

LAMDA LIMITED ANTI-BRIBERY POLICY

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1. Scope and purpose of the Anti-bribery Policy

- 1.1 This Anti-bribery Policy (the Policy) applies to all Trustees of LAMDA, the Directors of LAMDA Enterprises, and all LAMDA Staff Members, each of whom has an obligation to act in the best interests of LAMDA.
- 1.2 This policy should be read in conjunction with LAMDA's other policies, particularly the grievance and disciplinary procedures, Anti-fraud policy, Whistleblowing Policy and Conflicts of Interest Policy.
- 1.3 LAMDA is committed to acting in accordance with the highest legal, regulatory and ethical standards, including compliance with the Bribery Act 2010 and any subsequent or related legislation.
- 1.4 This policy covers bribery or attempted bribery by or on behalf of any one associated with LAMDA, as well as well as bribery or attempted bribery of LAMDA Staff, Trustees, Directors or associates (as set out in 1.5 below) by third parties.
- 1.5 The purpose is to ensure that everyone governed by it understands:
- a. what bribery is
 - b. how to prevent bribery
 - c. how to report suspected or actual bribery
- 1.6 Under the Bribery Act 2010, LAMDA may be prosecuted for an offence if a person associated with it:
- bribes or attempts to bribe another person with a view to gaining a business advantage for LAMDA Limited and/or LAMDA Enterprises.
 - Attempts to bribe a foreign public official
 - Offers or accepts bribes for any purpose whatsoever
- A person is 'associated' if they perform services for or on behalf of LAMDA, including staff, agents, examiners, consultants or sub-contractors. In such circumstances, it is a defence to demonstrate that adequate and appropriate procedures are in place to prevent bribing by anyone associated with LAMDA. This policy (and its implementation and monitoring), forms part of these procedures.
- 1.7 This policy should be read in conjunction with LAMDA's other policies, particularly the grievance and disciplinary procedures, anti-fraud policy, whistleblowing policy and conflicts of interest policy. All policies are available on the staff intranet
- 1.8 LAMDA's reputation is key to its success, and all our operations, both in the UK and overseas, must be conducted with complete integrity at all times.

2 What is bribery?

- 2.1 Bribery is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory, financial or personal advantage.
- 2.2 Examples of bribery might include (but are not limited to):

- Unreasonable or disproportionate gifts (including financial incentives) or hospitality given or offered (e.g. to secure contracts)
- Facilitation payments, e.g. requests for unofficial payments to secure access to government officials, alter grade or examination results, or expedite procedures. These are illegal under the Bribery Act 2010. There may be issues in some overseas countries with different laws and practices, but making any such payment is in breach of this policy.

2.3 Situations where bribery might occur could include:

- The audition or interview process for admission to LAMDA
- Decisions about awarding student bursaries and scholarships
- Decisions about student grading and examination results
- The procurement of goods and services
- The procurement of construction contracts
- The solicitation of donations, grants or sponsorship
- The setting up and operating of services internationally (particularly LAMDA Examinations)

This list is not exhaustive.

3. Preventing bribery

3.1 LAMDA has a number of controls and procedures in place to prevent bribery, including:

- Ensuring that auditions and interviews are conducted by panels, rather than by individuals
- Ensuring that student financial awards are made by properly constituted committees, with all proceedings minuted
- Ensuring that student marks, grades and examination results are cross-checked and validated by a number of people, in accordance with agreed academic procedures
- Ensuring that procurement procedures, such as open competitive tendering, are in place and followed by all staff and contractors
- Ensuring that LAMDA's service standards and procedures are communicated to potential international clients and are adhered to by all staff and contractors

3.3 It is the particular responsibility of the Senior Management Team (SMT) to ensure that controls and procedures are adhered to. Any practical or operational difficulties in complying with these should be reported to the appropriate member of the SMT as soon as possible.

3.4. All staff should be vigilant and consider the risk of bribery within their areas. Staff should notify their line managers if they believe an opportunity for bribery exists because of poor procedures or lack of proper supervision. The appropriate member of the SMT will provide guidance where these procedures need to be improved.

3.5 *Bona fide* fundraising is a legitimate and appropriate activity for LAMDA. Any staff or volunteers involved in fundraising should be aware of the potential for bribery, and report any concerns immediately to the Head of Fundraising or another member of the Senior Management Team (SMT).

