

Anti-Bribery Policy

Policy Name:	Anti-Bribery and Corruption Policy (UK Bribery Act 2010)
Organisation:	Essex Educare Ltd
Version:	1.0
Date Issued:	01/12/2025
Approved By:	Tashik Uzzaman, Director

1. Policy Statement and Top-Level Commitment

Essex Educare Ltd (the "Company") maintains a strict, zero-tolerance policy towards all forms of bribery and corruption. We are committed to conducting all business dealings, both domestically and internationally, ethically, transparently, and in full compliance with the laws of England and Wales, particularly the Bribery Act 2010 (the "Act").

The Directors and Senior Management are committed to fostering a culture in which bribery is never acceptable. We will not use bribes, nor will we tolerate the misuse of our position, assets, or funds for personal gain or to secure an improper advantage for the Company.

2. Scope and Application

This policy applies to all individuals working for or on behalf of Essex Educare Ltd, regardless of capacity. This includes, but is not limited to:

- All Directors, employees, and officers (whether permanent, fixed-term, or temporary).
- All associated persons (contractors, consultants, suppliers, agents, representatives, volunteers, or anyone performing services for or on behalf of the Company).

3. Definition of Bribery and Key Offences

Bribery is generally defined as the offering, promising, giving, requesting, agreeing to receive, or accepting of a financial or other advantage with the intent to induce or reward the improper performance of a relevant function or activity.

The Bribery Act 2010 establishes four core offences:

Offence (Act Section)	Description	Risk to Essex Educare Ltd
Section 1: Bribing another person	Offering, promising, or giving a financial or other advantage intended to induce improper performance.	Payments or favours offered to Local Authority officials or regulators (e.g., Ofsted) to gain favourable treatment or decision-making.
Section 2: Being bribed	Requesting, agreeing to receive, or accepting a financial or other advantage in	Staff accepting money, lavish gifts, or preferential rates from suppliers

	expectation of, or as a reward for, improper performance.	in return for awarding them a contract.
Section 6: Bribery of a Foreign Public Official (FPO)	Bribing an FPO to obtain or retain business or an advantage in the conduct of business.	Relevant if the Company recruits students, uses agents, or seeks contracts outside the UK.
Section 7: Failure of a Commercial Organisation to Prevent Bribery	A company is guilty if a person associated with it bribes another person intending to obtain or retain business for the Company. This is a strict liability offence.	This policy serves as the primary defence (the "adequate procedures" defence) against this specific corporate offence.

4. Prohibited Conduct

4.1. Facilitation Payments (Banned)

Facilitation payments are strictly prohibited. These are small, unofficial payments or gifts made to secure or speed up a routine or necessary action (e.g., processing a visa, expediting a license). Even though they may be common or expected in some foreign jurisdictions, they are considered bribes under the Act and must never be made or accepted by any person associated with Essex Educare Ltd.

4.2. Gifts, Hospitality, and Expenses

The giving or receiving of gifts and hospitality is permissible only if it is reasonable, proportionate, made in the ordinary course of business, and not intended to influence a decision.

Permitted:

- **Token gifts** (e.g., low-value promotional items, diaries).
- **Modest hospitality** (e.g., a simple working lunch or coffee).

Prohibited:

- Any gift or hospitality involving **cash or cash equivalents** (vouchers, gift cards).
- Any gift or hospitality given or received immediately before, during, or after a tender, negotiation, or decision-making process.
- Any offer that is disproportionate or lavish (e.g., extravagant international travel, luxury goods, excessive entertainment).

Thresholds: | Action | Requirement | | :--- | :--- | | **Accepting a Gift** | Must be logged if the value exceeds £50. | | **Giving a Gift** | Must be logged and approved by a Director if the value exceeds £100. | | **Offering/Accepting Hospitality** | Must be logged and approved by a Director if the total cost per head exceeds £150. |

4.3. Donations (Political and Charitable)

- **Political Donations:** Essex Educare Ltd **does not** make political donations.
- **Charitable Donations:** All charitable donations must be made only to bona fide registered charities. Any donation made must be fully transparent, properly recorded in the accounts, and must **never** be made in exchange for, or with the expectation of, a business or personal advantage (e.g., securing student placement or a public contract).

5. Implementation of Adequate Procedures (The Six Principles)

5.1. Proportionate Procedures (Principle 1)

This policy, and all associated procedures, are proportionate to the bribery risks identified in the education sector and the nature and scale of Essex Educare Ltd's operations. The Company requires clear, practical, accessible, and enforceable procedures across all activities, particularly procurement and admissions.

5.2. Risk Assessment (Principle 3)

The Management Team will undertake a regular assessment (at least annually) of the Company's internal and external exposure to bribery risk. This includes assessing high-risk areas such as:

- Dealing with public sector officials (e.g., local authority contracts).
- Use of third-party agents (e.g., student recruitment consultants).
- Large tenders or acquisitions.
- Jurisdictions in which the Company operates (if any are outside the UK).

5.3. Due Diligence (Principle 4)

Appropriate, risk-based due diligence must be conducted before engaging any "associated person" (such as consultants, contractors, or overseas agents) to perform services for or on behalf of the Company. The level of checks will depend on the assessed risk profile of the third party. Contracts with third parties must include anti-bribery clauses.

5.4. Communication and Training (Principle 5)

This policy will be communicated to all staff and associated persons upon implementation and during induction. Mandatory training will be provided to all employees, particularly those in high-risk roles (e.g., finance, procurement, senior management).

5.5. Monitoring and Review (Principle 6)

The Company's compliance procedures will be monitored and reviewed periodically by the Senior Management Team or appointed compliance officer to ensure they remain effective and proportionate to the risks faced. Financial records will be audited regularly to detect unusual payments or expenditures.

6. Reporting, Protection, and Sanctions

6.1. Reporting Concerns (Whistleblowing)

All employees and associated persons have a duty to promptly report any actual or suspected breach of this policy, or any suspicious activity, to the designated Compliance Officer: **[Job Title/Name, e.g., The Financial Director]** at **[Email Address]**.

All reports will be treated confidentially. Essex Educare Ltd is committed to protecting any person who raises a concern in good faith, even if it is not subsequently confirmed by investigation, and they will not suffer any detrimental treatment as a result of speaking up.

6.2. Sanctions for Breach

A breach of this policy by an employee will be treated as a serious disciplinary matter that could result in **immediate dismissal for gross misconduct**.

A breach by an associated person may lead to the **immediate termination of their contract**.

Individuals involved in bribery may face severe criminal penalties, including unlimited fines and up to ten years' imprisonment. Essex Educare Ltd may also face unlimited fines and mandatory exclusion from tendering for public contracts.