

NFU Policy

Anti-Corruption and Bribery Policy for Officeholders

Written by:
Head of Compliance

Department
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Contents

1. Purpose	2
2. Scope	2
3. Policy	2
3.1. What is bribery?	2
3.2. Gifts and hospitality	3
3.3. What is not acceptable?	3
3.4. Facilitation payments and kickbacks	4
3.5. Donations	4
3.6. Your responsibilities	4
3.7. Record-keeping	4
3.8. How to raise a concern	5
3.9. What to do if you are a victim of bribery or corruption	5
3.10. Protection	5
3.11. Training and Communication	5
4. Who is responsible for the policy?	5
4.1. Monitoring and review	6
5. Procedure	6
5.1. Entertainment, gifts, hospitality and promotional expenditure	6
5.2. Reporting suspected bribery	6
Potential risk scenarios: "red flags"	7
Schedule A	8
Declaration of Gifts and Hospitality in Excess of £50.00 – All Staff	8
Schedule B	9
Report of incident of suspected bribery	9

1. Purpose

This policy and policy statement outlines the NFU's position on preventing and prohibiting bribery, in accordance with the Bribery Act 2010. The Company will not tolerate any form of bribery by, or of, its employees, officeholders, agents or consultants or any person or body acting on its behalf. Senior Management is committed to implementing effective measures to prevent, monitor and eliminate bribery.

2. Scope

This policy applies to all individuals working at all levels and grades, including officeholders, directors, senior managers, employees (whether permanent, fixed-term or temporary), consultants, contractors, trainees, seconded staff, homeworkers, casual workers and agency staff, volunteers, interns, agents, sponsors, or any other person associated with us, or any of our subsidiaries or their employees, wherever located (collectively referred to as workers in this policy).

The NFU may face criminal liability for unlawful actions taken by its employees or associated persons under the Bribery Act 2010. All workers and associated persons are required to familiarise themselves and comply with this policy.

3. Policy

The Bribery Act 2010 is in force from 1 July 2011. This policy covers:

- The main areas of liability under the Bribery Act 2010;
- The responsibilities of employees and associated persons acting for, or on behalf of, the NFU; and
- The consequences of any breaches of this policy.

3.1. What is bribery?

A bribe is a financial or other advantage, promised, requested or given to induce a person to perform a relevant function or activity improperly, or to reward them for doing so.

Examples:

Offering a bribe

You offer a potential client tickets to a major sporting event, but only if they agree to do business with us.

This would be an offence as you are making the offer to gain a commercial and contractual advantage. We may also be found to have committed an offence because the offer has been made to obtain business for us. It may also be an offence for the potential client to accept your offer.

Receiving a bribe

A supplier gives your nephew a job, but makes it clear that in return they expect you to use your influence in our organisation to ensure we continue to do business with them.

It is an offence for a supplier to make such an offer. It would be an offence for you to accept the offer as you would be doing so to gain a personal advantage.

Bribing a foreign official

You arrange for the business to pay an additional payment to a foreign official to speed up an administrative process, such as clearing our goods through customs.

The offence of bribing a foreign public official has been committed as soon as the offer is made. This is because it is made to gain a business advantage for us.

3.2. Gifts and hospitality

This policy does not prohibit normal and appropriate hospitality (given and received) to or from third parties.

The giving or receipt of gifts is not prohibited, if the following requirements are met:

- it is not made with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage, or in explicit or implicit exchange for favours or benefits;
- it complies with the law;
- it is given in the NFU's name, not in your name;
- it does not include cash or a cash equivalent (such as gift certificates or vouchers);
- it is appropriate in the circumstances. For example, in the UK it is customary for small gifts to be given at Christmas time;
- taking into account the reason for the gift, it is of an appropriate type and value and given at an appropriate time;
- it is given openly, not secretly; and
- gifts should not be offered to, or accepted from, government officials or representatives, or politicians or political parties, without the prior approval of the NFU Secretary.

The test to be applied is whether in all the circumstances the gift or hospitality is reasonable and justifiable. The intention behind the gift should always be considered.

