

The City Arts Trust Limited ethics policy

Introduction

There have been significant changes in UK anti-corruption law brought about by the Bribery Act 2010, which came into force on 1 July 2011. Corruption poses serious legal, commercial and reputational risks to businesses, and we must implement anti-corruption procedures, ensuring that they are sufficiently robust to prevent corruption and to mitigate risk of committing an offence.

Bribery, in broad terms, is the receiving or offering of undue reward or anything of value and includes payments to secure a business advantage, financial or otherwise, to which the company is not entitled.

Corruption can be summarised as the misuse of entrusted power or office, whether in the public or private sector, for private gain.

Kickbacks arise when suppliers or service providers pay part of their fees to the individuals who give them the contract or some other business advantage

The City Arts Trust Limited is not particularly at risk of corrupt activity, but it is good governance to assess risks and have clear policies and guidelines in place.

Scope

This policy applies to the Directors and employees of The City Arts Trust Limited (staff, freelance and temporary) as well as any other 'associated person', which can be construed broadly and could cover our volunteers, partners and suppliers.

Purpose

The purpose of this policy is to set out the responsibilities of the Directors, employees and any other 'associated person' in observing and upholding our position on bribery and corruption.

Policy

The City Arts Trust Limited is honest and ethical, and has a zero tolerance policy on bribery and corruption.

The Trust will not engage in bribery or any form of unethical inducement or payment including facilitation payments and 'kickbacks.'

All employees are required to avoid any activities that might lead to, or suggest, a conflict of interest with the business of the Trust.

No employee should ever solicit any gift or hospitality, directly or indirectly, and whether in their personal capacity or on behalf of the Trust

All employees should act at all times honestly and without deception, and not knowingly or recklessly do any of the following, or participate in any activity which involves any of the following:

- Offer, give, demand or accept any bribe or other improper advantage
- Participate in any dishonest or deceptive activity
- Provide false, inaccurate or misleading information
- Dishonestly withhold information
- Make or submit false, inaccurate, misleading or exaggerated records, invoices, claims or requests for payment
- Dishonestly refuse or fail to approve, or delay in approving, work, materials, equipment, services, invoices, claims or requests for payment
- Dishonestly refuse or fail to pay, or delay in paying, sums due

In addition, employees must not instruct, authorise or condone, expressly or implicitly, any corrupt activity, and should take reasonable preventive measures to stop corruption for which the Trust may be liable.

Employees must make proper enquiries regarding any suspicion of corruption of which they become aware, and report any suspicion of corruption to the responsible person.

Gifts and Hospitality

Employees may not offer to, or accept from, third parties any gifts, hospitality, rewards, benefits or other incentives that could affect either party’s impartiality, influence a business decision or lead to the improper performance of an official duty. Similarly, they may not offer or accept cash donations.

Employees may offer and accept ‘reasonable’ and ‘proportionate’ gifts and entertainment, such as lunch, dinner, concert and theatre invitations or sporting events. In determining what is ‘reasonable’ and ‘proportionate’, employees should consider the value of the gift or benefit as well as the frequency with which the same or similar gift or benefit is offered. In all cases they must ensure that the gift or benefit:

- is being given as an expression of goodwill and not in expectation of a return favour (a gift designed to secure a return favour could be seen as a bribe).
- is commensurate with generally accepted standards for hospitality taking into account the norms for the industry/professional sector in which it is offered.
- is being provided openly and transparently, and is of a nature that will not cause the Trust embarrassment if publicly reported.
- complies with local laws and regulations, including the recipient’s own rules (bearing in mind that government rules on offering and receiving gifts or benefit are often particularly tight).

Responsibilities

All Directors, employees and other associated persons are responsible for compliance with this policy. If any instance of bribery or corruption is identified, we will take remedial steps immediately.

Training and communications

We will communicate this policy to Directors and staff through our established internal communication channels. We will also communicate this policy to our suppliers, contractors, partners and wider stakeholders by making it available on our website. Training and awareness of this policy will be included in the induction process for all new staff.

Raising concerns and seeking guidance

Employees are encouraged to raise concerns about any instance of malpractice at the earliest possible stage, by reporting their concerns to the Festival Director or to one of the Directors of the Trust.

In all cases, employees may report anonymously. If you do not make your report anonymously, you may request the person to whom you make the report to keep your identity confidential. The Trust will take all reasonable steps to keep your identity confidential.

Monitoring and review

This policy will be reviewed annually at a Board meeting, as part of the Trust’s Risk Register review.

Internal controls and audit

We will continue to maintain accurate records - available for inspection - which properly and fairly document all financial transactions. Internal control systems will be subject to regular audits to provide assurance that they are effective in countering bribery and corruption.

We will create a Register of Hospitality, and will document hospitality both offered by the Trust, and accepted by employees, for hospitality and gifts in excess of £25.

Signed

Name

Date