



# BUSINESS MANAGEMENT SYSTEM

## *Anti-Bribery and Corruption Policy*

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# 1 INTRODUCTION

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## 1.1 THE COMPANY



Maltby Land Surveys Limited undertakes a wide range of geographical and hydrographical surveying operations.

The Company operates from four (4) premises, these being Haywards Heath in West Sussex, Kineton in Warwickshire, Huddersfield in West Yorkshire and also London.

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## 1.2 ANTI-BRIBERY AND CORRUPTION MANAGEMENT SYSTEMS



The Company recognises that it is a criminal offence to offer, promise or provide, or request or accept, a bribe in any form. It is also understood that it is an offence for a commercial organisation to fail to prevent an incident of bribery committed either by the company or by someone associated with it in order to obtain or retain a business advantage.

Bribery and corruption have no place at Maltby Land Surveys Ltd and we operate a strict no tolerance policy towards bribery in all its forms whether directly or through third parties. This Anti-Bribery and Corruption Policy applies to all Employees and Contractors of the Company.

From time to time we rely on the services of Contractors and Consultants and strive to ensure that we only undertake business dealings with only those who accept the terms of our policy or whose own policy sets standards to match our own.

This Policy sets out our anti-bribery and corruption rules and explains what is expected of Employees and others. Acts of bribery or corruption are designed to influence the individual in the performance of their duty and incline them to act dishonestly. For the purposes of this Policy, whether the payee or recipient of the act of bribery or corruption works in the public or private sector is irrelevant.

Bribery and corruption have a range of definitions in law, but in brief Maltby Land Surveys Ltd has adopted the following definitions:

- **Bribery** is the offer, promise, giving, demanding or acceptance of an advantage as an inducement for an action which is illegal, unethical or a breach of trust.
- **Corruption** is the misuse of public office or power for private gain; or misuse of private power in relation to business outside the realm of government.

It does not matter whether the act of bribery is committed before or after the tendering of a contract or the completion of administrative tasks. The person being bribed is generally someone who will be able to obtain or retain business. Promotional activities and sales initiatives (such as tendering and contracting) are therefore particularly high risk; but bribery and corruption may even occur in the context of the handling of administrative tasks such as licences, customs, taxes or import/export matters

The Company is acutely aware of the importance of ethical behaviour to our relations with stakeholders and we are proud of our high ethical standards, but we cannot be complacent about the threat of bribery and corruption in our business. Our principles deal with “integrity” and also “openness and transparency”. This Policy is part of those principals and commitments.

The *Bribery Act 2010* created offences and penalties for bribery and corruption. The *Bribery Act 2010* creates a corporate offence of failure to prevent bribery, and requires Companies to implement ‘adequate procedures’ to prevent bribery.

The HSE publication *HSG65 Managing for Health and Safety* methodology is followed in order to establish a framework for an Anti-Bribery Management System of which this Policy is the cornerstone.

HSG65 promotes a simple message that organisations need to manage Health and Safety with the same degree of expertise and to the same standards as other core business activities, if they are to effectively control risks and prevent harm to people.

This is the approach adopted by the Company with assistance from our Health, Safety and Environment Advisors – MD Safety Management.



The "Plan, Do, Check Act" framework allows the organisation to identify the key actions needed in each part of the cycle and relate them back, where appropriate, to leadership, management, worker involvement and competence.

The framework is based on a plan that is proportionate to the risks. A summary of the steps involved is given below:



- ✓ An effective Anti-Bribery and Corruption Policy sets the strategic direction of the organisation.
- ✓ Planning and coordination of the Policy is essential for the Management System to be effective.



- ✓ Identify the risk profile of the organisation.
- ✓ Coordinate the actions of those responsible for controlling the risks.
- ✓ Implement the Risk Control System (RCS).



- ✓ Monitoring the effectiveness of the Risk Control System is vital to measure performance.
- ✓ Investigating accidents and incidents will help prevent recurrence and improve performance.



- ✓ Regular audit and review will enable confirmation if existing arrangements are still valid.
- ✓ Incorporating results will allow learning lessons for personnel and the organisation.

This Policy sets out the responsibilities of Maltby Land Surveys Ltd in preventing bribery and corruption and how we will implement adequate procedures to do so.

## 2 PLAN – ANTI-BRIBERY AND CORRUPTION POLICY

An Anti-Bribery and Corruption Policy is:



*A written statement by an employer stating the company's commitment to ensure honesty and transparency in its operations. It is an endorsed commitment by management to its employees, suppliers and clients*

An effective Anti-Bribery and Corruption Policy sets a clear direction for the organisation to follow.