3.3. What is not acceptable?

It is not acceptable for you (or someone on your behalf) to:

- accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided by us in return;
- threaten or retaliate against another worker who has refused to commit a bribery offence or who has raised concerns under this policy;
- give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given;

- give, promise to give, or offer, a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure;
- accept payment from a third party that you know or suspect is offered with the expectation that it will obtain a business advantage for them; or
- engage in any activity that might lead to a breach of this policy.

3.4. Facilitation payments and kickbacks

We do not make, and will not accept, facilitation payments or "kickbacks" of any kind. Facilitation payments are typically small, unofficial payments made to secure or expedite a routine government action by a government official. They are not commonly paid in the UK, but are common in some other jurisdictions.

If you are asked to make a payment on our behalf, you should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. You should always ask for a receipt which details the reason for the payment. If you have any suspicions, concerns, or queries regarding a payment, you should raise these with the NFU Secretary.

Kickbacks are typically payments made in return for a business favour or advantage. All workers must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by us.

3.5. Donations

We do not make contributions to political parties. We only make charitable donations that are legal and ethical under UK laws and practices. No donation must be offered or made without the prior approval of the NFU Secretary.

3.6. Your responsibilities

You must ensure that you read, understand and comply with this policy.

The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for us or under our control. All workers are required to avoid any activity that might lead to, or suggest, a breach of this policy.

You must notify the NFU Secretary as soon as possible if you believe or suspect that a conflict with this policy has occurred, or may occur in the future. For example, if a client or potential client offers you something to gain a business advantage with us, or indicates to you that a gift or payment is required to secure their business. Further "red flags" that may indicate bribery or corruption are set out on page 8.

Any employee who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct. We reserve our right to terminate our contractual relationship with other workers if they breach this policy.

3.7. Record-keeping

We must keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties.

You must declare and keep a written record of all hospitality or gifts accepted or offered, which will be subject to managerial review. See Schedule A.

You must ensure all expenses claims relating to hospitality, gifts or expenses incurred to third parties are submitted in accordance with our expenses policy and specifically record the reason for the expenditure.

All accounts, invoices, memoranda and other documents and records relating to dealings with third parties, such as clients, suppliers and business contacts, should be prepared and maintained with strict accuracy and completeness. No accounts must be kept "off-book" to facilitate or conceal improper payments.

3.8. How to raise a concern

You are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. If you are unsure whether a particular act constitutes bribery or corruption, or if you have any other queries, these should be raised with the Head of Compliance or the NFU Secretary.

3.9. What to do if you are a victim of bribery or corruption

It is important that you tell the Head of Compliance or the NFU Secretary as soon as possible if you are offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that you are a victim of another form of unlawful activity.

3.10. Protection

Workers who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. We aim to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.

We are committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or other corruption offence has taken place, or may take place in the future. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the NFU Secretary or the Head of Compliance immediately. If the matter is not remedied, and you are an employee, you should raise it formally using our Grievance Procedure.

3.11. Training and Communication

Training on this policy forms part of the induction process for all new workers. All existing workers will receive regular, relevant training on how to implement and adhere to this policy.

Our zero-tolerance approach to bribery and corruption must be communicated to all suppliers, contractors and business partners at the outset of our business relationship with them as appropriate.

4. Who is responsible for the policy?

The Governance Board has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it.

The NFU Secretary has primary and day-to-day responsibility for implementing this policy and for monitoring its use and effectiveness and dealing with any queries on its interpretation. Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy and are given adequate and regular training on it.

4.1. Monitoring and review

The NFU Secretary will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in countering bribery and corruption.

All workers are responsible for the success of this policy and should ensure they use it to disclose any suspected danger or wrongdoing.

Workers are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the NFU Secretary or the Head of Compliance.

This policy does not form part of any employee's contract of employment and it may be amended at any time.

5. Procedure

5.1. Entertainment, gifts, hospitality and promotional expenditure

Small tokens of appreciation such as flowers, bottles of wine or turkeys may be retained by employees.

