This section supplements the Gifts and Hospitality Policy. Gifts are items given without the expectation of receiving anything in return. To comply with this policy, gifts must not be offered or accepted if they seem overly generous or could be seen as influencing a business decision or rewarding business provision or retention. If there are valid reasons for giving or receiving a gift, it should be appropriate in type and value, exchanged openly at an appropriate time, never involving cash or its equivalent, and not given to government officials. Gifts exceeding £20 in value should be avoided. In some countries, business gift-giving is customary after negotiations or on significant dates. The key consideration is whether the gift or hospitality is reasonable and justifiable both locally and in the UK. When uncertain, seek advice from PoppyHarp's Director, Fran Barsby.

Invitations to lunch or dinner should be accepted or extended only if the main purpose is to discuss or promote PoppyHarp's business and not solely for the venue or hospitality. Similarly, the venue and nature of the hospitality should be appropriate. Social invitations, such as sporting or cultural events unrelated to PoppyHarp's business, should generally be declined unless a clear business interest is demonstrated beforehand, with compelling and exceptional justification.

Political Contributions

PoppyHarp refrains from contributing to political parties. No staff member or third-party contractor should make a donation on behalf of PoppyHarp without prior approval from PoppyHarp's director, Fran Barsby. While you are free to make political donations in a personal capacity, please consider how such contributions might be perceived, particularly by those aware of your association with PoppyHarp.

Charitable Donations

Bribes can sometimes be masked as charitable donations. Therefore, any donations made by PoppyHarp are approved by company director, Fran Barsby. While individuals are free to make personal donations to charity, they must not do so on behalf of PoppyHarp. If you have any concerns regarding the suitability of hospitality or a gift (either given or received), please refer to the Gifts and Hospitality Policy and/or consult PoppyHarp's company director, Fran Barsby.

Protection

If you suspect or uncover any corrupt or otherwise improper activities related to PoppyHarp's business, you must promptly report it to PoppyHarp's company director, Fran Barsby. All allegations of bribery and corruption will be thoroughly investigated by PoppyHarp at the earliest opportunity. PoppyHarp is dedicated to ensuring that no one faces any adverse consequences for refusing to participate in bribery or corruption or for reporting, in good faith, any suspicion of actual or potential bribery or other corrupt activities. Adverse treatment includes dismissal, disciplinary action, threats, or any other unfavourable actions related to raising concerns. If you believe you have experienced such treatment, you should inform Fran Barsby. If the issue remains unresolved and you are an employee, you should formally address it using the Grievance Procedure.

Exceptional Circumstances

PoppyHarp acknowledges that in rare instances, staff may face situations where payment is demanded to prevent physical harm. In these exceptional circumstances, a payment may be made if there is an imminent threat to the health or safety of PoppyHarp's staff. In such cases, PoppyHarp's company director, Fran Barsby must be notified immediately, and the payment along with the circumstances surrounding it must be thoroughly documented and reported within five working days.

Records

We are obligated to maintain comprehensive and precise records of all financial transactions with third parties. Transparency is paramount; inaccurate or deceptive records could significantly harm us. According to money laundering regulations, our legal and accounting professionals are required to report any irregularities they observe. Therefore, it is crucial that our contracts with third parties, particularly those providing services for us, include a provision allowing us to inspect their records.

Monitoring

Fran Barsby (company director) holds the responsibility for ensuring this policy aligns with our legal and ethical duties, and that all individuals under our jurisdiction adhere to it.

Staff at every level are accountable for ensuring that they adhere to this policy, and receive / take sufficient and consistent training on it.

Training and Communication

All individuals subject to this policy receive training on its contents, and our unwavering stance against bribery and corruption will be communicated to our business partners as deemed necessary.

Data Protection

PoppyHarp adheres to the provisions of the Data Protection Act 2018 and the General Data Protection Regulation EU2016/679 (UK GDPR) regarding the collection and storage of personal data as outlined in this procedure and our Privacy Policy.

Other

This policy is subject to periodic review at the discretion of PoppyHarp's Company Director, Fran Barsby and/or as necessitated by legislative changes. It has been crafted in accordance with current relevant legislation, including (but not limited to):

- The Bribery Act 2010
- The Fraud Act 2006
- The Data Protection Act 2018 and the retained EU law version of the General Data Protection Regulation EU2016/679 (UK GDPR)
- Economic Crime and Corporate Transparency Act 2023

Update History

The following changes have been made to this document:

Fran Barsby 27/04/2024