

ANTI-BRIBERY & CORRUPTION POLICY

Version 2
1st June 2024

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1. Introduction

- 1.1. P. Flannery Plant Hire (Oval) Limited ("the Company") complies with the [Bribery Act 2010](#) by ensuring that relevant persons (as to which see section 5) who work or carry out services on behalf of the Company, and who might be exposed to bribery, do not offer, promise, give, request, agree, receive, or accept bribes. The Company's success has been built with integrity, honesty, and transparency. The Company does not tolerate any behavior that is inconsistent with those values.
- 1.2. The Company is committed to conducting business in an ethical and honest manner and is committed to implementing and enforcing systems that ensure bribery is prevented. The Company takes a zero-tolerance approach to bribery and corrupt activities. The Company is committed to acting professionally, fairly, and with integrity in all business dealings and relationships, wherever the Company operates.
- 1.3. The Company will constantly uphold all laws relating to anti-bribery and corruption in all the jurisdictions in which the Company operates. The Company is bound by the laws of the UK, including the [Bribery Act 2010](#).
- 1.4. The Company recognises that bribery and corruption are punishable by up to ten years of imprisonment and a fine. If the Company is discovered to have taken part in corrupt activities, it may be subjected to an unlimited fine, be excluded from tendering for public contracts, and face serious damage to the Company's reputation. It is with this in mind that the Company commits to preventing bribery and corruption in its business dealings and takes our legal responsibilities seriously.

2. Definitions

- 1.5. 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.
- 1.6. A bribe refers to any inducement, reward, or object/item of value offered to another individual in order to gain commercial, contractual, regulatory, or personal advantage.
- 1.7. Bribery is not limited to the act of offering a bribe. If an individual is on the receiving end of a bribe and they accept it, they are also breaking the law.
- 1.8. Bribery is illegal. Employees and contractors must not engage in any form of bribery, whether it be directly, passively (as described above), or through a third party (such as an agent or distributor). Employees and contractors must not bribe a foreign public official anywhere in the world. They must not accept bribes in any degree and if they are uncertain about whether something is a bribe or a gift or act of hospitality, they must seek further advice from the Company's Finance Director.
- 1.9. Corruption is the abuse of a position of trust or power for personal gain.

3. Legislation

[The Bribery Act 2010.](#)

4. Aim of policy

The aim of this policy is to set out the responsibilities of the Company and of those who work for, provide services to, or represent the Company in connection with observing and upholding the Company's zero-tolerance position on bribery and corruption.

It also aims to act as a source of information and guidance for those working for / providing services to the Company and helps the employee and contractors to recognise and deal with bribery and corruption issues, as well as understand their responsibilities.

5. Scope

- 5.1. This anti-bribery policy applies to the Company's employees (whether temporary, fixed-term, or permanent), consultants, contractors, trainees, seconded staff, home workers, casual workers, agency staff, volunteers, interns, agents, sponsors, or any other person or persons associated with the Company (including third parties), or any of the Company's subsidiaries or their employees, no matter where they are located. The policy also applies to officers, trustees, the board, and committee members at any level.
- 5.2. In the context of this policy, third-party refers to any individual or organisation that the Company meets and works with. It refers to actual and potential clients, customers, suppliers, distributors, business contacts, agents, advisers, government and public bodies, and in turn includes their advisors, representatives and officials, politicians, and public parties.
- 5.3. Any arrangements that the Company makes with a third party is subject to clear contractual terms, including specific provisions that require the third party to comply with minimum standards and procedures relating to anti-bribery and corruption.
- 5.4. While contractors providing services to or on behalf of the Company (which shall include consultants) may not bind the Company, contractors are expected to comply with the provisions of this policy.

6. Key responsibilities

The Company's employees and contractors

- 6.1 Employees and contractors must not be involved (directly or through anyone else) with any corrupt activity or bribery. If an employee or contractor breaches this policy or suspects a colleague of being in breach, they must immediately disclose the breach to an appropriate manager or director of the Company and follow the Company's whistleblowing policy and procedure.
- 6.2 Employees and contractors must ensure that they read, understand, and comply with the information contained within this policy, and with any training or other anti-bribery and corruption information they are given.
- 6.3 All employees and contractors are equally responsible for the prevention, detection, and reporting of bribery and other forms of corruption. They are required to avoid any activities that could lead to, or imply, a breach of this anti-bribery policy.
- 6.4 If an employee or contractor has reason to believe or suspect that an instance of bribery or corruption has occurred or will occur in the future that breaches this policy, they must immediately notify the Company's Finance Director or Managing Director.
- 6.5 If any employee breaches this policy, whether intentionally or otherwise, they will be subject to disciplinary action and could face dismissal for gross misconduct. If any contractor breaches this policy, their service provision is likely to be ended (whether at the Company's behest or via a third party).

7. Types of bribery

Bribery is divided into 4 areas:

- Gifts and hospitality
- Facilitation payments
- Political contributions
- Charitable contributions

7.1 Gifts and hospitality

The Company accepts non-excessive gestures of gifts and hospitality, premised on valued business relationships or goodwill (whether given to/received from clients, suppliers or third parties) provided that the giving or receiving of and hospitality meets the following requirements:

- (a) 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.
- (b) It is not made with the suggestion that a return favour is expected.
- (c) It complies with local laws.
- (d) It is given in the name of the relevant company, and not in an individual's name.
- (e) It does not include cash or a cash equivalent (e.g. a voucher or gift certificate).
- (f) It is appropriate in the circumstances (e.g. giving small gifts around Christmas time or as a small token for helping with a large project).
- (g) It is of an appropriate type and value and given at an appropriate time, taking into account the reason for the gift.
- (h) It is given/received openly, not secretly.
- (i) It is not selectively given to a key, influential person, clearly with the intention of directly influencing them.
- (j) It is not above a certain excessive value, as pre-determined by the Company's Finance Director (usually in excess of £100).
- (k) It is not offer to, or accepted from, a government official or representative or politician or political party, without the prior approval of the company's Finance Director.

