



NETBALL SCOTLAND

ANTI-CORRUPTION AND ANTI-
BRIBERY, ANTI-FRAUD POLICY



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CONTENTS

1 INTRODUCTION	3
1.1 Aim/Purpose	3
1.2 Responsibility	3
1.3 Audience	3
1.4 Consultation	3
2 THE POLICY	4
2.1 What are corruption, bribery and fraud?	4
Corruption	4
Bribery	4
Fraud	4
2.2 Who can be involved in corruption, bribery and fraud and in what circumstances?	5
2.3 Zero tolerance of corruption, bribery and fraud	6
2.4 How to raise a concern and make a complaint	7
3 MONITORING AND EVALUATION OF THE POLICY OR PROCESS	7
4 BREACH OF THE POLICY OR PROCESS	7
5 RELATIONSHIP WITH OTHER POLICIES OR PROCESSES	7

Netball Scotland reserves the right to review this policy from time to time.



1 INTRODUCTION

Netball Scotland takes a zero-tolerance approach to corruption, bribery, fraud or other financial irregularity and we are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate. We aim to implement and enforce effective systems to counter any acts of corruption, bribery or fraud in the sport of Netball.

The essence of the sport of Netball is the contest between competing teams as an honest test of skill and ability, the outcome of which is determined by (and only by) the contestants' relative sporting merits. Any conduct that might undermine public confidence in the integrity of the sporting contest and/or in the uncertainty of its outcome is fundamentally at odds with that essence of the sport and must be eradicated at all costs.

1.1 Aim/Purpose

The purpose of this policy is to:

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

1.2 Responsibility

The Netball Scotland Board and Staff are responsible for upholding and implementing this policy and upholding all laws relevant to countering corruption, bribery and fraud across the 'Netball Family'.

1.3 Audience

The policy applies to the Netball Scotland Board, Staff and Athletes, Coaches, Officials, Volunteers and all within the full 'Netball Family', as well as partners and external organisations we have any relationship with.

1.4 Consultation

We always welcome feedback to improve our policies. Specific consultation with appropriate people and organisations relevant to equality or other backgrounds and circumstances is not deemed relevant to this policy. This policy is rated as Netball Scotland compulsory following the guidance set out by law and UK Sport's equivalent policy.



2 THE POLICY

2.1 What are corruption, bribery and fraud?

Corruption

Corruption in the public sector can be defined as the abuse of power by an official (or any employee entrusted to carry out the functions of government, including contractors) for personal gain.

Bribery

Netball Scotland is subject to the Bribery Act 2010. Under the Act, it is illegal:

- to pay or offer to pay a bribe;
- to receive or agree to receive a bribe;
- to bribe a foreign public official;
- to fail to have adequate procedures in place to prevent bribery.

A bribe includes financial or other advantage such as gifts and hospitality, meals, entertainment or anything else of value or other advantage. An offence under the Bribery Act carries criminal penalties for individuals and organisations. For individuals, a maximum prison sentence of ten years and/or an unlimited fine can be imposed.

It does not matter whether the act is done directly or indirectly or whether the bribery occurs in the UK or abroad.

Fraud

Fraud is a wrongful or criminal deception intending to result in personal or financial gain. Netball Scotland is subject to the Fraud Act 2006 which creates a general offence of fraud and introduces three ways of committing it, namely.

- Fraud by false representation;
- Fraud by failure to disclose information when there is a legal duty to do so; and
- Fraud by abuse of position.

In each case:

- the person's conduct must be dishonest;
- his/her intention must be to make a gain; or cause a loss or the risk of a loss to another.
- No gain or loss needs actually to have been made.
- The maximum sentence is 10 years' imprisonment.

Where the "person" in breach of the Act is a legal person (that is, a body corporate), those involved in its management who have consented to or connived in the offence are also guilty of the offence.



