



## ANTI-BRIBERY POLICY CONTRACTORS, CONSULTANTS AND SUPPLIERS

### Revision history

Version	Revisions made	Date approved	Approved by
1	Compliance with Bribery Act 2010	24 October 2012	Bribery Monitoring and Compliance Group
2	Update to include training	24 August 2014	Bribery Monitoring and Compliance Group
3	Scope and process update	27 October 2016	Bribery Monitoring and Compliance Group
3.1	Update on giving gifts and hospitality	11 September 2016	Director of Legal
3.2	Review of examples	25 August 2021	Head of Legal
3.3	Review of defined terms	17 March 2022	Head of Legal
3.4	Minor update to scope of application	13 May 2022	Head of Legal
4	General update	28 October 2025	Head of Legal

### Review date

This Policy shall be reviewed every 3 years (or more often if necessary). The next review date is **28 October 2028**.

## 1. Introduction

We are committed to the highest ethical standards of conduct and integrity in our business activities in the UK and overseas. We take a zero-tolerance approach to bribery and corruption and as such we prohibit anyone working with us from offering, promising, giving, seeking or accepting any bribe.

This policy is available to consultants, contractors and suppliers via the City & Guilds website and, where applicable, the Associate Resource Hub.

## 2. Purpose

The purpose of this policy is:

- to set out our responsibilities, and the responsibilities of those providing services to us, in observing and upholding our position on bribery and corruption;
- to provide information and guidance to those providing services to us on how to recognise and deal with bribery and corruption issues; and
- in common with all City & Guilds policies, to provide clarity and consistency, to reflect good governance and best practice, and to enhance risk management and time/cost control.

## 3. Terms used in this policy and their meanings

City & Guilds	City & Guilds Limited and any of its subsidiaries from time to time;
Constitutional	relating to or covered by the constitution of City & Guilds;
Contact	Customer Project Manager, Quality Manager or main contact at City & Guilds;
Employee	a person who is employed by City & Guilds at all levels and grades wherever located including temporary workers; and
Policy Owner	Head of Legal.

## 4. Scope and related policies

- 4.1 This policy applies to all contractors, consultants and suppliers providing services to City & Guilds.
- 4.2 Our standard contract for services requires contractors, consultants and suppliers to comply with this policy if they do not have any existing policies and procedures which comply with the Bribery Act 2010.

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4.3 Other policies are relevant, for example:

- Anti-Bribery Policy for Employees and Trustees
- Whistleblowing Policy

## 5. Constitutional and compliance aspects

### 5.1 Constitutional

There are no constitutional provisions which are relevant to this policy.

### 5.2 Compliance

We uphold laws relevant to countering bribery and corruption in all the countries in which we operate. We are bound by the laws of the UK, including the Bribery Act 2010 and the related guidance issued by the Ministry of Justice, in respect of our conduct both in the UK and overseas.

## 6. Definition of bribery

A bribe is an inducement or reward offered, promised or provided for performing a relevant function or acting improperly. It is not limited to a financial reward and can take any form where the intent is to induce or reward improper performance of a position of trust, or a function.

### **Example – offering a bribe**

You offer a potential client tickets to a major sporting event, but only if they agree to do business with us without following applicable procurement rules. This would be an offence as you are making the offer to induce or reward improper behaviour. It is also an offence for the potential client to accept your offer.

### **Example – receiving a bribe**

A centre offers you a cash incentive to overlook certain findings of malpractice or maladministration. It is an offence for the centre to make such an offer and it would be an offence for you to accept the offer because you would be gaining a personal advantage for improper performance of your role.

### **Example – bribing a foreign official**

You arrange for a payment to be made to a foreign official to ensure that our tender is accepted. The offence of bribing a foreign public official has been committed as soon as the offer is made. This is because it is made to encourage

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the official to act improperly to gain an advantage for us.

The following is a list of possible “red flags” which may indicate the existence of bribery or other corrupt practices. It is not intended to be exhaustive and is for illustrative purposes only:

1. you become aware that a third party:
  - engages in, or has been accused of engaging in, improper business practices;
  - has a reputation for paying bribes, or requiring that bribes are paid to them;
  - insists on receiving a commission or fee payment before committing to sign up to a contract with us, or carrying out a government function or process for us;
  - 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;
  - requests that payment is made to a country or geographic location different from where the third party resides or conducts business;
  - requests an unexpected additional fee or commission to "facilitate" a service;
  - requests that a payment is made to "overlook" potential legal violations;
  - requests that you provide employment or some other advantage to themselves or a friend or relative;
  - insists on the use of side letters or refuses to put terms agreed in writing;
  - requests or requires the use of an agent, intermediary, consultant, distributor or supplier that is not typically used by or known to us;
2. you receive an invoice from a third party that appears to be non-standard or customised;
3. you notice that we have been invoiced for a commission or fee payment that appears large given the service stated to have been provided; and/or
4. you are offered an unusually generous gift or lavish hospitality by a third party.

