 Swallow™ SITE SERVICES	SSS-IMS-POL-037 Anti-Fraud, Bribery and Corruption Policy & Procedure	Issue/Revision	1.0
		Date	Dec 2024

SWALLOW SITE SERVICES LIMITED


INTEGRATED MANAGEMENT SYSTEM

SSS-IMS-POL-037

ANTI-FRAUD, BRIBERY, AND CORRUPTION POLICY & PROCEDURE

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Swallow Site Services Ltd, 3 Hertford House, Hugo Gryn Way, Farm Close, Shenley, Hertfordshire, WD7 9AB


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Executive summary

- Swallow Site Services is committed to tackling fraud, bribery and corruption within the industry. This includes:
 - Fraud:** Any deliberate intention by person(s) to make a gain for themselves or anyone else or inflicting a loss (or a risk of loss) on another i.e. the organisation (Swallow), its clients, customers, supply chain or anyone affected by our operations. This could be through the falsification of any records or documents or obtaining any service(s) and/or failing to disclose information.
 - Bribery:** Anything that induces or intends to induce improper performance. This covers offering, promising or giving a bribe, requesting, agreeing to receive or accepting a bribe, and failing to prevent bribery. And/or where someone is influenced by bribery, payment of benefit-in-kind to unreasonably use their position to give some advantage to another.
- Through this policy, all persons working for or with Swallow will know that, if any of these concerns come to light, they must immediately report their suspicions and what they have discovered to any or all of the following, as appropriate to their concerns:
 - Karl Lawrence – Managing Director**
 - James Stroud – Commercial & Compliance Manager**
 - John Cronin – National Operations Manager**
- It is made clear that confidentiality will be maintained, and all matters will be dealt with in accordance with this policy and that persons **should NOT**:
 - Confront the individual(s) with their suspicions themselves.
 - Try to investigate the matter themselves.
 - Convey their suspicions to anyone other than those listed above.

This policy has been broken down into the following sections:

1. Introduction
2. Scope
3. Policy
4. Definitions
5. Codes of conduct
6. Roles and responsibilities
7. Reporting fraud, bribery or other illegal acts
8. Disciplinary action, sanctions and redress
9. Endorsement

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1. Introduction


- This policy relates to all forms of fraud, corruption and bribery, and is intended to provide direction and help to all those who may identify or suspect fraud. It provides a framework for responding to suspicions of fraud, advice and information on various aspects of fraud, and implications of an investigation. It is not intended to provide a comprehensive approach to preventing and detecting fraud and corruption. The overall aims of this policy are to:
 - Improve the knowledge and understanding of everyone, irrespective of their position, about the risk of fraud and corruption within the organisation and its unacceptability.
 - Assist in promoting a climate of openness and a culture and environment where staff feel able to raise concerns sensibly and responsibly.
 - Set out Swallow's responsibilities in terms of the deterrence, prevention, detection and investigation of fraud and corruption.
 - Ensure that appropriate sanctions are considered following an investigation, which may include criminal prosecution, civil proceedings, disciplinary action and regulatory body action.

2. Scope

- This policy applies to all employees of Swallow, regardless of position held, consultants, vendors, contractors, and/or any other parties who have a business relationship Swallow, including public officials. It will be brought to the attention of all employees and form part of the induction process for new staff. It is incumbent on all of the above to report any concerns they may have concerning fraud and bribery.
- In implementing this policy, managers must ensure that all staff are treated fairly and within the provisions and spirit of Swallow's other relevant Policies and Procedures.

3. Policy

- All employees have a personal responsibility to protect the assets of Swallow Site Services Limited from fraud, theft or bribery - including all buildings, plant, equipment and monies.
- It is expected that Directors and staff at all levels will lead by example in acting with the utmost integrity and ensuring adherence to all relevant regulations, policies and procedures.
- Swallow is absolutely committed to maintaining an honest and open working environment, to best fulfil its objectives. It is, therefore, also committed to the elimination of fraud within the industry, to the rigorous investigation of any such allegations and to taking appropriate action against wrong doers, including possible criminal prosecution, as well as undertaking steps to recover any assets lost because of fraud.
- Swallow expects anyone having reasonable suspicions of fraud to report them. It recognises that, while cases of theft are usually obvious, there may initially only be a suspicion regarding potential fraud and, thus, employees should report the matter to those persons listed in the Executive Summary of this document, who will then ensure that procedures are followed.