2.2 Who can be involved in corruption, bribery and fraud and in what circumstances?

Corruption, bribery and fraud may be committed by anyone including any of our Staff or Board members, Athletes, Coaches, Officials, Volunteers and all within the full 'Netball Family' as well as partners and external organisations we have any relationship with to achieve personal and/or financial gain.

It is not acceptable to:

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

Netball Scotland do not make, and will not accept, facilitation payments or "kickbacks" of any kind:

- if you are asked to make a payment on our behalf, you should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. You should always ask for a receipt which details the reason for the payment.
- you must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by us.

Netball Scotland do not make contributions to political parties:

- we only make charitable donations that are legal and ethical under local laws and practices. No donation must be offered or made without the prior approval of the Board.

This policy does not prohibit the giving or accepting of reasonable and appropriate hospitality (given and received) to or from third parties for legitimate purposes, such as building relationships, improving or maintaining our image or reputation or marketing the business, provided:



- it complies with the Expenses Policy;
- it is not made with the intention of influencing a third party to obtain or retain business or gain a business or sporting advantage, or to reward the provision or retention of business or a business or sporting advantage, or in explicit or implicit exchange for favours or benefits, for example during contractual negotiations or a tender process;
- it complies with local law;
- it is given or received in the business name, not in your name;
- it is appropriate in the circumstances and is not unduly lavish or extravagant. For example, in the UK it is customary for small gifts to be given at Christmas time;
- it is not given or received in cash (or a cash equivalent);
- it is given openly, not secretly; and
- gifts should not be offered to, or accepted from, government officials or representatives, or politicians or political parties, without the prior approval of the Board.

We appreciate that the practice of giving business gifts varies between countries and regions and what may be normal and acceptable in one region may not be in another. The test to be applied is whether in all the circumstances the gift or hospitality is reasonable and justifiable. The intention behind the gift should always be considered. Promotional gifts of low value such as branded stationery to or from existing customers, suppliers and partners will usually be acceptable.

2.3 Zero tolerance of corruption, bribery and fraud

Netball Scotland conduct our business to the highest legal and ethical standards.

We are committed to protecting public and private resources, revenue, assets and information from any attempt by anyone to gain any benefit by corruption, bribery and fraud.

We will implement a range of preventative and internal control systems to detect indicators of corruption, bribery and fraud (and error), and any inappropriate activity.

We will thoroughly investigate any report of corruption, bribery and fraud.

We will not be a party to corruption, bribery and fraud in any form and maintain a zero-tolerance approach to corruption, bribery and fraud by our Staff or Board members, Athletes, Coaches, Officials, Volunteers and all within the full 'Netball Family' as well as partners and external organisations

Anyone who is guilty of corruption, bribery or fraud in any form will be subject to disciplinary action, which may result in suspension and/or termination of their employment and/or membership to the organisation.



2.4 How to raise a concern and make a complaint

In the first instance you are encouraged to raise concerns about any issue or suspicion of corruption, bribery and fraud at the earliest stage to the CEO / COO / Chair as you feel appropriate.

To raise a concern in a confidential manner please refer to Netball Scotland's Whistleblowing Policy.

If you believe that you have suffered detrimental treatment as a result of refusing to take part in bribery or corruption or because of reporting in good faith, you should inform the CEO / COO / Chair as you feel appropriate.

3 MONITORING AND EVALUATION OF THE POLICY OR PROCESS

If you wish to suggest improvements to the policy or experience particular difficulty complying with it, please contact Netball Scotland.

4 BREACH OF THE POLICY OR PROCESS

To formally raise a complaint regarding the misuse of this policy please refer to RESPECT: A Process for Managing Complaints.

5 RELATIONSHIP WITH OTHER POLICIES OR PROCESSES

Netball Scotland is committed to ensuring that the monitoring and evaluation is undertaken with regards to:

- All appropriate legislation.
- Other relevant Netball Scotland policies.

This policy should be read in conjunction with:

- Whistleblowing Policy
- Integrity policy