The Policy contributes to all aspects of business performance as part of a demonstrable commitment to continuous improvement.

Responsibilities to people and the environment are met in ways that fulfil the spirit and letter of the law.

Stakeholders' expectations in the activity (whether they are shareholders, Employees, Clients or society at large) are satisfied.

There are cost-effective approaches to preserving and developing physical and human resources, which reduce financial losses and liabilities.

An effective management structure and arrangements are in place for delivering the Anti-Bribery and Corruption Policy.

Staff are motivated and empowered to work to agreed standards.

The arrangements are:

- Underpinned by effective staff involvement and participation.
- Sustained by effective communication and the promotion of competence that allows all Employees to make a responsible and informed contribution.

There is a shared common understanding of the organisation's vision, values and beliefs. A positive culture is fostered by visible and active leadership.

The Company is controlled by three (3) Directors, namely Richard Maltby, Stephen Maltby and Andrew Maltby. Andrew Maltby has been identified as having ultimate responsibility for Health and Safety of all Company operations and is responsible for ensuring that the Company undertakes operations in line with the Company's core values of openness, honesty and transparency.





The purpose of this Anti-Bribery and Corruption Policy is to:


- Demonstrate compliance with the *Bribery Act 2010*.
- Set out our responsibilities, and of those working for us, in observing and upholding our zero-tolerance position on bribery and corruption.
- Provide information and guidance to those working for us on how to recognise and avoid bribery and corruption.
- Reinforce the message that we will not tolerate any form of bribery or corruption.
- Formally demonstrate the Maltby Land Surveys Ltd no-tolerance approach to bribery and corruption. It will be regularly reviewed and updated if necessary as new threats appear.
- Reinforce our values of “openness”, “honesty” and “transparency”.
- Ensure appropriate due diligence and risk mitigation procedures are followed before proceeding with any contract or other arrangement.
- Ensure any suspected or actual breaches of this policy are reported promptly and accurately.

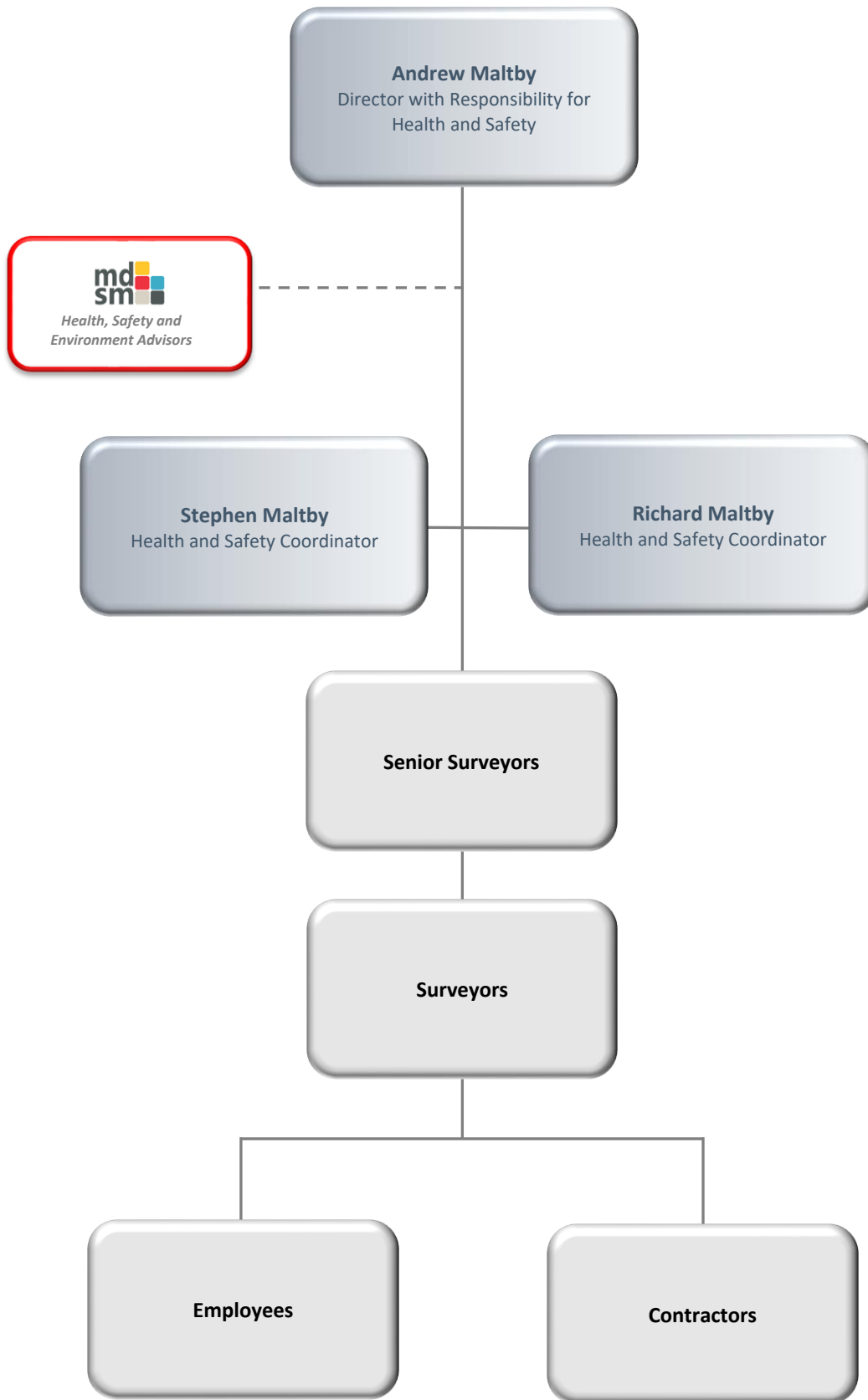
The Company appreciates the importance of the Anti-Bribery and Corruption Policy and to ensure its successful operation must take into consideration the views of its Employees.

