



SCOTTISH PARA-FOOTBALL

Anti-Corruption and Bribery Policy

This policy is written to underpin both Scottish Para-Football as well Para-Football Game Leader Organisations who are members of Scottish Para-Football. Therefore this policy will be adopted by each individual Para-Football Game Leader Organisation. If your concern relate to Scottish Para-Football please contact the National Office. However if your concern relate to a Para-Football Game Leader Organisation please contact their Committee directly.

1. Policy Statement

- 1.1 It is Scottish Para-Football policy to conduct all of our business in an honest and ethical manner. We take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate and implementing and enforcing effective system to counter bribery and corruption
- 1.2 Scottish Para-Football will uphold all laws relevant to countering bribery and corruption in all the jurisdictions in which we operate. However Scottish Para-Football remains bound by UK laws, including the Bribery Act 2010, in respect of our conduct both at home and abroad.

2. About this Policy

- 2.1 The purpose of this policy is to:
 - (a) Set out Scottish Para-Football responsibilities, and of those working for Scottish Para-Football and Para-Football Game Leader Organisations, in observing and upholding our position on bribery and corruption and
 - (b) Provide information and guidance to those working for Scottish Para-Football and Para-Football Game Leader Organisation on how to recognise and deal with bribery and corruption issues.
- 2.2 It is a criminal offence to offer, promise, give, request, or accept a bribe. Individuals found guilty can be punished by up to years' imprisonment and/or a fine.
- 2.3 We have identified that the following are particular risks to Scottish Para-Football and Para-Football Game Leader Organisations
 - (a) No awareness of this policy

To address this risk we have:

- (a) Circulated the Policy to Para-Football Game Leader Organisations
- 2.4 In this policy, **third party** means any individual or organisation you come into contact with during the course of your work with Scottish Para-Football or a Para-Football Game Leader Organisation and includes actual and potential clients, customers, suppliers, distributors, business contacts, agents, advisers, and government and public bodies, including their advisors, representatives and officials, politicians and political parties.
- 2.5 This policy does not form part of any employee's contract of employment and Scottish Para-Football may amend it at any time.

3. Who Must Comply with this Policy?

- 3 This policy applies to all person working for Scottish Para-Football and Para-Football Game Leader Organisations or on our behalf in any capacity including employees at all levels, Board members, agency workers, seconded workers, volunteers, interns, agents, contractors, external consultants, third-party representatives and business partners, sponsors, or any other person associated with Scottish Para-Football or Para-Football Game Leader Organisations, wherever located.

4. Who is Responsible for the Policy?

- 4.1 The Trustees has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under Scottish Para-Football comply with it.
- 4.2 Para-Football Game Leader Organisations is responsible to ensuring this policy is implemented within their Association
- 4.3 Scottish Para-Football Secretary has primary day-to-day responsibility for implementing the policy, monitoring its use and effectiveness dealing with any queries about it and auditing internal control systems and procedures to ensure they are effective in countering bribery and corruption
- 4.4 Staff and Para-Football Game Leader Organisation are invited to comment on this policy and suggest ways in what it might be improved. Comments, suggestions and queries should be addressed to Scottish Para-Football Secretary.

5. What are Bribery and Corruption?

- 5.1 Bribery is offering, promising, giving or accepting any financial or other advantage to induce the recipient or any other person to act improperly in the performance of their functions, or to reward tem for acting improperly, or where the recipient would act improperly by accepting the advantage.
- 5.2 An advantage includes money, gifts, loans fees, hospitality, services, discounts, the award of a contract or anything else of value.
- 5.3 A person act improperly where they act illegally, unethically, or contrary to an expectation of good faith or impartiality, or where they abuse position of trust. The improper acts may be in relation to any business or professional activities, public functions, acts in the course of employment, or other activities by or on behalf of any organisation of any kind.
- 5.4 Corruption is the abuse of entrusted power or position for private gain

Examples:

Offering a Bribe

You offer a potential client tickets to a major sporting event, but only if they agree to do business with Scottish Para-Football or Para-Football Game Leader Organisations.

This would be an offense as you are making the offer to gain commercial and contractual advantage. We may also be found to have committed an offence because the offer has been

made to obtain business for Scottish Para-Football or Para-Football Game Leader Organisations. 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 the 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 “facilitation” payment to a foreign official to speed up an administrative process e.g. clearing our good through customs.

The offence of bribing a foreign public official is committed as soon as the offer is made. This is because it is made to gain a business advantage for Scottish Para-Football or Para-Football Game Leader Organisation. We may also be found to have committed an offence.

6. What you must not do

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

- (a) Give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or reward a business advantage already given:
- (b) Give or accept a gift or hospitality during any commercial negotiations or tender process, if this could be perceived as intended or likely to influence the outcome;
- (c) Accept a payment, gift or hospitality from a third party that you know or suspect is offered with the expectation that it will provide a business advantage for them or anyone else in return.
- (d) Accept hospitality from a third party that is unduly lavish or extravagant under the circumstances.
- (e) Offer or accept a gift to or from government officials or representatives, or politicians or political parties, without the prior approval of the Secretary
- (f) Threaten or retaliate against another individual who has refused to commit a bribery offence or who has raised concerns under this policy; or
- (g) Engage in any other activity that might lead to a breach of this policy

7. Facilitation Payments and Kickbacks

7.1 We do not make, and will not accept, facilitation payments or “kickbacks” of any kind

7.2 Facilitation Payments, also known as “back-handers” or “grease payments” are typically small, unofficial payments made to secure or expedite a routine or necessary action. They are not common in the UK, but are common in some other jurisdictions.