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- Bribing anybody is absolutely prohibited. Swallow's employees will not pay a bribe to anybody. This means that they will not offer, promise, reward in any way, or give a financial or other advantage to any person in order to induce that person to perform his/her function or activities improperly (including creating the appearance of an effort to improperly influence another person). It does not matter whether public official, regulator, private individual, private or public sector employee or any other person. Similarly, employees are not permitted to receive a financial or other advantage from any person in order to induce them to perform their functions or activities improperly.
- Off-the-book accounts and false or deceptive booking entries are strictly prohibited. All gifts, payments or any other contribution, whether in cash or in kind, shall be documented, regularly reviewed, and properly accounted for on the books of Swallow Site Services Limited. Record retention and archival policy must be consistent with our accounting standards, tax and other applicable laws and regulations.
- Swallow procures goods and services ethically and transparently with the quality, price and value for money determining the successful supplier/contractor, not by receiving (or offering) improper benefits.
- Swallow Site Services may, in certain circumstances, be held responsible for acts of bribery committed by intermediaries acting on its behalf such as subsidiaries, clients, business partners, contractors, suppliers, agents, advisors, consultants or other third parties. The use of intermediaries for the purpose of committing acts of bribery is prohibited.
- All intermediaries shall be selected with care, and all agreements with intermediaries shall be concluded under terms that are in line with this policy.

Facilitation payments


- Facilitation payments are small payments made to secure or expedite the performance of a routine action, typically by a government official or agency (e.g. issuing licenses or permits, processing goods or services through legal channels, etc.) to which the payer (or the company) has legal or other entitlement. Facilitation payments are prohibited like any other form of bribe. They shall not be given by Swallow or its employees.

Gifts and hospitality

- Courtesy gifts and hospitality must not be given or received in return for services provided or to obtain or retain business but shall be handled openly and unconditionally as a gesture of esteem and goodwill only. Gifts and hospitality shall always be of symbolic value, appropriate and proportionate in the circumstances, and consistent with local customs and practices. They shall not be made in cash.

Political and Charitable contributions

- Swallow Site Services does not make any contributions to politicians, political parties or election campaigns.
- As a responsible member of society, Swallow may make charitable donations in line with its Social Values. However, these payments shall not be provided to any organisation upon suggestion of any person of the public or private sector in order to induce that person to perform improperly the function or activities which he/she/they are expected to perform in good faith, impartially or in a position of Swallow or to reward that person for the improper performance of such function or activities.

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- Any donations and contributions must be ethical and transparent. The recipient's identity and planned use of the donation must be clear, and the reason and purpose for the donation must be justifiable and documented. All charitable donations will be disclosed.
- Donations to individuals and for-profit organisations and donations paid to private accounts are incompatible with Swallow's ethical standards and are prohibited.

Sponsoring

- Sponsoring means any contribution in money or in kind by Swallow towards an event organised by a third party in return for the opportunity raise Swallow's profile. All sponsoring contributions must be transparent, pursuant to a written agreement, for legitimate business purposes, and proportionate to the consideration offered by the event host. They may not be made towards events organised by individuals or organisations that have goals incompatible with our own ethical standards or that would damage Swallow's reputation. All sponsorships will be disclosed.

4. Definitions

Fraud

- Any person who dishonestly makes a false representation to make a gain for himself or another or dishonestly fails to disclose to another person, information which he is under a legal duty to disclose, or commits fraud by abuse of position, including any offence as defined in the Fraud Act 2006.


Fraud can be committed in three ways:

- Fraud by false representation
 - Lying about something using any means, e.g. by words or actions.
- Fraud by failing to disclose
 - Not saying something when you have a legal duty to do so.
- Fraud by abuse of a position of trust
 - Abusing a position where there is an expectation to safeguard the financial interests of another person or organisation.

All offences under the Fraud Act 2006 occur where the act or omission is committed dishonestly and with intent to cause gain or loss. The gain or loss does not have to succeed, so long as the intent is there.

Bribery

- Bribery is generally defined as offering, promising, giving or receiving, accepting or agreeing to accept a financial or other advantage to encourage that person to perform their functions or activities improperly, such as with the "improper performance" of a position of trust, or a function that is expected to be performed impartially or in good faith, or to reward that person for having already done so. Bribery does not have to involve cash or an actual payment exchanging hands and can take many forms such as a gift, lavish treatment during a business trip or tickets to an event.

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- Bribery does not always result in a loss. The corrupt person may not benefit directly from their deeds; however, they may be unreasonably using their position to give some advantage to another.
- It is a common law offence of bribery to bribe the holder of a public office, and it is similarly an offence for the office holder to accept a bribe.
- Bribery prosecutions tend to be most commonly brought using specific pieces of legislation dealing with bribery, i.e. under the Bribery Act 2010.


Theft

- The dishonest taking of property belonging to another with the intention of depriving that other permanently of its possession.