4 General responsibilities and reporting

- 4.1 Trustees, Directors and Staff are required to read, understand and comply with this policy
- 4.2 The detection and reporting of bribery (and other forms of corruption) is the responsibility of everyone covered by this policy.
- 4.3 LAMDA's zero-tolerance approach to bribery and other forms of corruption must be communicated (for example, in contracts or letters of intent) to all suppliers, contractors, sponsors and commercial partners before entering into any relationship.
- 4.4 A member of staff who suspects that bribery may have taken place, or may be attempted, should report the matter to his/her line manager immediately. In the event that the line manager is suspected of the malpractice, the matter should be reported to his/her line manager, or in the case of a member of the Senior Management Team, to the Principal. All reports of suspected bribery must be reported through the management structure to the Principal within 24 hours.
- 4.5 Any suspicion of financial bribes offered or requested should also be reported immediately to the Head of Finance. In the event that the Head of Finance is implicated in the bribery, the matter should be reported directly to the Principal. In the event that the Principal is implicated in the bribery, the matter should be reported directly to the Chair of the Audit Committee
- 4.6 If a LAMDA trustee or LAMDA Enterprises Director is suspected of bribery, the matter should be reported to the Company Secretary within 24 hours.
- 4.7 If any LAMDA student is suspected of bribery, the matter should be reported immediately to his/her Course Director, and then to the Principal within 24 hours.
- 4.8 All reports of bribery will be reported immediately by the Principal or the Company Secretary to LAMDA's Audit Committee within 24 hours of discovery. The Committee will convene within a maximum of 2 working days to consider the course of action to be taken, and will report the circumstances to the full Board of Trustees within a further 2 working days. In serious cases, or in the event that the Audit Committee is unable to convene promptly, immediate action may be agreed by conference call or e-mail. Action should not be delayed.
- 4.9 Matters for consideration by the Audit Committee will include (but will not be restricted to):
 - Whether an investigation should take place – an investigation would normally take place unless there are compelling and exceptional circumstances preventing it.
 - Who should undertake the investigation in the first instance, i.e. the line manager, senior staff and/or trustees
 - The initial scope and timescale of the investigation
 - Whether any external support is required for the investigation
 - Whether the police or LAMDA's insurers should be contacted prior to any investigation or at any point during the investigation
 - Whether or not (and at what stage) independent legal advice should be sought
 - Whether any staff or students should be suspended pending the investigation
 - Any other action which should be taken immediately to secure evidence

- Who will be the key contact(s) for the police, insurers, media and external advisers, to ensure consistency of approach and, where applicable, the management of reputation.

- 4.10 All reported cases of suspected bribery will be investigated promptly, discreetly and proportionately, observing the principles of natural justice and maintaining confidentiality wherever practicable. However, it should be recognised that it may not be possible to maintain complete confidentiality during the course of an investigation.
- 4.11 Everyone covered by this policy must cooperate in any investigations, or actions, whether conducted or implemented internally or by appointed external investigators, and must maintain confidentiality at all times in accordance with investigation procedures
- 4.12 Anyone implicated in a suspected case of bribery may be subject to some or all of the following actions during the course of any investigation:
- Temporary suspension from duty (or his/her course, if the suspect is a student)
 - Denial of access to LAMDA's premises and computer networks
 - Summary dismissal or dismissal under notice
 - Instigation of criminal proceedings

This list is not exhaustive.

Any action will be in accordance with LAMDA's published disciplinary procedures for staff and students.

- 4.13 LAMDA will assess the risk of bribery and corruption as part of its regular Risk Assessment procedures, which are subject to regular review by the Audit Committee and the Board of Trustees.
- 4.14 Bribery is a criminal offence and LAMDA will call in the police if there is reasonable suspicion of bribery or other corruption.

5. Board of Trustees:

- 5.1 All investigations of actual or suspected bribery must be recorded in a written report from the Audit Committee outlining the extent, methodology and conclusions of the investigation, and recommendations for further action. This report will be submitted to the Board of Trustees for consideration at the next full meeting following the incident.
- 5.2 This Policy and its procedures will be reviewed by the Board of Trustees annually. LAMDA may amend this policy at any time.

6. Definition of terms

1. **Audit Committee:** a sub-committee of the Board of Trustees, with delegated responsibility to oversee all policies and procedures relating to LAMDA's corporate governance, including adoption, implementation and monitoring of an anti-bribery Policy.
2. **Company Secretary:** as defined under the Companies Act 2006; the individual appointed by the Trustees to fulfil this role.
3. **Director(s):** The Directors of LAMDA Enterprises. In this Policy, they are referred to in both capacities individually as a Director and collectively as Directors.
4. **LAMDA Enterprises Limited (LAMDA Enterprises):** The wholly owned subsidiary of LAMDA, registered with Companies House (registration number 03700617) which is the trading arm of LAMDA and undertakes non-charitable, commercial activities and gift aids the profits to LAMDA Limited.
5. **LAMDA Limited (LAMDA):** The charitable company, whose objects are to advance education for the public benefit in particular by maintaining and carrying on an Academy, College, School or Examinations board, is incorporated in the United Kingdom, limited by guarantee, registered with Companies House (registration number: 364456), and governed by the Companies Act of 2006. LAMDA is also registered with the Charity Commission as LAMDA Ltd, (charity number: 312821).
6. **Principal:** The Chief Executive Officer, to whom day-to-day operational management of LAMDA is delegated by the Trustees
7. **Senior Staff:** Members of LAMDA's Senior Management Team (SMT), as defined by their contracts of employment, or other staff such as Heads of Department as designated from time to time by the Trustees, Principal or SMT.
8. **Staff or Staff Member:** Those individuals, including Senior Staff, who either have employment contracts with LAMDA or are under contractual arrangements to supply services to LAMDA, sometimes also referred to as employee(s).
9. **Trustee(s) and Board of Trustees:** The Trustees of LAMDA who are Trustees as defined under the Charities Act 2006 who also serve as Directors of LAMDA under the provisions of the Companies Act of 2006. In this Policy they are referred to in both capacities individually as a Trustee and collectively as Trustees. Together they act as the Board of Trustees and are responsible for the governance of LAMDA and are ultimately responsible for monitoring and managing all Anti-bribery.