

# Anti-Bribery Policy & Guidelines

| <b>DOCUMENT CONTROL</b> |              |          |                        |  |
|-------------------------|--------------|----------|------------------------|--|
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## 1. **About this Policy**

This policy applies to all Avant Homes employees, regardless of length of service, temporary or fixed term contract employees, consultants, contractors and third parties.

The purpose of this policy is to:

- set out our responsibilities, and of those working for us, in observing and upholding our position on bribery and corruption; and
- provide information and guidance to those working for us on how to recognise and deal with bribery and corruption issues.

It is the policy of Avant Homes to conduct all of our business in an honest and ethical manner. We take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate and implementing and enforcing effective systems to counter bribery. We will uphold all laws relevant to countering bribery and corruption, including the Bribery Act 2010, in respect of our conduct.

Bribery and corruption are punishable for individuals by up to ten years' imprisonment and if we are found to have taken part in corruption we could face an unlimited fine, be excluded from tendering for public contracts and face damage to our reputation. We therefore take our legal responsibilities very seriously.

This policy applies to all employees working at all levels within the company, including senior managers, officers, directors, employees (whether permanent, fixed-term or temporary), consultants, contractors, trainees, seconded staff, home-workers, casual workers and agency staff, volunteers, interns, agents, sponsors, or any other person associated with us, or any of our subsidiaries or their employees, wherever located (collectively referred to as **employees** in this policy).

Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy. All employees are responsible for the operation of this policy and should ensure they use it to disclose any suspected wrongdoing.

## 2. **What is Bribery?**

A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage.

**Example - Offering a bribe**

You offer (or our agent offers) to the agent acting for the seller of a potential site, an additional commission, but only if the seller's agent agrees to give preferential treatment to our bid. This would be an offence as you are making the offer to gain a commercial and contractual advantage. Avant Homes may also be found to have committed an offence because the offer has been made to obtain business for us. It would also be an offence for the agent to accept your offer.

**Example - Receiving a bribe**

A supplier offers you their product for use at home, at a special discount, but makes it clear that in return they expect you to use your influence within Avant to ensure that we continue to do business with them or that they procure a new supply contract. It is an offence for a supplier to make such an offer and it would be an offence for you to accept the offer as you would be doing so to gain a personal advantage.

**3. Gifts and Hospitality**

This policy does not prohibit normal and appropriate hospitality (given and received) to or from third parties in accordance with the Group's Gifts and Hospitality Policy.

**4. What is not Acceptable**

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 a business advantage will be received, or to reward a business advantage already given; give, promise to give, or offer a payment, gift or hospitality to a local authority or other government official, agent or representative to "facilitate" or expedite a routine procedure;
- 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;
- accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided by us in return;
- threaten or retaliate against another employee 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.

**5. Facilitation payments and kickbacks**

We do not make, and will not accept, facilitation payments or "kickbacks" of any kind. All employees must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by us.

**6. Donations**

We only make charitable donations that are legal and ethical. Offers of and donations to charity must be approved by the company's Charity Committee or with the prior approval of an Executive Director. Employees can request donations to charity via the Charitable Donation Request Form.

**7. Your responsibilities**

You must ensure that you read, understand and comply with this policy. The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for us or under our control.

All employees are required to avoid any activity that might lead to, or suggest, a breach of this policy.

You must notify your manager or, if for any reason you feel unable to do so, the Group HR Department or Group Legal Department, as soon as possible if you believe or suspect that a conflict with this policy has occurred, or may occur in the future. Any employee who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct. The Group reserves its right to terminate its contractual relationship with other parties, for example suppliers, sub-contractors and agents, if they breach this policy.

**8. Record keeping**

We must keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties. You must declare and keep a written record of all hospitality or gifts accepted or offered, which will be subject to managerial review in accordance with the Group's Gifts and Hospitality Policy.

You must ensure all expenses claims relating to hospitality, gifts or expenses incurred to third parties are submitted in accordance with our expenses policy and specifically record the reason for the expenditure.

**9. How to raise a concern**

You are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. If you are unsure whether a particular act constitutes bribery or corruption, or if you have any other queries, these should be raised with your line manager or with the Group Legal Department or with the Group HR

Department. Concerns that a bribery offence has been committed can also be reported by following the procedure set out in the Group's Whistle-blowing Policy.

## **10. Protection**

We are committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or other corruption offence has taken place or may take place in the future. Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If you believe that you have suffered any such treatment, you should inform the Group HR Department immediately. If the matter is not remedied, and you are an employee, you should raise it formally using the Grievance Procedure.

## 11. Appendix A

### **Schedule : Potential Risks / Red Flags**

The following is a list of possible red flags that may arise during the course of you working for us and which may raise concerns under the anti-bribery legislation. The list is not intended to be exhaustive and is for illustrative purposes only.

If you encounter any of these red flags while working for us, you must report them promptly to your line manager or to the Group HR Department or the Group Legal Department Human or using the procedure set out in the Group's Whistle-blowing Policy:

- you become aware that a third party engages in, or has been accused of engaging in, improper business practices;
- you learn that a third party has a reputation for paying bribes, or requiring that bribes are paid to them, or has a special relationship with Local Authority officers;
- a third party insists on receiving a commission or fee payment before committing to sign up to a contract with us;
- a third-party requests payment in cash and/or refuses to sign a formal commission or fee agreement, or to provide an invoice or receipt for a payment made;
- a third party requests an unexpected additional fee or commission to "facilitate" a service;
- you are offered an unusually generous gift or offered lavish hospitality by a supplier or sub-contractor;
- a third-party request that you provide employment or some other advantage to a friend or relative;
- you receive an invoice from a third party that appears to be non-standard or customised;
- a third party insists on the use of side letters or refuses to put terms agreed in writing;

- you notice that we have been invoiced for a commission or fee payment that appears large given the service stated to have been provided; or
- a third party requests or requires the use of an agent, intermediary, consultant, distributor or supplier that is not typically used by or known to us.

**RESPONSIBILITIES**

| <b>TASK</b>                             | <b>RESPONSIBILITY</b>                       |
|---|---|
| Compliance with moral/legal obligations | Operations Board                            |
| Ensuring employees are aware of policy  | All management within the Avant Homes Group |