5. Codes of conduct

All those who work for or are in contract with Swallow Site Services should exercise the following when undertaking their duties:

- **Selflessness** - Should take decisions solely in terms of the company interest. They should not do so in order to gain financial or other material benefits for themselves, their family or their friends.
- **Integrity** - Should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their duties.
- **Objectivity** - Should, in carrying out business, (including, awarding contracts, jobs, or recommending individuals for rewards and benefits), make choices on merit.
- **Accountability** - Are accountable for their decisions and actions and must submit themselves to whatever scrutiny is appropriate to their role.
- **Openness** - Should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider company interest demands.
- **Honesty** - Have a duty to declare any interests relating to their duties and to take steps to resolve any conflicts arising in a way that protects the company's interest.
- **Leadership** - Should promote and support these principles by leadership and example.

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6. Roles and responsibilities

Employees

- For the purposes of this policy, 'Employees' includes Swallow Site Services staff, Managers and Directors.
- Employees are required to comply with Swallow's policies and procedures and apply best practice to prevent fraud, bribery and corruption (for example in the areas of procurement, personal expenses and ethical business behaviour). Staff should be made aware of their own responsibilities in protecting Swallow from these crimes.
- Employees who are involved in or manage internal control systems should receive adequate training and support in order to carry out their responsibilities.
- All employees should be aware that fraud and bribery (of finances of the Swallow) will normally, dependent upon the circumstances of the case, be regarded as gross misconduct thus warranting summary dismissal without previous warnings. However, no such action will be taken before a proper investigation and a disciplinary hearing have taken place. Such actions may be in addition to the possibility of criminal prosecution.
- Swallow's employees will not request or receive a bribe from anybody, nor imply that such an act might be considered. This means that you will not agree to receive or accept a financial or other advantage from a former, current or future client, business partner, contractor or supplier or any other person as an incentive or reward to perform improperly your function or activities.
- Employees must act in accordance with Swallow's Business Ethics Policy (SSS-IMS-POL-006). Employees also have a duty to protect the assets of Swallow including information, goodwill and reputation, as well as property.
- In addition, all employees have a responsibility to comply with all applicable laws and regulations relating to ethical business behaviour, procurement, personal expenses, conflicts of interest, confidentiality and the acceptance of gifts and hospitality. This means, in addition to maintaining the normal standards of personal honesty and integrity, all employees should always:
 - act with honesty, integrity and in an ethical manner
 - avoid acting in any way that might cause others to allege or suspect them of dishonesty.
 - behave in a way that would not give cause for others to doubt that Swallow's employees deal fairly and impartially with business matters
 - be alert to the possibility that others might be attempting to deceive.
- All employees have a duty to ensure that company funds and assets are safeguarded, whether they are involved with cash or payment systems or not, receipts or dealing with contractors or suppliers.
- When an employee suspects that there has been fraud or bribery, they must report the matter to those persons listed in the Executive Summary of this document

Managers


- Managers are responsible for ensuring that policies, procedures and processes within their remit are adhered to. They have a responsibility to ensure that staff are aware of fraud, bribery and corruption and understand the importance of protecting Swallow Site Services from it. They are also responsible for the enforcement of disciplinary action against staff who do not comply with policies and procedures.
- Managers should be alert to the possibility that unusual transactions, particularly those with no obvious commercial rationale, could be symptoms of fraud, bribery and corruption. If they have any doubts, they must seek advice from the Commercial & Compliance Manager.

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- Managers must instil and encourage a zero-tolerance culture within their team with regards to criminal wrongdoing and proactively assist in this endeavour by undertaking work to raise fraud awareness and create deterrence effects.
- Managers at all levels have a responsibility to ensure that an adequate system of internal control exists within their areas of responsibility and that controls operate effectively. The responsibility for the prevention and detection of fraud and bribery therefore primarily rests with managers but requires the co-operation of all employees.
- As part of that responsibility, line managers need to:
 - Inform staff of Swallow's Business Ethics Policy as part of their induction process, paying particular attention to the need for accurate completion of personal records and forms - ensure that all employees for whom they are accountable are made aware of the requirements of the policy - assess the types of risk involved in the operations for which they are responsible.
 - ensure that adequate control measures are put in place to minimise the risks. This must include clear roles and responsibilities, supervisory checks, reconciliations and test checks to ensure that control measures continue to operate effectively
 - be aware of Swallow's Anti-Fraud, Bribery and Corruption Policy and the rules and guidance covering the control of specific items of expenditure and receipts - identify financially sensitive posts
 - ensure that controls are being complied with
 - contribute to assessment of the risks and controls within their business area
- All instances of actual or suspected fraud or bribery, which come to the attention of a manager, must be reported immediately. It is appreciated that some employees will initially raise concerns with their manager, however, in such cases managers must not attempt to investigate the allegation themselves, and they have the clear responsibility to refer the concerns to those persons listed in the Executive Summary of this document
- Where staff have access to the Internet, managers need to ensure that any use is linked to the performance of their duties and any private use specifically agreed beforehand. Any instance of deliberate viewing of offensive material (e.g. pornography or hate material) must be reported immediately.

