



Anti-Bribery & Corruption Policy

What does our policy cover?

This Anti-Bribery and Corruption policy exists to set out the responsibilities of Optimum Commercial Solutions Ltd T/A Optimum ELITE, Directors, employees, Appointed Representatives and any relevant third parties, to observing and upholding our zero-tolerance position on bribery and corruption. The document acts as a source of information and guidance and helps with recognising and dealing with bribery and corruption issues, as well as understanding your responsibilities.

Who is covered by the policy?

This anti-bribery policy applies to all Directors and employees (whether temporary, fixed term, or permanent), Appointed Representatives, consultants, contractors, trainees, seconded staff, home workers, casual workers, agency staff, volunteers, interns, agents, sponsors, or any other person or persons associated with us (including third parties), or any of our subsidiaries or their employees, no matter where they are located (within or outside of the UK). The policy also applies to Officers, Board, and/or Committee members at any level.

Definition of Bribery?

The Bribery Act 2010 defines bribery as accepting or receiving a financial or other advantage in connection with the "improper performance" of a position of trust, or a function that is expected to be performed impartially or in good faith.

Bribery refers to the act of offering, giving, promising, asking, agreeing, receiving, accepting, or soliciting something of value or of an advantage so to induce or influence an action or decision.

A bribe refers to any inducement, reward, or object/item of value offered to another individual to gain commercial, contractual, regulatory, or personal advantage.

Bribery does not mean it just involves cash, or a payment exchanging hands and can take many forms such as a gift, lavish treatment during a business trip or tickets to an event.

The types of bribery that take place in the commercial sector are numerous.

Some simple examples follow:

- bribery to secure or keep a contract.
- bribery to secure an order.
- bribery to gain any advantage over a competitor.
- bribery of a local, national, or foreign official to secure a contract.
- bribery to turn a blind eye to a health safety issue or poor performance or substitution of materials or false labour charges.
- bribery to falsify an inspection report or obtain a certificate.

The Company therefore has a zero-tolerance policy towards bribery and corruption and is committed to acting fairly and with integrity in all its business dealings and relationships wherever it operates and implementing and enforcing effective systems to counter bribery.

All employees, including Directors and Appointed Representatives are expected to adhere to the principles set out in this policy.

The rules must be followed throughout the Company ensuring that all staff understand the risks associated with unlawful conduct and enabling and encouraging them to be vigilant and to effectively recognise, prevent, avoid, and report any wrongdoing, whether by themselves or others. Bribery of any kind is strictly prohibited.

An individual found guilty of an offence may be liable.

(a) on summary conviction, to imprisonment, or to a fine, or to both,

(b) on conviction on indictment, to imprisonment for a term not exceeding 10 years, or to a fine, or to both.

To comply with the legislation, we:

- Have adequate procedures in place to prevent bribery
- Have proportionate controls to ensure that procedures are adequate to minimise the risk
- Ensure that any action taken is proportionate to the risk within the Association
- Setting the tone from the top – demonstrating that all staff, agents, and the key people with whom we do business with & for understand that we will not tolerate bribery
- Perform due diligence – know exactly whom we are dealing with and undertake checks before engaging others to represent us in business dealings.
- Communicate policies & procedures to all employees to enhance awareness and advise what is acceptable
- Monitor & review the risks faced particularly if entering a new market

Gifts and hospitality

The company can accept normal and appropriate gestures of hospitality and goodwill (whether given to/received from third parties) so long as the giving or receiving of gifts meets the following requirements:

1. It is not made with the intention of influencing the party to whom it is being given, to obtain or reward the retention of a business or a business advantage, or as an explicit or implicit exchange for favours or benefits.
2. It is not made with the suggestion that a return favour is expected.
3. It follows the UK Bribery Act.



- 4.It is given in the name of the company, not in an individual's name.
- 5.It does not include cash or a cash equivalent (e.g., a voucher or gift certificate).
- 6.It is appropriate for the circumstances (e.g., giving small gifts around Christmas or as a small thank you to a company for helping with a large project upon completion).
- 7.It is of an appropriate type and value and given at an appropriate time, considering the reason for the gift.

Business Gifts

Optimum Commercial Solutions Ltd T/A Optimum ELITE understands that the practice of giving business gifts 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 or hospitality is reasonable and justifiable.

From time to time, external stakeholders and suppliers may offer a gift to an employee. As good practice, gifts given and received should always be disclosed to the compliance manager. If the value is £50 or more it requires authorisation by the compliance manager.

The intention behind a gift being given or received should always be considered. If there are any doubts, the advice of your line manager should be requested who will assess the circumstances.

If a gift is offered and then refused because of its value, this must be reported to the Compliance Team.

