



BLUE MARINE
FOUNDATION

Anti-Bribery and Corruption Policy March 2021

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Approved by the Board of Trustees on 20 July 2021

1. Introduction

Bribery is the offering, promising, giving, accepting or soliciting of money, gifts or other advantage as an inducement to do something that is illegal or a breach of trust in the course of carrying out an organisation's activities.

A bribery offence is committed if the intention of the briber is that the person being bribed improperly performs his/her duties. Improper performance will arise if, as a result of accepting the bribe, the recipient would be expected to act otherwise than in good faith, an impartial manner or in accordance with a position of trust. Whether performance is "improper" is judged by reference to the expectations of a reasonable person in the UK.

The 2010 Bribery Act is considered one of the toughest anti-bribery laws in the world. Any act of bribery by a UK organisation or nationals, anywhere in the world, breaks the law in the UK. If the bribe is paid by someone else on an organisation's behalf, the organisation would still be guilty. The organisation would be liable as well as the employee or partner who paid/accepted the bribe. Trustees, directors and senior managers also have personal liability if the organisation is not deemed to have adequate anti-bribery procedures.

2. BLUE's Policy

The Blue Marine Foundation (BLUE) is committed to a policy of zero-tolerance of bribery in any form.

BLUE intends that this policy forms 'adequate procedures' to counter the risk of bribery in its activities. In addition to the procedures defined on the following pages, BLUE recognises the importance of maintaining a strong anti-bribery culture with leadership setting a robust stance on bribery and corruption. As a result, BLUE strives to continue to develop its anti-bribery culture and to maintain its clean record against bribery and corruption in all forms.

3. **BLUE's Procedures**

BLUE has assessed the risk areas for bribery within the organisation and focussed the policy and procedures on these risk areas.

- **Partners**

BLUE works with overseas partners in a variety of geographical locations. Where BLUE has operations carried out by any individual or entity on its behalf, particularly in difficult jurisdictions, BLUE will ensure that the individual or entity is aware of and commits itself to BLUE's anti-bribery policy, that it is made aware of BLUE's zero-tolerance culture and that it is subject to appropriate due diligence and monitoring.

BLUE will reference the latest 'Corruption Perception Index' (CPI) from Transparency International in its evaluation of appropriate measures when working with overseas partners. This CPI score and any subsequent actions as described above will be noted in the due diligence carried out when engaging with any new partner.

- **Gifts and hospitality**

BLUE recognises that staff work closely with other NGOs, partners and suppliers who have a common interest in restoring the oceans to health. Reasonable gifts or hospitality may be exchanged in gratitude for conservation successes achieved together. These gifts are not considered to be a bribe provided that they are made with good intentions, i.e. that the recipient would not be expected to act otherwise than in good faith, an impartial manner or in accordance with a position of trust as a result of accepting the gift.

If staff suspect the gift to be of an unreasonable value or made with expectation that the recipient would improperly perform his/her duties as a result of accepting the gift, this should be reported to the Finance Director or Executive Management as detailed below.

- **Conflicts of Interest**

A conflict of interest does not necessarily involve improper or corrupt behaviour; however, it can lead to it. As a result, records are kept of potential conflicts of interest.

Trustees are required to complete an annual declaration of all their Related Parties as per the SORP guidance. Trustees declare potential conflicts of interest at the beginning of every meeting and these declarations are noted in the minutes.

Staff are encouraged to recognise conflicts of interest in their work and to declare them in advance of any relevant discussions. Staff should report to their line manager and the Finance Director if any transactions are due to take place with a related party. These declarations will be recorded on a central staff related party register.

BLUE recognises that recording and monitoring incidents aids understanding of the extent and nature of these incidents. As a result, BLUE's Finance Director keeps a record of all attempted or actual bribery, attempted or actual fraud and other financial irregularities affecting the organisation. This is used to inform the risk management process and helps to ensure that any control measures put in place are proportionate to the risk.

4. Dealing with Bribery – Internal Guidance

If you suspect you are in a situation involving a bribe taking place, you should:

Step 1: Reject

Reject demands for or offers of bribes and re-iterate BLUE's zero-tolerance approach to bribery. If in doubt of the best way to reject the bribe or if unsure whether the request constitutes a bribe situation, please raise this with your line manager and/or the Finance Director.

Step 2: Report

Report the attempted bribe to your line manager and the Finance Director. The attempted bribe will be recorded on BLUE's internal record and if necessary, reported to third party organisations or project partners involved, to the Charities Commission as a Serious Incident Report, and to other regulatory bodies as appropriate.

Any instances of actual or potential bribery will be properly and promptly investigated by BLUE. The aims of the investigation will be to confirm whether a bribe has taken place and to identify who was responsible, to confirm whether internal controls and anti-bribery procedures have worked in practice and to identify any improvements required to anti-bribery procedures. Should the investigation find that a member of staff has improperly aided or facilitated a bribe, appropriate disciplinary action and/or referral to the relevant authorities will take place.

5. Reporting suspicions

Staff, Trustees, volunteers and members of the public are encouraged to report concerns about actual, attempted or suspected bribery and/or other forms of illegal activity. Reports can be made confidentially to BLUE's external HR support, available by calling 07811 208323 or emailing anna@edelweisshr.co.uk.

BLUE has established procedures to encourage staff to report actual, attempted or suspected bribery and/or other forms of illegal activity confidentially and without fear of reprisal. Details are available in BLUE's Whistleblowing Policy.