

Bribery Policy

About This Policy

FM Conway (referred to as “FMC”, “the company”, “we” or “our” in this bribery policy) takes a zero-tolerance approach to bribery and corruption, and is committed to acting professionally, fairly and with integrity in all our business dealings and relationships. It is our policy to conduct all our business in an honest and ethical manner.

This policy applies to all employees at all levels, directors, officers, agency workers, seconded workers, interns, agents, contractors, external consultants, third-party representatives, and business partners (which will hereinafter be referred to as “the relevant personnel” or “you” for the purpose of this policy).

This policy is supplemental to other FM Conway policies and is not intended to override them.

Purpose of this Bribery Policy

This policy is designed to ensure that you fully understand the legislation and the consequences for engaging into unethical practices such as bribery and corruption.

FM Conway is proud of its reputation for ethical behaviour and is fully committed to the prevention, deterrence, and detection of acts of bribery. The company recognises that bribery in the business can seriously undermine its reputation and pose a serious risk to its long-term sustainability.

The purpose of this policy is to protect the company and its relevant personnel from the risks associated with bribery.

Bribery

The Bribery Act 2010 makes it a serious criminal offence for an individual and a company to commit an act of bribery.

Bribe means a financial, or other inducement, or reward for action, which is illegal, unethical, a breach of trust, or improper in any way. Bribes can take the form of money, gifts, loans, fees, hospitality, services, discounts, facilitation payments, the award of a contract, or any other advantage or benefit.

Bribery includes offering, promising, giving, accepting, or seeking a bribe. Bribery can take the following forms which are often categorised as active bribery or passive bribery.

Active bribery is when a person offers, promises, or gives a financial or other advantage to another person with the intention of inducing that person to act improperly and/or illegally irrespective of whether the bribe is accepted.

Passive bribery is when a person requests, agrees to receive, or accepts a financial or other advantage to act improperly and or illegally.

All forms of bribery are strictly prohibited. If you are unsure about whether a particular act constitutes bribery, please raise it with either your Manager, the Human Resources Team (HR), or the Legal Team.

Specifically, you must not request, accept, pay, offer, or authorise bribes, either directly or indirectly, under any circumstances. This includes seeking to improperly influence or bribe a public official, including foreign public officials, or any other individual or entity in the expectation that a business advantage will be received or provided in return, or to reward any business received.

Gifts and Hospitality

This policy does not prohibit the giving or accepting of reasonable and appropriate hospitality for legitimate purposes such as building relationships, maintaining our image or reputation, or marketing our products and services.

A gift is when something is given voluntarily without any expectations or payment in return. Hospitality is provided by the company to its clients and business partners to promote business relationships. Hospitality may include entertainment, dining at restaurants, and sporting events.

A gift or hospitality will be deemed inappropriate if it is unduly lavish or extravagant or could be seen as an inducement or reward for any preferential treatment (for example, during contractual negotiations or a tender process). The company will not request, offer, or accept hospitality that may influence or create the appearance of influencing our business decisions.

Facilitation payments are payments or gifts made to public officials of any country to speed up or 'facilitate' actions the public officials are already duty-bound to perform. Regardless of the size of the facilitation payment, the Company does not create a distinction between facilitation payments and bribery.

Donations

The company will only make charitable donations that are legal and ethical under local laws and practices. A charitable donation can from part of our wider commitment to the community in which we are based or undertaking projects in. No donation is to be offered or made without the prior approval of Senior Management.

Record Keeping

The company holds and monitors a register for all gifts and hospitality given or received and the nominal value for a single expense claim for gifts or hospitality to our clients and business partners is £100.00. To avoid improper gifts or hospitality being given or received, any value exceeding the aforesaid amount will require prior approval from Senior Management.

You must declare and keep a written record of all hospitality, or gifts received or given. You must also submit all expenses claims relating to hospitality, gifts, or payments to third parties in accordance with our expenses policy and record the reason for expenditure.

All accounts, invoices, and other records relating to dealings with third parties including suppliers and customers should be prepared with strict accuracy and completeness. Accounts must not be kept “off-book” to facilitate or conceal improper payments.

Penalties for the Company and Relevant Personnel

The penalties for engaging in bribery are severe. You can face a criminal record, be fined and/or imprisoned if found guilty. As an employer, the company can face unlimited punitive fines under Section 7 of the Bribery Act 2010 if it fails to prevent bribery being committed. We therefore take our legal responsibilities very seriously.

Risk Assessments

In line with its due diligence procedures, the company will annually assess the nature and extent of its exposure to any potential internal and/or external risks of bribery acts and corrupt practices. As part of its continuous risk assessment process, the company will review and update its policies and procedures in line with any recent or forthcoming legislative changes.

Communication and Training

The company has an effective communication procedure in place which sufficiently addresses the importance and seriousness of the Bribery Act 2010. The company is committed to provide appropriate training to its relevant personnel and review its anti-bribery programme to meet changing conditions and risks.

The company provides training to its new relevant personnel upon commencement of employment and/or engagement, and ongoing training is provided to maintain awareness and understanding of the Bribery Act. Alongside the company's E-Learning facility, which is available to FM Conway's employees, the company will provide periodic seminars and distribute periodic bulletins to its relevant personnel to reinforce the importance of its anti-bribery programme.

The company recognises that the training materials on its anti-bribery programme may not be understood by all its relevant personnel, and as such, it hereby encourages them to address any concerns that they may have with their Manager or with the Human Resources Team (HR).

How to Raise a Concern

If you are offered a bribe, or are asked to make one, or if you suspect that any bribery, corruption, or other breach of this policy has occurred or may occur, you must notify the company as soon as reasonably practicable. There are several reporting options you can choose from, and these include the following:

- Manager
- Legal Teams
- Human Resources (HR)
- Speak Out App

The company's Speak Out App allows for anonymous reporting should you wish to do so. The Speak Out App is located on the homepage of the company's website.

The company will treat all reports of bribery seriously, appropriately, and sensitively. You should not attempt to investigate any suspicions of bribery without prior authorisation from the Legal Team or the Human Resources Team (HR).

No employee will suffer demotion, penalty, or other adverse consequence for reporting a suspicion of bribery, or for refusing to pay a bribe, even if such refusal may result in the company losing business.

Breaches of the Policy

In all instances the company will undertake a rigorous investigation into any allegations of bribery. Any employee who breaches this policy will face disciplinary action in accordance with the company's Disciplinary Policy which could result in dismissal for gross misconduct. Any non-employee who breaches this policy may have their contract terminated with immediate effect. Criminal prosecution may also apply in the event of contravention.



Responsibility

It is the company's responsibility to have adequate measures in place to protect its relevant personnel from acts of bribery and corrupt practices. It is your responsibility to read, understand, and adhere to the guidelines set out in this policy.

Further Information

For further information on bribery and/or on this policy, please contact Human Resources at HR@fmconway.co.uk or alternatively, contact the Legal Department at Legal@fmconway.co.uk.

Review the Policy

This policy is subject to annual review.