## 7. Your responsibilities

The prevention and reporting of bribery or other forms of corruption are the responsibility of all persons associated with us including all contractors, consultants and suppliers. All contractors, consultants and suppliers are required to avoid any activity that might lead to, or suggest, a breach of this policy.

You must not, in relation to yourself or on behalf of City & Guilds :

- offer, promise or give a bribe in connection with the provision of a product or service by City & Guilds;
- seek or accept any bribe;
- offer, promise or give any facilitation payment (see section 10);

You must also:

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- if requested to do so by your Contact, successfully complete (and ensure that your staff who are also providing services to City & Guilds successfully complete) any anti-bribery training notified to you from time to time; and
- notify your Contact as soon as possible if you believe or suspect that bribery has taken place or is likely to take place.

Any breach of this policy could result in criminal proceedings against both the individual and City & Guilds and cause serious damage to the reputation of the City & Guilds.

Therefore, any breach of this policy will be a material breach entitling us to terminate your contract for services with immediate effect.

**8. Giving gifts and corporate hospitality**

Except in relation small promotional gifts (such as pens and calendars) that may be supplied to you by City & Guilds, you must not give any gifts or hospitality to any third party on behalf of City & Guilds unless approved in advance by your Contact.

**9. Receiving gifts and corporate hospitality**

We understand that the practice of giving business gifts and hospitality varies between countries and regions and what may be normal and acceptable in one region may not be in another region.

**Small promotional gifts**

You may accept small promotional gifts (such as pens, mugs and calendars) which are offered as a direct result of the services you provide to us, without the need to check with your Contact. These do not need to be reported as part of your quarterly gifts and hospitality reporting.

**Example – small promotional gifts**

You visit a centre and are offered a promotional bag including a branded cap and travel mug. You may accept this gift without approval from your Contact.

**Other gifts**

You must notify your Contact of all other gifts which are offered to you as a direct result of the services you provide to us. Your Contact will discuss the value of the gift and the context in which it was given to you and decide whether it is appropriate in the circumstances to accept the gift.

It will **not** be appropriate to accept other gifts if they are:

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- capable of being interpreted as placing an obligation or giving an improper benefit to City & Guilds; or
- excessive, disproportionate and inappropriate in the circumstances.

By way of guidance, it is generally acceptable to accept gifts under a nominal value of £30 (or a comparable sum in the relevant region as notified to you by your Contact) depending on the context in which the gift is given. Gifts over the value of £30 should be carefully considered.

**Example – other gifts**

A centre sends you a case of wine at Christmas to say thank you for your excellent work during the year. The value of the case is approximately £45. You must speak to your Contact about whether you can accept the gift or not. The offer of the gift must be recorded as part of your quarterly gifts and hospitality reporting – whether the gift is accepted or declined.

**Example – other gifts**

During an end point assessment process, a learner undertaking the assessment offers you £200 as a gift to thank you for your support. You must inform your Contact of the gift. However, this gift may not be accepted because it was offered during an end point assessment process and may be perceived as placing an obligation on City & Guilds to pass the learner. The offer of the gift must be recorded as part of your quarterly gifts and hospitality reporting despite the gift being declined.

If your Contact decides that it is not appropriate for you to accept the gift then it should be returned with a note thanking the sender explaining that it is our policy that contractors, consultants and suppliers should not accept gifts.

It is your Contact’s responsibility to keep records of all gifts offered to you during the provision of services; both those accepted and those declined in accordance with section 12.

If in doubt as to whether you can accept a gift, please speak to your Contact.

**Small-scale hospitality**

You may accept small scale hospitality (such as refreshments or a simple lunch) which are offered to you as a direct result of the services you provide to City & Guilds , without the need to notify your Contact. These do not need to be reported as part of your quarterly gifts and hospitality reporting.

**Other hospitality**

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We understand that hospitality is used to build and maintain business relationships and, in many cases, it will be appropriate to accept an invitation to lunch, dinner, drinks or a corporate event which are offered to you as a direct result of the services you provide to City & Guilds.

However, it will **not** be appropriate to accept hospitality if it is:

- capable of being construed as placing an obligation or granting an improper benefit to City & Guilds ;
- offered during negotiations or tender procedure by a party involved in those negotiations or tenders; or
- an invitation to a sporting, theatrical or other similar event not related to the business of City & Guilds unless there is a **specific business reason** for attendance.