Therefore, the Company will strive to develop a positive culture based on consultation, cooperation and communication. Adequate resources will be made available to meet the requirements of the policy and all applicable Legislation.

The Company will ensure the continuous monitoring of the Anti-Bribery and Corruption Policy to ensure its objectives are met.

To this aim the Company will ensure that the Policy is reviewed and updated at regular intervals to reflect legislative and/or organisational changes.

<b>Name:</b>	<b>Andrew Maltby</b>
<b>Position:</b>	<b>Director with Responsibility for Health and Safety</b>
<b>Signed:</b>	
<b>Date:</b>	<b>11<sup>th</sup> October 2019</b>





### 2.3.1 Company

The Company is responsible for:

- Ensuring the Policy complies with legal and ethical obligations, and those under our control comply with it.
- Ensuring that Employees are aware of their responsibilities for ensuring those reporting to them are made aware of and understand this Policy and undertake training on how to implement and adhere to it.
- Ensuring compliance with the Policy and ensuring Employees and others disclose any suspected danger or wrong-doing.
- Monitoring the use and effectiveness of this Policy (and dealing with queries on interpretation).

### 2.3.2 Employees

Employees (and others) are responsible for:

- Complying with this Policy in not participating in any form of corrupt behaviour.
- Not using company funds, in the form of payments or gifts and hospitality for any unlawful, unethical or improper purpose.
- Not authorising, making, tolerating or encouraging, or inviting or accept, any improper payments to obtain, retain or improve business.
- Not allowing anyone to offer or pay bribes or make facilitation payments on the Company's behalf.
- Not offering or giving anything of value to a public official (or their representative) to induce or reward them for acting improperly in the course of their public responsibilities.
- Not offering or accepting gifts or hospitality, if we think this might impair objective judgement, improperly influence a decision or create a sense of obligation, or if there's a risk it could be misconstrued or misinterpreted by others.
- Notifying the Company if there is a belief or suspicion that a breach of or conflict with this policy has occurred or may occur in the future. Failure to do so may result in liability for Maltby Land Surveys Ltd and for Employees personally (e.g. a Client/potential Client offer an Employee something to gain a business advantage or indicates that a gift or payment is required to secure their business).
- Ensuring all expenses claims for hospitality, gifts or expenses incurred to third parties are submitted via our expenses policy and specifically record the reason for the expenditure.
- Reporting any request for an improper payment, or any indication that a person might be making corrupt payments or that a person has an intention or plan to violate this policy.
- Reporting any information or knowledge of any hidden fund or asset, of any false or artificial entry in Maltby Land Surveys Ltd books and records, or any payment that circumvents Maltby Land Surveys Ltd internal financial processes.
- Remaining aware that any Employee who breaches this policy will face disciplinary action, which could result in dismissal.

### 3 DO - BRIBERY AND CORRUPTION MANAGEMENT

Anti-Bribery and Corruption Management Arrangements are those that:



*comprise the framework of processes and procedures used to ensure that an organisation can fulfil all tasks required to achieve its objectives through a process of continuous improvement*

There is a planned and systematic approach to implementing the Anti-Bribery and Corruption Policy through an effective management system.