Hospitality

Occasionally, external stakeholders may invite an employee to a hospitality event such as a meal, football match, business party, horseracing, or wine-tasting.

All such invitations are reported to the Compliance Team for authorisation prior to accepting the offer to attend the event.

Offering gifts & hospitality

The Optimum Commercial Solutions T/A Optimum ELITE may occasionally hold hospitality events, primarily aimed at thanking Appointed Representatives, customers, suppliers, and other persons for their custom, loyalty, effectiveness or achievements. An employee must not organise any additional hospitality event without seeking authorisation from the appropriate manager.

What is not acceptable?

- Accepting any financial or other reward from any person in return for providing a relevant function or activity, performed improperly.
- Requesting a financial or other reward from any person in return for providing a relevant function or activity, performed improperly.
- Offering any financial or other reward to any person in return for providing a relevant function or activity, performed improperly.



Facilitation Payments and Kickbacks

Optimum Commercial Solutions T/A Optimum ELITE does not accept and will not make any form of facilitation payments of any nature. It is recognised that facilitation payments are a form of bribery that involves expediting or facilitating the performance of a public official for a routine governmental action. They are not commonly paid in the UK but may be common in some other jurisdictions.

Optimum Commercial Solutions T/A Optimum ELITE does not allow kickbacks to be made or accepted. Kickbacks are typically payments made in return for a business favour or advantage.

If you have been asked to make any payment of behalf of the company, 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 request an invoice or 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 Compliance Manager.

Responsibilities of Staff

As an employee or Appointed Representative of Optimum Commercial Solutions T/A Optimum ELITE, it is your responsibility, to ensure that you read, understand, and comply with the information contained within this policy, and with any training or other anti-bribery and corruption information you are given.

All employees and Appointed Representatives are equally responsible for the prevention, detection, and reporting of bribery and other forms of corruption and to report if they suspect an instance of bribery or corruption has occurred or may occur. If any employee breaches this policy, they may be subject to disciplinary action and could face dismissal for gross misconduct.

Staff receiving gifts and /or hospitality must obtain approval from their line manager and enter the gift or hospitality onto the hospitality register. This includes any gift or hospitality that has been declined for whatever reason.

Expenses

The Accounts Manager must authorise all staff expenses claims. All expenses will need to be verified by paper or digital receipts, In the absence of the Accounts Manager, a Director will authorise all expenses claims.

Any item of expenditure that is not supported by a receipt or gives rise to concern that bribery may be taken place must be fully investigated at the earliest opportunity.

Charitable Contributions

Optimum Commercial Solutions T/A Optimum ELITE may make a charitable donation, and this will be managed by Senior Management and subject to approval of the compliance manager.

Optimum Commercial Solutions T/A Optimum ELITE will ensure that all charitable donations made are legal and ethical under law and regulations and donations are not made to political parties or other organisations with the intention of gaining personal or business advantage or to facilitate and conceal acts of bribery.



How to raise a concern

If you suspect any occurrence of bribery or corrupt activities, you are encouraged to report these concerns the earliest stages.

Optimum Commercial Solutions T/A Optimum ELITE will also provide training to employees on the whistleblowing procedures so any concerns can be raised confidentially.

What to do if you are a victim of bribery or corruption

Protection

If you refuse to accept or offer a bribe, Optimum Commercial Solutions T/A Optimum ELITE understand that employees may feel concerns about possible repercussions of reporting concerns relating to acts of bribery or corruption.

Optimum Commercial Solutions T/A Optimum ELITE will ensure the employee should not suffer any detrimental treatment (relating to dismissal, disciplinary action, unfavourable treatment) because they have reported a concern relating to potential act(s) of bribery or corruption. Optimum Commercial Solutions T/A Optimum ELITE will support any employees who raise these concerns in good faith, even if the investigation concludes there was no issues.

If you believe you have been subject to a detrimental treatment, this should be reported to your line manager in the first instance, compliance manager or failing this human resources.

Training and communication

Optimum Commercial Solutions T/A Optimum ELITE will provide training on this policy as part of the induction process for new starters. Each employee will receive annual training on how to adhere to this policy and will be requested to sign a declaration they acknowledge and will comply with this policy.

This zero-tolerance policy will be trained and communicated to all suppliers, contractors, business partners, and all third parties at the commencement of the business relationship.

Record keeping

Optimum Commercial Solutions T/A Optimum ELITE should hold accurate financial records and an internal control process in place, which requested evidence of any payments made.

This will includes have a written record of the amount and reason for hospitality or gifts accepted and given, which is subject to a managerial review.

Monitoring and reviewing

The compliance team is responsible for reviewing and assessing the implementation this policy on a regular basis.

Any required changes for improvements, should be implemented as soon as possible.

DATE LAST REVIEWED

23rd January 2024

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