External Parties

- Those organisations undertaking work with or on behalf of Swallow Site Services are expected to maintain strong anti-fraud, bribery and corruption principles and have adequate controls in place to prevent such activities when handling finances or assets and dealing with customers on behalf of Swallow. Contractors and sub-contractors acting on Swallow's behalf are responsible for putting in place measures for compliance Swallow's own Anti-Fraud, Bribery and Corruption Policy.


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7. Reporting fraud, bribery or other illegal acts

- This section outlines the action to be taken where fraud, bribery or other illegal acts involving dishonesty, inappropriate Internet use, or damage to property are discovered or suspected.
- If any of the concerns mentioned in this document come to the attention of an employee, they must inform those persons listed in the Executive Summary of this document.
- In circumstances of attempted bribes offered to Swallow's employees or associated persons, staff must refuse acceptance of the bribe in whatever form and must report this to those persons listed in the Executive Summary of this document, immediately. If in doubt, contact those same persons for advice and for guidance on gifts and hospitality.
- Swallow Site Services wants all employees to feel confident that they can expose any wrongdoing without any risk to themselves. We have produced a Whistleblowing Policy (SSS-IMS-POL-027). This policy is intended to complement the Swallow's Anti-Fraud, Bribery and Corruption Policy and Business Ethics Policy (SSS-IMS-POL-006) and ensures there is full provision for staff to raise any concerns.

8. Disciplinary action, sanctions and redress

- The disciplinary procedures of Swallow Site Services will be followed where an employee is suspected of being involved in a fraudulent or other illegal act, or where their negligent action has led to a fraud being perpetrated.
- The duty to follow disciplinary procedures will not override the need for matters to be reported to the police and appropriate legal action to be taken. In the event of doubt, statute will prevail.
- Where an objective investigation has found evidence of fraud, bribery or corruption, the next step is to pursue appropriate sanctions. The range of available sanctions that may be pursued includes:
 - criminal prosecution. Swallow will work with the police and/or the Crown Prosecution Service to bring a case to court. Outcomes can range from a criminal conviction to fines and imprisonment.
 - civil action can be taken against those who commit fraud, bribery and corruption to recover money and/or assets which have been fraudulently obtained, including interest and costs, including action to freeze assets and recover losses.
 - disciplinary action by Swallow where an employee is suspected of being involved in a fraudulent or illegal act.
 - action by a relevant regulatory body, if warranted, staff may be reported to their professional body as a result of a successful investigation/prosecution.
- While multiple sanctions may be pursued at the same time in relation to the same incident, the processes involved should be run separately, to maintain their integrity and ensure that all decision making is impartial and independent. This is because the purposes, rules of evidence, standards of proof and outcomes for different types of sanction differ significantly.

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- Each case will be considered individually on its own facts and merits; based on applying a consistent and thorough approach in all cases to ensure the most effective investigations are undertaken, including the gathering and assessment of all relevant material which may form evidence of fraud, bribery, corruption, misconduct and/or unfitness to practise; the most appropriate sanction or combination of sanctions is sought where fraud, bribery, corruption or related misconduct is/are identified.
- The appropriate senior manager, in conjunction with one or more of those persons listed in the Executive Summary of this document, will be responsible for initiating any necessary disciplinary action. Arrangements may be made to recover losses via payroll if the subject is still employed by the Company. In all cases, current legislation must be complied with.
- The seeking of financial redress or recovery of losses will always be considered in cases of fraud or bribery that are investigated by Swallow where a loss is identified. As a general rule, recovery of the loss caused by the perpetrator should always be sought. The decisions must be taken in the light of the particular circumstances of each case.
- Redress allows resources that are lost to fraud, bribery and corruption to be returned to the Company for use as intended.
- Redress can take the form of confiscation and compensation orders, a civil order for repayment, or a local agreement between the organisation and the offender to repay monies lost.
- Depending on the extent of the loss and the proceedings in the case, the Swallow may also apply to the courts to make a restraining order or confiscation order under the Proceeds of Crime Act 2002 (POCA). This means that a person's money or assets is taken away from them if it is believed that the person benefited from the crime. It could also include restraining assets during the course of the investigation.
- Action to recover losses will be commenced as soon as practicable after the loss has been identified.
- With regards to police involvement, Swallow Site Services will decide whether a case should be referred to the police. Any referral to the police, or decision not to refer to the police, will not prohibit action being taken under Company's disciplinary procedures.
- In some cases (taking into consideration all the facts of a case), it may be that Swallow, decides that no further recovery action is taken.

9. Endorsement

This Policy was approved by:


- James Stroud, Commercial & Compliance Manager
- Mathew Lee, National Contracts Manager
- John Cronin, National Operations Manager
- Rachel Wilkinson, Offices Manager

Signed by

Karl Lawrence
Managing Director



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End