



Survivors Nepal

Anti-Bribery and Anti-Corruption Policy

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Drafted by:	Cindy Wilkinson	Approved by Board on:	December 9, 2017
Responsible person:	Koshish Kumar Arjal	Scheduled review date	December 8, 2018

Background

This anti-bribery and anti-corruption policy exists to set out the responsibilities of Survivors Nepal with regards to observing and upholding a zero-tolerance position on bribery and corruption.

It also exists to act as a source of information and guidance for those working for Survivors Nepal. It helps them recognise and deal with bribery and corruption issues, as well as understand their responsibilities.

Policy statement

Survivors Nepal is committed to conducting its operations and programs in an ethical and honest manner, and is committed to implementing and enforcing systems that ensure bribery and corruption are prevented.

Survivors Nepal has zero-tolerance for bribery and corrupt activities. We are committed to acting professionally, fairly, and with integrity in all business dealings and relationships, wherever we operate.

Survivors Nepal will constantly uphold all laws relating to anti-bribery and corruption in all the jurisdictions in which we operate. We are bound by the laws of Nepal, in regards to our conduct both at home and abroad.

This policy applies to all employees (whether temporary, fixed-term, or permanent), consultants, contractors, trainees, seconded staff, home workers, casual workers, agency staff, volunteers, interns, agents, sponsors, or any other person or persons associated with Survivors Nepal (including third parties), or any of our subsidiaries or their employees, no matter where they are located. The policy also applies to Officers, Trustees, Board, and/or Committee members at any level.

In the context of this policy, third-party refers to any individual or organisation Survivors Nepal meets and works with. It refers to actual and potential clients, customers, suppliers, distributors, business contacts, agents, advisers, and government and public bodies – this includes their advisors, representatives and officials, politicians, and public parties.

Any arrangements Survivors Nepal makes with a third party is subject to clear contractual terms, including specific provisions that require the third party to comply with minimum standards and procedures relating to anti-bribery and corruption.

Definition of bribery

Bribery refers to the act of offering, giving, promising, asking, agreeing, receiving, accepting, or soliciting something of value or of an advantage so to induce or influence an action or decision.

A bribe refers to any inducement, reward, or object/item of value offered to another individual in order to gain commercial, contractual, regulatory, or personal advantage.

Bribery is not limited to the act of offering a bribe. If an individual is on the receiving end of a bribe and they accept it, they are also breaking the law.

Definition of Corruption

A fraudulent intention to evade the prohibitions of the law. The act of an official or fiduciary person who unlawfully and wrongfully uses his station or character to procure some benefit for himself or for another person, contrary to duty and the rights of others.

Corruption may include many activities including bribery and embezzlement, though it may also involve practices that are legal in many countries.

What is and what is not acceptable

Employees must not engage in any form of bribery or corruption, whether it be directly, passively (as described above), or through a third party (such as an agent or distributor). They must not bribe a foreign public official anywhere in the world. They must not accept bribes in any degree and if they are uncertain about whether something is a bribe or a gift or act of hospitality, they must seek further advice from Survivors Nepal Director or President.

This section of the policy refers to the following areas:

- Gifts and hospitality.
- Facilitation payments.
- Political contributions.
- Charitable contributions.

Gifts and hospitality

Survivors Nepal accepts normal and appropriate gestures of hospitality and goodwill (whether given to/received from third parties) so long as the giving or receiving of gifts meets the following requirements:

- a. It is not made with the intention of influencing the party to whom it is being given, to obtain or reward the retention of a business or a business advantage, or as an explicit or implicit exchange for favours or benefits.
- b. It is not made with the suggestion that a return favour is expected.
- c. It is in compliance with local law.
- d. It is given in the name of the organisation, not in an individual's name.
- e. It does not include cash or a cash equivalent (e.g. a voucher or gift certificate).
- f. It is appropriate for the circumstances (e.g. giving small gifts around festivals).
- g. It is of an appropriate type and value and given at an appropriate time, taking into account the reason for the gift.
- h. It is given/received openly, not secretly.
- i. It is not selectively given to a key, influential person, clearly with the intention of directly influencing them.
- j. It is not above a certain excessive value, as pre-determined by Survivors Nepal Executive Committee
- k. It is not offered to, or accepted from, a government official or representative or politician or political party, without the prior approval of the organisation's Executive Committee.

Where it is inappropriate to decline the offer of a gift (i.e. when meeting with an individual of a certain religion/culture who may take offence), the gift may be accepted so long as it is declared to the Executive Committee, who will assess the circumstances.

