The Kennedy Trust for Rheumatology Research

Anti-Bribery and Corruption Policy

Version Control

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The Kennedy Trust for Rheumatology Research

Anti-Bribery and Corruption Policy

Charity Commission guidance[1] states *that "the Commission expects trustees to comply with the law on bribery and to implement good practice in accordance with their duty to protect the property and reputations of their charities"*. The Bribery Act 2010 applies to individuals and 'commercial organisations'; according to guidance from the Ministry of Justice, this includes charitable companies carrying out not-for-profit business. As such, the Trust has adopted this Policy to provide guidance to its staff and Trustees on how to recognise and manage bribery and corruption issues.

As the Trust operates solely in the UK and does not fundraise, the Bribery Act is not overly relevant to its day-to-day business. The main area for the Trust to consider relates to the various invitations which staff and Trustees might receive from organisations who are, or are potential suppliers or grant recipients of grants, as it is important that invitees cannot be seen to be unduly open to influence from the organisation making the invitation.

It is normally appropriate to accept invitations from those organisations which are current or potential grant holders, although care should be taken that the inviter does not view this as a way of trying to influence the possibility of receiving grants from the Trust. At all times, invitees should make clear to inviters that any potential application must go through the Trust's normal processes. Care should also be taken not to express any positive or negative opinion about a new project or initiative.

Equally, invitations from investment managers should be treated with care, bearing in mind the same principles set out above in respect of grant holders and potential grant recipients.

Other than very minor items (such as diaries), gifts are not normally offered to the Trust staff, or Trustees and in the event that any substantial gift were to be offered, it should not be accepted. It is important that the Trust is seen to the outside world as transparent in all its dealings and that staff and Trustees are clearly seen not to be open to influence.

This policy applies to all employees of the Trust and to Trustees where they are acting in their capacity as Trustees of the Trust.

In considering the principles set out below, due regard will be given to the Seven Principles of Public Life (otherwise known as the 'Nolan Principles').

The following principles should govern any offer of hospitality:

- Made for the right reason: if hospitality is offered, it should normally be as an act of appreciation to the Trust from a current grant holder or non-applicant organisation with whom the Trust has a relationship.
- No obligation: the offer of hospitality should not place the Trust under any obligation.
- No expectations: expectations should not be created in the inviter or an associate of the inviter, or have a higher importance attached to it by the inviter than the Trust would place on such an invitation.

[1] Charity Commission: Compliance Toolkit: Chapter 3: Fraud & financial crime, April 2011 (rev Nov 2016)

- Made openly: if the offer is made secretly and undocumented, then its purpose will be open to question and should not be accepted.
- Accords with stakeholder perception: the offer would not be viewed unfavourably by stakeholders relevant to the Trust if it were to be made known to them.
- Reasonable value: the value of the hospitality should be relatively small and could not be perceived as excessive by the Charity Commission or the outside world.
- Appropriate: the nature of the hospitality should be appropriate to the Trust’s relationship with the inviter and accord with general business and charity practice.
- Legality: it should be compliant with relevant laws.
- Conforms to the recipient’s rules: the offer of hospitality should meet the Trust’s rules/code of conduct.
- Infrequent: the receiving of hospitality from the inviter should not be overly frequent.
- Documented and reported: where appropriate, the hospitality should be documented (including its purpose). It should, if necessary, be reported in the annual report & accounts, where advice to that effect is provided by the Trust’s accountants and/or auditors.

Documentation of hospitality and gifts

Any substantial gifts (excluding small items, such as calendars) and hospitality that are accepted in accordance with this policy must be declared in the Trust’s Gifts and Entertainment Register.

All staff and Trustees will receive a Gifts and Entertainment Register on commencement of their employment or trusteeship. Registers will also be reissued at the first Board meeting of each year.

Staff and Trustees will be responsible for completing the Register at the time that a gift is received, or at least quarterly. Completed Registers must be submitted to the Trust’s Programme Manager for Research and Policy.

The Registers will be reviewed by the General Purposes Committee at its June meeting of each year.