

BHIVA Business ethics and anti-bribery policy

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Original	11 September 2019
Version 2	21 September 2021
Version 3	24 November 2022 Edit any pronouns to they/their/them
Version 4	For review November/December 2023

Introduction

It is the policy of BHIVA to conduct our activities in an honest and ethical manner. A zero-tolerance approach is applied to bribery and corruption at every level in the organisation. This policy provides guidance in accordance with the Bribery Act 2010 but if you are concerned about any business or other dealing, irrespective of the Act, you should report this immediately to the BHIVA Chair or, in their absence, the BHIVA Vice Chair.

This policy applies to all individuals working in BHIVA, including trustees, consultants, and volunteers. It also applies to third parties. In this policy, third party means any individual or organisation you come into contact with during the course of your BHIVA work, including actual and potential clients, customers, suppliers, donors, fund holders, and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

This policy will be reviewed regularly and any improvements identified will be made as soon as possible.

Policy

A bribe is an inducement or reward offered in order to gain any commercial, contractual, regulatory or personal advantage. In general, other than in the normal course of our day to day BHIVA business where expenses, such as coffees during a meeting and so forth, are usual, we actively discourage any level of other gift or broader hospitality. However, the aim of this policy is not to prohibit normal and appropriate hospitality being given to, or received from, third parties.

Gifts or hospitality must not however be given or received with the intention of influencing us, or a third party, to provide a business or personal advantage. If in doubt, discuss the issue with BHIVA Honorary Secretary.

You should ensure the hospitality or gift you receive:

- Complies with local law and/or General Medical Council, as appropriate
- Is appropriate. For example, attending approved educational meetings
- Considering the reason, it is appropriate in terms of type, value/ timing

- Is given openly and not secretly
- Is not accepted from government officials or representatives, or politicians or political parties, without the prior approval of the BHIVA Chair.

It is not acceptable for you (or someone on your behalf):

- To give, promise to give, or offer a payment, gift or hospitality with the expectation or hope that an advantage will be received, or to reward an advantage already given
- Accept payment from a third party that you know, or suspect, is offered with the expectation that it will obtain a business advantage for them or an advantage will be provided by BHIVA in return
- Accept a gift or hospitality from a third party if you know, or suspect, that it is offered or provided with an expectation of a business advantage
- Threaten or retaliate against another member of staff or volunteer who has refused to commit a bribery offence or who has raised concerns under this policy or engage in any activity that might lead to a breach of this policy.

Your responsibilities

Any trustee or volunteer who represents BHIVA in any capacity would be expected to abide by the 7 Principles of Public Life/Nolan Principles (see appendix 1).

Trustees and volunteers must ensure that you read, understand and comply with this policy. The policy is communicated to all new trustees and volunteers as part of their induction process and is communicated to existing trustees and volunteers. The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working with or for BHIVA.

Trustees and volunteers must notify the Chair as soon as possible if you believe or suspect that a conflict with this policy has occurred or may occur in the future.

BHIVA and its secretariat are required to keep financial records which will evidence the business reason for making any payments to third parties. Trustees and volunteers must therefore declare and keep a written record of all hospitality or gifts accepted or offered and ensure that all expenses claims are submitted in accordance with the expenses policy and specifically record the reason for the expenditure and that it was incurred in the proper course of the activity of BHIVA.

It is BHIVA's policy that no gifts of cash or cash equivalent (such as gift certificates or vouchers) should be accepted by trustees from third parties. Any such gifts received are deemed to be a donation to BHIVA and will be treated as such, duly recorded as appropriate.

Any trustee who breaches this policy may face disciplinary action which could result in dismissal for gross misconduct.

Red flags

In the sector in which BHIVA operates, the following circumstances are considered to be the areas where risks are most likely and which may raise concerns under various anti-bribery and anti-corruption laws. The list is not intended to be exhaustive and is for illustrative purposes only.

- You become aware that a third party engages in, or has been accused of engaging in, improper business practices
- A third-party requests payment in cash and/or refuses to sign a formal commission or fee agreement, or fails to provide an invoice or receipt for a payment made
- A third party offers (or indeed demands) entertainment or gifts before commencing or continuing contractual negotiations or provision of services
- You receive an invoice from a third party that appears to be non-standard or customized
- You are offered an unusually generous gift or offered undue hospitality by a third party.

Raising concerns

Trustees and volunteers are encouraged to raise concerns with the Chair at the earliest possible stage about any issue or suspicion of malpractice or if a bribe is offered by a third party, are asked to make one, or suspect that this may happen in the future. If trustees and volunteers are unsure whether a particular act constitutes bribery or corruption, or if they have any other queries, these should be raised with the Chair.

BHIVA encourages openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken. BHIVA is committed to ensuring no one suffers any detriment or unfavourable treatment as a result of refusing to take part in bribery or corruption, or because they report something in good faith.

If trustees and volunteers believe they have received any such treatment, they should raise the issue with the Chair or, if it is not remedied and they are a trustee, they should raise it formally through the grievance procedure.

Appendix 1

Any person who represents BHIVA in any capacity would be expected to abide by The Seven Principles of Public Life/Nolan Principles¹

1. Selflessness

Holders of public office should act solely in terms of the public interest.

2. Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

3. Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

4. Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

5. Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

6. Honesty

Holders of public office should be truthful.

7. Leadership

Holders of public office should exhibit these principles in their own behaviour. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

¹ <https://www.gov.uk/government/publications/the-7-principles-of-public-life>, accessed 22 August 2019