Any gifts, rewards or entertainment over the value of £50 received from clients, public officials, suppliers or business contacts should be reported using the form at Schedule A. In certain circumstances it may not be appropriate to keep such gifts where a conflict of interest may arise or where it could be perceived that undue influence or a particular business benefit was being sought (for instance prior to a tendering exercise).

If an employee or associated person wishes to provide gifts to suppliers, clients or other business contacts, prior written approval from the NFU Secretary is required, together with details of the intended recipients, reasons for the gift and business objective. These will be subject to a cap of £50.

Workers and, where applicable, associated persons must supply records and receipts, in accordance with the Company's expenses policy.

Business lunches, as part of a normal business relationship, are acceptable and do not need to be declared unless the value of the lunch exceeds £50 and the frequency of the lunches exceeds what would be considered acceptable. If you have any queries or are unsure of whether to declare please contact either the Head of Compliance or the NFU Secretary.

5.2. Reporting suspected bribery

A form is available at Schedule B to allow Workers to record any incidents of suspected bribery. All reports will be thoroughly and promptly investigated by the Head of Compliance in the strictest confidence.

Potential risk scenarios: "red flags"

The following is a list of possible red flags that may arise during the course of you working for us and which may raise concerns under various anti-bribery and anti-corruption laws. The list is not intended to be exhaustive and is for illustrative purposes only.

If you encounter any of these red flags while working for us, you must report them promptly to the NFU Secretary.

- you become aware that a third party engages in, or has been accused of engaging in, improper business practices;
- you learn that a third party has a reputation for paying bribes, or requiring that bribes are paid to them;
- a third party insists on receiving a commission or fee payment before committing to sign up to a contract with us;
- a third party requests payment in cash and/or refuses to sign a formal commission or fee agreement, or to provide an invoice or receipt for a payment made;
- a third party requests that payment is made to a country or geographic location different from where the third party resides or conducts business;
- a third party requests an unexpected additional fee or commission to "facilitate" a service;
- a third party demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services;
- a third party requests that a payment is made to "overlook" potential legal violations;
- a third party requests that you provide employment or some other advantage to a friend or relative;
- you receive an invoice from a third party that appears to be non-standard or customised;
- a third party insists on the use of side letters or refuses to put terms agreed in writing;
- you notice that we have been invoiced for a commission or fee payment that appears large given the service stated to have been provided;
- a third party requests or requires the use of an agent, intermediary, consultant, distributor or supplier that is not typically used by or known to us;
- you are offered an unusually generous gift or offered lavish hospitality by a third party.

Schedule A

Declaration of Gifts and Hospitality in Excess of £50.00 – All Officeholders

Name of Officeholder	
Office Held	
Name of Regional Director/ Board Secretary/ Chief Adviser	
Name of Person/Company offering gift or hospitality	
Nature and approximate value of the gift or hospitality	
Name and title of Line Manager	
Gift or hospitality approved / refused in excess of £50.00	
Date of approval/refusal	
Date on which the gift or hospitality was received	
Disposal – How was the gift/hospitality disposed of?	

I hereby declare, in accordance with the Anti-Corruption and Bribery Policy, that I have taken receipt of the above gift / refused the above gift as outlined above.:

Officeholder Signature:

Date:

RD/CA/Secretary Signature:

Date:

Please return this form to the Head of Compliance, NFU HQ, Agriculture House, Stoneleigh Park, Stoneleigh, Warwickshire, CV8 2TZ

Schedule B**Report of incident of suspected bribery**

Name of Officeholder	
Office Held	
Name of Regional Director/ Board Secretary/ Chief Adviser	
Name of Person/Company offering gift or hospitality	
Nature and approximate value of the gift or hospitality	
Name and title of Line Manager	
Nature of bribe	
Date of incident	
Reason for suspicion of bribery	

Officeholder Signature:

Date:

Please return this form to the Head of Compliance, NFU HQ, Agriculture House, Stoneleigh Park, Stoneleigh, Warwickshire, CV8 2TZ