The aim is to minimise risk of non-compliance by increasing awareness and generating clear guidelines.

Areas in which the Company has clear guidelines is set out in the following sections which detail each topic giving definitions where necessary to ensure clear understanding.



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#### 3.1 ACCOUNTING ANOMALIES



Inadequate financial controls or record keeping can be exploited to hide bribes or corrupt practices. Maltby Land Surveys Ltd ensures that robust controls are in place so that our financial and other records are accurate and complete and never misleading.

Off-the-book accounts and false or deceptive booking entries are strictly prohibited. It is Maltby Land Surveys Ltd policy to maintain accurate books, records and financial reporting, records and overall financial reporting must accurately reflect each of the underlying transactions, including any gifts, hospitality or expenses (whether in cash or in kind). Record retention and archival policy must be consistent with Maltby Land Surveys Ltd accounting standards, tax and other applicable laws and regulations.

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#### 3.2 CHARITY AND SPONSORSHIP



Maltby Land Surveys Ltd may make charitable contributions and engage in sponsorships from time to time. However, all such contributions and sponsorships must be transparent. The recipient's identity must be clear. Any payments to individuals and for-profit organisations, payments to private accounts and payments in cash are prohibited. The reason and purpose for the contribution or sponsorship must be justifiable and documented. Any charitable contributions and sponsorships will be publicly disclosed.

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#### 3.3 DONATIONS



Maltby Land Surveys Ltd does not make contributions to political parties, political party officials or candidates for political office. Maltby Land Surveys Ltd may make charitable donations but only those that are legal and ethical under local laws and practices. All charitable donations must be made on behalf of the Company must be discussed prior to the event and only with the express approval of the Director.

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#### 3.4 EXPENSES



In the case of reimbursed expenses, these will only be allowable for a bona fide business purpose and in accordance with our Expenses policy.

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### 3.5 FACILITATION



Facilitation payment are usually small payments (or gifts) made to public officials (or others) in order to speed up or 'facilitate' actions the officials are already duty-bound to perform.

Maltby Land Surveys Ltd makes no distinction between facilitation payments and bribes, regardless of their size or the local culture. The only exception is where a payment is extorted from Employees. If an Employee feels coerced or whether their safety (or that of their family or colleagues) is at risk, then the policy is to make the payment but report it immediately to Maltby Land Surveys Ltd when safe to do so.

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### 3.6 GIFTS AND HOSPITALITY



Excessive gifts and hospitality can be used to exert improper influence on decision makers. Maltby Land Surveys Ltd will only accept gifts and hospitality in accordance with our policy. We will ensure any gifts or hospitality we offer are reasonable in terms of value and frequency.

Maltby Land Surveys Ltd will never offer or accept gifts or hospitality if we feel it could influence a business decision or give the appearance of doing so.

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### 3.7 KICKBACKS



Kickbacks are reciprocal agreements or any other form of 'quid pro quo' and are never acceptable. Maltby Land Surveys Ltd will not participate in cartels, cover pricing, bid-rigging or any form of collusion. Maltby Land Surveys Ltd will never accept improper payments to obtain new business, retain existing business, or secure any improper advantage.

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### 3.8 THIRD PARTIS



Corrupt third parties can include a range of people acting on our behalf such as:

- Contractors.
- Sub-Contractors.
- Agents.
- Suppliers.
- Consultants.

Maltby Land Surveys Ltd endeavours only to work with those who are committed to our standards and will undertake due diligence to ensure this. Maltby Land Surveys Ltd will engage a third party only when there is a clear business rationale for doing so and with an appropriate contract. We will ensure all payments made to third parties are properly authorised and recorded.

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### 3.9 TRAINING



The Maltby Land Surveys Ltd zero-tolerance approach to bribery and corruption must be communicated to all Suppliers, Contractors and other business contacts at the outset of our business relationship with them and as appropriate thereafter. In order to achieve compliance, the Company ensures training and briefing on a regular basis.

Training on this Policy forms part of the induction process for all new employees. All existing employees are required to undertake the relevant training on how to implement and adhere to this Policy.

## 4 CHECK – MONITOR PERFORMANCE

Performance is measured against agreed standards to reveal when and where improvement is needed.

Active self-monitoring reveals how effectively the Anti-Bribery and Corruption System is functioning. If controls fail, reactive monitoring discovers why by investigating any instances where there has been a breach of this Policy.

