

CABI Policies & Procedures

Anti-Bribery


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1 REVISION HISTORY

Revision	Date	By	Change
0	13/12/2011	R Sloley	
1	02/09/2015	R Sloley	Updated and Extended (sections 9 and 10)
2	31/08/2022	R Sloley	Updated and Extended
3	14/10/2022	R Sloley	Updated (section 3)

2 APPROVALS

Name / Role	Signature and Date
Robert Sloley Chief Financial Officer	 14/10/2022

3 SCOPE

This policy applies to all employees of CABI. This policy does not form part of any employee's contract of employment and may be amended at any time.

4 PURPOSE

To ensure all CABI employees and associated persons are aware of the requirements of the **UK Bribery Act 2010** and act in accordance with the CABI Bribery policy. All acts of bribery are strictly prohibited, and breaches of the policy are considered a disciplinary matter for staff and a breach of contract for associated persons. Acts of bribery may result in criminal conviction under the Bribery Act.

Bribery is one aspect of fraud and as such this policy should be seen in the context of the policies, procedures and standards of behaviour defined in the CABI Code of Conduct and the following policies:

- Anti-Fraud
- Procurement
- Collaborator
- Exclusion from Access to Funding

5 DEFINITIONS

Bribery is defined as:

'a money or favour given or promised to influence the judgement or conduct of a person or person(s) in a position of trust'

and, as defined under the UK Bribery Act 2010 as:

'giving someone a financial or other advantage to perform their function or activities improperly or to reward that person for having already done so.' 'Improper' means performance which amounts to a breach of an expectation that a person will act in good faith, impartially, or in accordance with a position of trust'

The test of whether an activity has been performed improperly is a test of what a reasonable person would expect in relation to the performance of that activity.' For CABI this test applies to all its worldwide activities. Local custom and practice has to be disregarded in this respect.

An associated person is defined as:

Any person who performs services for, or on behalf of, CABI. An associated person could be an individual or could be an incorporated or unincorporated body. These include:

- Agents, collaborators and contractors.
- Suppliers performing services.
- An agent/employee of a CABI Joint Venture e.g., Conidia.

6 KEY PRINCIPLES

The following principles underlie CABI's approach to prevention of acts of bribery:

Proportionality

Policies, procedures and practice should be proportionate to the risks.

Top-level commitment

CABI Management are committed to preventing bribery and fostering a culture within the organisation in which such acts are never acceptable.

Risk Assessment

Management and Staff should show awareness of the risks of bribery in the course of their duties and take appropriate steps to prevent acts of bribery.

Due Diligence

Risks of bribery should be mitigated by making appropriate and proportionate checks prior to transacting with an individual or organisation.

This may require, as an initial step, the use of the 'World Check One' verification system (please contact Corporate Projects Manager, Carol Steel)

Communication, Monitoring and Review

EMT and all managers have a responsibility to ensure that CABI's policies and procedures are communicated and applied as appropriate to prevent bribery and their effectiveness monitored.

7 RESPONSIBILITIES

It is the responsibility of CABI Board, EMT and managers to ensure the Key Principles outlined above are communicated and applied through fostering a culture of honesty and integrity within CABI and relevant processes and procedures are implemented.

It is the responsibility of all staff to comply with the anti-bribery and related policies.

8 TYPES OF BRIBERY

Under the terms of the UK Bribery Act, there are 4 types of bribery offence:

- Bribery of another person
- Being bribed
- Bribery of foreign public officials
- Failure of organisations to prevent bribery

Under the Act the use of **kickbacks**, 'a form of negotiated bribery in which a commission is paid to the bribe taker in return for services rendered,' and **facilitation payments**, 'payments made to expedite the performance of a routine government action by a public official,' are forbidden.

If any member of staff is aware of any acts of bribery, then they have a duty to report them in accordance with the fraud policy.

9 HOSPITALITY & GIFTS

The giving and receiving of hospitality and gifts could be considered as acts of bribery and are only allowable as long as it can be demonstrated that they are '**reasonable and proportionate**'.

This is the overriding test and the minimum requirement to be 'reasonable and proportionate' means that the giving of a hospitality or gift should not have any influence on a business decision.

Therefore, any CABI employee proposing to provide or receive hospitality or gifts to /from a third party over the value of £50 per person (or local currency equivalent) should get the prior approval of their line manager. Also, prior approval is required

where modest levels of hospitality and /or gifts are being provided to a number of non-CABI individuals at a single event with a total value of over £500.

Transparency is critical and so a register of hospitality and gifts will be retained. Where prior authorisation is given, as in the circumstances outlined above, then the line manager authorising the hospitality/ gift should inform the Financial Accountant or Financial Controller based at Wallingford by e-mail to ensure it is recorded.

10 POLITICAL AND CHARITABLE CONTRIBUTIONS

Political and/or charitable contributions can and have been used. As a 'not for profit' organisation itself, CABI does not generally make direct political or charitable contributions and therefore any employee or associate wishing to make such contributions directly from CABI funds should ensure they get prior written authorisation from the CABI Chief Financial Officer (CFO) or other member of the EMT

This expressly does not prevent employees or associates organising fund raising activities on behalf of 'worthy causes.'

11 SPONSORSHIP

Sponsorship, whether of events, companies, individuals, or any other organisations could also be used by the unscrupulous as a cover for acts of bribery. CABI in general does not generally incur significant sponsorship expenditure but should any employee or associate seek to make a commitment above £250 then prior written authorisation is required from the CABI CFO or other member of the EMT.

12 COLLABORATORS, AGENTS AND SUPPLIERS

In the selection and ongoing relationships with collaborators, agents and suppliers, employees and associates of CABI should exercise care, due diligence and take reasonable steps to ensure that third parties operating on behalf of CABI are not committing acts of bribery (see also policies on Procurement, Collaborators and Exclusion from Access to Funding).