Survivors Nepal recognises that the practice of giving and receiving gifts varies between countries, regions, cultures, and religions, so definitions of what is acceptable and not acceptable will inevitably differ for each. As good practice, gifts given and received should always be disclosed to the Executive Committee.

Facilitation Payments and Kickbacks

Survivors Nepal does not accept and will not make any form of facilitation payments of any nature. We recognise that facilitation payments may be a form of bribery that involves expediting or facilitating the performance of a public official for a routine governmental action.

Survivors Nepal does not allow kickbacks to be made or accepted. We recognise that kickbacks are typically made in exchange for a business favour or advantage.

Survivors Nepal recognises that, despite our strict policy on facilitation payments and kickbacks, employees may face a situation where avoiding a facilitation payment or kickback may put their/their family's personal security at risk. Under these circumstances, the following steps must be taken:

- a. Keep any amount to the minimum.
- b. Ask for a receipt, detailing the amount and reason for the payment.
- c. Create a record concerning the payment.
- d. Report this incident to your line manager.

Political Contributions

Survivors Nepal will not make donations, whether in cash, kind, or by any other means, to support any political parties or candidates.

Charitable Contributions

Survivors Nepal accepts the act of donating to charities – whether through services, knowledge, time, or direct financial contributions (cash or otherwise) – and agrees to disclose all charitable contributions it makes.

Employees must ensure that charitable contributions are not used to facilitate and conceal acts of bribery.

Employee Responsibilities

As an employee of Survivors Nepal, you must ensure that you read, understand, and comply with the information contained within this policy, and with any training or other anti-bribery and corruption information you are given.

All employees are equally responsible for the prevention, detection, and reporting of bribery and other forms of corruption. They are required to avoid any activities that could lead to, or imply, a breach of this anti-bribery policy.

If you have reason to believe or suspect that an instance of bribery or corruption has occurred or will occur in the future that breaches this policy, you must notify the Director or President

If any employee breaches this policy, they will face disciplinary action and could face dismissal for gross misconduct as per the Survivors Nepal Human Resource Policy.

How to raise a concern

If you suspect that there is an instance of bribery or corrupt activities occurring in relation to Survivors Nepal, you are encouraged to raise your concerns at as early a stage as possible. If you're uncertain about whether a certain action or behaviour can be considered bribery or corruption, you should speak to your line manager, the Director, or the Head of Governance and Legal.

Survivors Nepal will familiarise all employees with its whistleblowing procedures so employees can vocalise their concerns swiftly and confidentially.

What to do if you are a victim of bribery or corruption

You must tell your manager as soon as possible if you are offered a bribe by anyone, if you are asked to make one, if you suspect that you may be bribed or asked to make a bribe in the near future, or if you have reason to believe that you are a victim of another corrupt activity.

Protection If you refuse to accept or offer a bribe or you report a concern relating to potential act(s) of bribery or corruption, Survivors Nepal understands that you may feel worried about potential repercussions. Survivors Nepal will support anyone who raises concerns in good faith under this policy, even if investigation finds that they were mistaken.

Survivors Nepal will ensure that no one suffers any detrimental treatment as a result of refusing to accept or offer a bribe or other corrupt activities or because they reported a concern relating to potential act(s) of bribery or corruption. Detrimental treatment refers to dismissal, disciplinary action, threats, or unfavourable treatment in relation to the concern the individual raised.

Training and communication

Survivors Nepal will provide training on this policy as part of the induction process for all new employees. Employees will also receive regular, relevant training on how to adhere to this policy, and will be asked annually to formally accept that they will comply with this policy.

Survivors Nepal's anti-bribery and corruption policy and zero-tolerance attitude will be clearly communicated to all suppliers, contractors, business partners, and any third-parties at the outset of relations, and as appropriate thereafter.

Survivors Nepal will keep detailed and accurate financial records, and will have appropriate internal controls in place to act as evidence for all payments made. Survivors Nepal will declare and keep a written record of the amount and reason for hospitality or gifts accepted and given, and understand that gifts and acts of hospitality are subject to managerial review. 10. Monitoring and reviewing

Survivors Nepal Director is responsible for monitoring the effectiveness of this policy and will review the implementation of it on a regular basis. He/she will assess its suitability, adequacy, and effectiveness.

Internal control systems and procedures designed to prevent bribery and corruption are subject to regular audits to ensure that they are effective in practice.

Any need for improvements will be applied as soon as possible. Employees are encouraged to offer their feedback on this policy if they have any suggestions for how it may be improved.

This policy does not form part of an employee's contract of employment and Survivors Nepal may amend it at any time to improve its effectiveness at combatting bribery and corruption.