By way of guidance, it is generally acceptable to accept hospitality under a nominal value of £75 (or a comparable sum in the relevant region as notified to you by your Contact) depending on the context in which the hospitality is given. Hospitality over the value of £75 should be carefully considered.

**Example – other hospitality**

A customer of City & Guilds invites you to dine with them as part of a normal business relationship. The value of the meal is approximately £50. This offer of hospitality may be accepted, provided you have prior approval from your Contact. The offer of hospitality must be recorded as part of your quarterly gifts and hospitality reporting – whether it is accepted or declined.

**Example – other hospitality**

During a centre approval visit, a member of staff offers you tickets for an all-expenses paid trip to Paris. As this is excessive, and the centre is in the process of being approved, it could be seen as a bribe and must not be accepted.

You must seek approval from your Contact about any hospitality that you are offered prior to acceptance.

It is your Contact’s responsibility to keep records of all gifts offered to you during the provision of services; both those accepted and those declined in accordance with section 12.

If in doubt as to whether you can accept hospitality, please speak to your Contact.

**10. Facilitation payments**

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Facilitation payments are typically small, unofficial payments made to secure or speed up a routine government action by a government official. Facilitation payments are different from an official, publicly available fast-track process.

**Example – facilitation payment**

A customs officer requests a small payment to secure the clearance of some materials belonging to City & Guilds through customs. This is likely to be a facilitation payment as you are paying an official to do a routine action.

We will not make or offer any facilitation payment, and we prohibit anyone else from making or offering a facilitation payment on our behalf.

This prohibition does not apply if the request for payment is accompanied by threats or if you are otherwise concerned for your personal safety, but you must report it as soon as possible, to your Contact or in accordance with the contacts set out in the Whistleblowing Policy.

Where a public official has requested a payment which you suspect is a facilitation payment and your personal safety is not in jeopardy, you should:

- ask for further details of the purpose and nature of the payment in writing; and
- report the request for the payment immediately by email or phone and, if provided, forward written details of the purpose and the nature of the payment to your Contact.

Your Contact, in consultation with Legal, will consider the nature of the payment and determine whether it is appropriate for such payment to be made.

**11. Charitable and political donations**

You must not make any donations to charities or political parties on behalf of City & Guilds without prior written approval from a member of the Executive Leadership Team or the Head of Legal.

**12. Keeping records and monitoring**

Except for small promotional gifts and small scale hospitality, you must keep records of all gifts and hospitality received (whether accepted or declined).

Your Contact is required to keep records of all gifts and hospitality received by their contractors, consultants and suppliers as a direct result of the services they provide to City & Guilds.

All accounts, invoices, memoranda and other documents and records relating to dealings with third parties, such as clients, suppliers and business contacts, must be prepared and

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maintained. No accounts may be kept "off-book" to facilitate or conceal improper payments.

Please note that your contract with us may allow us to audit these records.

**13. Reporting suspected bribery**

If you have any concerns or suspect any act of bribery or corruption is taking place you should raise this with your Contact or in accordance with the Whistleblowing Policy at the earliest possible opportunity.

**14. Protection**

You should not be concerned about possible repercussions if you refuse to accept or offer a bribe or raise concerns or report another's wrongdoing. Further details on the support available is set out in the Whistleblowing Policy available on the City & Guilds website.

**15. Action by City & Guilds**

We will fully investigate any instances of alleged or suspected bribery, in accordance with the Whistleblowing Policy.

Any proven allegation may result in the termination of your contract with us.

We may also report any matter to the relevant authorities, including the Director of Public Prosecutions, Serious Fraud Office, Foreign and Commonwealth Office, Revenue and Customs Prosecutions Office and the police.

**16. Responsibility for this policy**

16.1 This policy and any amendments to it are approved by the Policy Owner.

16.2 The Policy Owner is responsible for:

- promoting awareness of this policy
- reviewing this policy every 3 years (or more often if necessary) with advice from Legal (who are responsible for the drafting) and if necessary or desirable in consultation with relevant stakeholders. Suggestions to be taken into account in the next review are welcome and should be sent to Legal.

16.3 Contacts are responsible for complying with this policy and ensuring that their teams are aware of and comply with it.

16.4 The Executive Leadership Team has overall responsibility for ensuring this policy complies with our legal and ethical obligations and that those subject to it comply.

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- 16.5 The Head of Legal, Chief Financial Officer and the Bribery, Monitoring and Compliance Group monitor and review the implementation of this policy and related procedures on a regular basis, including reviews of internal financial systems, expenses, corporate hospitality and gifts.
- 16.6 Queries about this policy (including in relation to gifts and hospitality) should be sent to Legal.

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