7.3 Kickbacks are typically payments made in return for a business favour or advantage

7.4 You must avoid any activity that might lead to a facilitation payment or kickback being made or accepted by Scottish Para-Football or Para-Football Game Leader Organisations on the

behalf or that might suggest that such payment will be made or accepted. 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 Secretary.

8. Gifts, Hospitality and Expenses

8.1 This policy allows reasonable and appropriate hospitality or entertainment given to or received from third parties, for the purposes of

- (a) Establishing or maintaining, good business relationships
- (b) Improving or maintaining our image or reputation; or
- (c) Marketing or presenting our products and/or services effectively

8.2 You are prohibited from accepting a gift from or giving a gift to a third party.

The giving and accepting of gifts is allowed if the following requirements are met;

- (a) 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 exchange for favours or benefits.
- (b) It is given in our name of Scottish Para-Football of a Para-Football Game Leader Organisation, not in your name.
- (c) It does not include cash or a cash equivalent e.g. gift certificates or vouchers;
- (d) It is appropriate in the circumstances, taking account of the reason for the gift, its timing and value. For example, in the UK it is customary for small gifts to be given at Christmas; and
- (e) It is given openly, not secretly
- (f) It complies with any applicable local law

8.3 Promotional gifts of low value such as branded stationery to or from existing customers, suppliers and business partners will usually be acceptable.

8.4 Reimbursing a third party's expenses or accepting an offer to reimburse our expenses e.g. the costs of attending a business meeting, would not usually amount to bribery. However, a payment in excess of genuine and reasonable business expenses e.g. the cost of an extended hotel stay is not acceptable.

8.5 We appreciate that practice varies between countries and regions and what may be normal and acceptable in one region may not be in another. The test to be applied is whether in all the circumstances the gift, hospitality or payment is reasonable and justifiable. The intention behind it should always be considered.

9. Donations

9.1 Scottish Para-Football and Para-Football Game Leader Organisations do not make contributions to any political parties

- 9.2 Scottish Para-Football and Para-Football Game Leader Organisations will only make charitable donations that are legal and ethical under local laws and practices.

10. Record-Keeping

- 10.1 Scottish Para-Football and Para-Football Game Leader Organisations must keep financial records and have appropriate internal controls in place will evidence the business reason for making payments to third parties
- 10.2 Staff or volunteers must declare and keep a written record of all hospitality or gifts given or received which will be subject to Scottish Para-Football or Para-Football Game Leader Organisation
- 10.3 You must 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
- 10.4 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.

11. Individuals Responsibility

- 11.1 You must ensure that you read, understand and comply with this policy
- 11.2 The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for Scottish Para-Football, Para-Football Game Leader Organisation or under their control. You are required to avoid any activity that might lead to, or suggest, a breach of this policy
- 11.3 You must notify the relevant 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 Scottish Para-Football or Para-Football Game Leader Organisation. Or indicates to you that a gift or payments is required to secure their business. Further “red flags” that may indicate bribery or corruption are set out in clause 16

12. How to Raise a Concern

- 13.1 Individuals who refuse to accept or offer a bribe, or 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.
- 13.2 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, you should inform the relevant Secretary immediately. If the matter is not remedied, and you are an employee, you should raise it formally using Scottish Para-Football, Para-Football Game Leader Organisation, which can be found on the website.

14. Training and Communication

- 14.1 The zero-tolerance approach to bribery and corruption must be communicated to all suppliers, contractors and business partners at the outset of our business relationships with them and as appropriate thereafter

15. Breaches of this Policy

- 15.1 Any employee or volunteer who breaches this policy will face disciplinary action, which could result in dismissal for misconduct or gross misconduct
- 15.2 We may terminate our relationships with other individuals and organisations working on behalf of Scottish Para-Football, Para-Football Game Leader Organisations if they breach this policy

16. Potential Risk Scenarios “Red Flags”

The following is a list of possible red flags that may arise during the course of you working for Scottish Para-Football, Para-Football Game Leader Organisations and which may raise concerns under various anti-bribery and anticorruption 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 / volunteering with Scottish Para-Football or Para-Football Game Leader Organisations, you must report them promptly to the relevant Secretary or using the procedure set out in the Whistleblowing Policy

- (a) You become aware that a third party engages in, or has been accused of engaging in, improper business practices
- (b) You learn that a third party has a reputation for paying bribes, or requiring that bribes are paid to them, or has a reputation for having a “special relationship” with foreign government officials.
- (c) A third party insists on receiving a commission or fee payment before committing to sign up to a contact with Scottish Para-Football or Para-Football Game Leader Organisations, or carrying out a government function or process
- (d) A third party requests payment in cash and/or refuses to sign a formal commission of fee agreement, or to provide an invoice or receipt for a payment made
- (e) A third party requests that payment is made to a country or geographical location different from where the third party resides or conducts business
- (f) A third party requests an unexpected additional fee or commission to “facilitate” a service
- (g) A third party demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provisions or services.
- (h) A third party requests that a payment is made to “overlook” potential legal violations
- (i) A third party requests that you provide employment or some other advantage to a friend or relative
- (j) You receive an invoice from a third party that appears to be non-standard or customised
- (k) A third party insists on the use of side letters or refuses to put terms agreed in writing

- (l) You notice that we have been invoiced for a commissions or fee payment that appears larges given the service stated to have been provided
- (m) A third party requests or requires to use of an agent, intermediary, consultant, distributor or supplier that is not typically used by or known to Scottish Para-Football or Para-Football Game Leader Organisation
- (n) You are offered an unusually generous gift or offered lavish hospitality by a third party.

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