The objectives of active and reactive monitoring are:

- To determine the immediate causes of sub-standard performance.
- To identify the underlying causes and the implications for the design and operation of the Anti-Bribery and Corruption Management System.
- To monitor longer-term objectives.



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### 4.1 INCIDENT MANAGEMENT



The Company will so far as is reasonably practicable, ensure that appropriate systems are in place to manage instances of non-compliance in relation to this Anti-Bribery and Corruption Policy.

#### 4.1.1 Reporting

The Company require Employees, Contractors, Visitors, etc. to report any incident occurring during the Company's operations.

#### 4.1.2 Recording

The Company will ensure that comprehensive recording in the event of receiving information that may indicate a breach of this Policy.

#### 4.1.3 Investigating

The Company will so far as is reasonably practicable, ensure that all adverse events are investigated. The nature and outcome of an adverse event will determine whether a formal documented investigation is warranted. The Company will identify underlying or root causes and where lessons to be learnt are identified, the Company will ensure that these are fed back to Employees so as to reduce the possibility of a recurrence.

## 5 ACT – REVIEW AND AUDIT

Performance is measured against agreed standards to reveal when and where improvement is needed.

Self-monitoring reveals how effectively the Anti-Bribery and Corruption Policy is functioning.

Monitoring processes look at people, procedures and systems including individual behaviour and performance.

It is the duty of the Director with Responsibility for Health and Safety to arrange for the Anti-Bribery and Corruption Policy to be reviewed as often as appropriate.



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### 5.1 REVIEW



It is the duty of the Director to arrange for the Policy to be reviewed as often as appropriate. Circumstances, which may cause the Policy to be reviewed, could include:

- Reporting of, or evidence of, any instance of bribery or corruption.
- New work practices, which can cause a change in the nature of Company operations and can, lead to changes in training requirements.
- New contracts in different industry sectors where financial practices are less understood than in current ones.
- Experience that requires addition to the old Policy.
- New Legislation requirements, which require addition to the Policy and may require the identification of further duties within the Company.
- Company re-organisation that can lead to the redefinition of duties and responsibilities.

Monitoring of the Policy is the responsibility of the Director with Responsibility for Health and Safety. Observation of the workplace, feedback from Employees, noting any increase in incidents, etc. will be used by the Director with Responsibility for Health and Safety as important indicators to monitor the success of the Policy.

Each Employee is made aware of the location of the Company Anti-Bribery and Corruption Policy. Each Employee is given a suitable timescale in which to read the Policy in order to fully understand the duties and arrangements that are contained in it.

Company Management is available to answer queries or issues that any Employee may have regarding its contents. Where clarification is required then the Company may also enlist the services of Business Advisors to ensure that the query can be answered in the most effective way that can be most easily understood.

After reading the Anti-Bribery and Corruption Policy and ensuring that he/she is satisfied that they understand the contents, each member of staff signs and dates the "Declarations".

When amendments are made to the Policy Employees are informed of the change in issue status of the document and are given time to understand the changes made and any implications arising out of them. Subsequently Employees are required, once again, to sign and date the "Declarations".



The aims of auditing are to establish that:

- Appropriate management arrangements are in place.
- Adequate risk control systems exist, are implemented, and consistent with the hazard profile of the organisation.
- Appropriate precautions are in place.

In conjunction with our Business Advisors (MD Safety Management Limited) an annual documents audit is also undertaken to ensure that all documentation comprising the Management system is reviewed and updated to reflect changes in the Company as well as Legislation and also industry best practices.

## APPENDIX 1 INFORMATION

In order to ensure continuing legal compliance and to manage the Anti-Bribery and Corruption Policy the Company uses information and guidance provided by:

<i>GOV.uk</i>		<a href="http://www.gov.uk/anti-bribery-policy">www.gov.uk/anti-bribery-policy</a>
<i>The Bribery Act 2010</i>	 Bribery Act 2010	<a href="http://www.justice.gov.uk/downloads/legislation/bribery-act-2010-guidance.pdf">www.justice.gov.uk/downloads/legislation/bribery-act-2010-guidance.pdf</a>



*working with*



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*MD Safety Management Limited is a Health and Safety Consultancy with over 30 years' experience in Nuclear, Chemical, Construction, Retail, Leisure and Environmental Sectors we provide tailored and cost-effective services to our varied Client-base.*

*MD Safety Management Limited is working with **Maltby Land Surveys Limited** in order to implement a Safety Management System and ensure that this is monitored and updated to comply with Health and Safety and associated Legislation.*