7.1.1. Where it is inappropriate to decline the offer of a gift (i.e. when meeting with an individual of a certain religion/culture who may take offence), the gift may be accepted so long as it is declared to the Company's Finance Director, who will assess the circumstances.

7.1.2. The Company recognises that the practice of giving and receiving business gifts varies between countries, regions, cultures, and religions, so definitions of what is acceptable and not acceptable will inevitably differ for each.

7.1.3. As good practice, gifts and hospitality given and received should always be disclosed to the Company's Finance Director. Gifts and hospitality from suppliers should always be disclosed.

7.1.4. The intention behind a gift being given/received should always be considered. If there is any uncertainty, the advice of Company's Finance Director should be sought.

7.2 Facilitation payments and kickbacks

The Company does not accept and will not make any form of facilitation payments of any nature. The Company recognises that facilitation payments are a form of bribery that involves expediting or facilitating the performance of a public official for a routine governmental action. The Company recognises that facilitation payments tend to be made by low level officials with the intention of securing or speeding up the performance of a certain duty or action.

The Company does not allow kickbacks to be made or accepted. The Company recognises that kickbacks are typically made in exchange for a business favour or advantage.

The Company recognises that, despite its strict policy on facilitation payments and kickbacks, staff may face a situation where avoiding a facilitation payment or kickback may put their/their family's personal security at risk. Under these circumstances, the following steps must be taken:

- (a) Keep any amount to the minimum.
- (b) Ask for a receipt, detailing the amount and reason for the payment.
- (c) Create a record concerning the payment.
- (d) Report this incident to an appropriate manager or director of the Company.

7.3 Political contributions

The Company will not make donations, whether in cash, kind, or by any other means, to support any political parties or candidates. The Company recognise this may be perceived as an attempt to gain an improper business advantage.

7.4. Charitable contributions

The Company accepts (and indeed encourages) the act of donating to charities – whether through services, knowledge, time, or direct financial contributions (cash or otherwise) – and agrees to disclose all charitable contributions it makes.

Employees (in particular, the Company's senior managers) must be careful to ensure that charitable contributions are not used to facilitate and conceal acts of bribery.

The Company will ensure that all charitable donations made are legal and ethical under local laws and practices, and that donations are not offered/made without the approval of the Company's Finance Director.

8. Anti-bribery

This section of the policy covers 3 areas:

- (a) How to raise a concern.
- (b) What to do if an employee or worker is a victim of bribery or corruption.
- (c) Protection.

8.1. How to raise a concern

8.1.1. If an employee or worker suspects that there is an instance of bribery, or that corrupt activities are occurring, in relation to the Company, they are encouraged to raise their concerns at as early a stage as possible. If they are uncertain about whether a certain action or behavior can be considered bribery or corruption, the individual should speak to the Company's Finance Director or appropriate manager.

8.1.2. The Company will familiarise all employees and contractors with its whistleblowing policy and procedures so that employees and contractors witnessing, or suspicious of, bribery or corruption can vocalise their concerns swiftly and confidentially.

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

You must make contact with the Company's Finance Director as soon as possible if the employee/worker is offered a bribe by anyone, if they are asked to make one, if they suspect that they may be bribed or asked to make a bribe in the near future, or if they have reason to believe that they are a victim of another corrupt activity.

8.3. Protection

8.3.1 If an employee/worker refuse to accept or offer a bribe or they report a concern relating to potential act(s) of bribery or corruption, the Company understands that they may feel worried about potential repercussions. The Company will support anyone who raises concerns in good faith under this policy, even if investigation finds that they were mistaken.

8.3.2 The Company will ensure that no one suffers any detrimental treatment as a result of refusing to accept or offer a bribe or other corrupt activities or because they reported a concern relating to potential act(s) of bribery or corruption.

8.3.3 Detrimental treatment refers to dismissal, disciplinary action, treats, or unfavourable treatment in relation to the concern the individual raised.

8.3.4 If you have reason to believe you've been subjected to unjust treatment as a result of a concern or refusal to accept a bribe, you should promptly inform an appropriate manager or Company's Finance Director immediately.

9. Training and Communication

9.1. The Company will provide training on this policy as part of the induction process for all new employees and contractors. Staff will also receive regular, relevant training on how to adhere to this policy, and will be asked annually to formally accept that they will comply with this policy.

9.2. The Company's anti-bribery and corruption policy and zero-tolerance attitude will be clearly communicated to all suppliers, contractors, business partners, and any third-parties at the outset of business relations, and as appropriate thereafter.

9.3. Training may be refreshed or imposed at the Company's discretion.

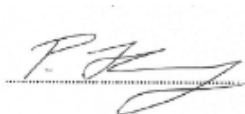
10. Record keeping

The Company will keep detailed and accurate financial records and will have appropriate internal controls in place to act as evidence for all payments made. The Company will declare and keep a written record of the amount and reason for hospitality or gifts accepted and given and understand that gifts and acts of hospitality are subject to managerial review.

11. Implementation and Review

This policy will be communicated to all relevant individuals acknowledgment of receipt by each person shall be maintained. Flannery will communicate, implement and maintain this policy at all times throughout the organisation.

This policy is effective from 1st June 2024 and will be reviewed and updated annually. Overall implementation of this policy lies with Patrick Flannery (Managing Director) and Caroline Brown (Finance Director). Any queries relating to this policy should be directed to the Finance Director or Compliance Manager in the first instance.



Patrick Flannery
Managing Director

1st June 2024

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