

ANTI-BRIBERY & CORRUPTION POLICY

Version 1
1st November 2022

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1. Introduction

- 1.1. P. Flannery Plant Hire (Oval) Limited complies with the [Bribery Act 2010](#) by ensuring staff who work on behalf of the company who might be exposed to bribery do not offer, promise, give, request, agree, receive, or accept bribes. The Company success has been built with integrity, honesty, and transparency. We do not tolerate any behavior that is inconsistent with those values.
- 1.2. Flannery Plant is committed to conducting business in an ethical and honest manner and is committed to implementing and enforcing systems that ensure bribery is prevented. Flannery Plant has zero-tolerance for bribery and corrupt activities. The Company is committed to acting professionally, fairly, and with integrity in all business dealings and relationships, wherever in the country we operate.
- 1.3. Flannery Plant 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 the UK, including the [Bribery Act 2010](#), in regards to our conduct both at home and abroad.
- 1.4. Flannery Plant recognizes that bribery and corruption are punishable by up to ten years of imprisonment and a fine. If the Company is discovered to have taken part in corrupt activities, we may be subjected to an unlimited fine, be excluded from tendering for public contracts, and face serious damage to our reputation. It is with this in mind that we commit to preventing bribery and corruption in our business and take our legal responsibilities seriously.

2. Definitions

- 1.5. 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.
- 1.6. 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.
- 1.7. 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.
- 1.8. Bribery is illegal. Employees/workers must not engage in any form of bribery, whether it be directly, passively (as described above), or through a third party (such as an agent or distributor). Employees/workers 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 the Company's Compliance Manager.
- 1.9. Corruption is the abuse of a position of trust or power for personal gain.

3. Legislation

To demonstrate this, Flannery Plant comply with the [Bribery Act 2010](#)

4. Aim of Policy

The aim of this policy is to set out the responsibilities of Flannery Plant and those who work for the Company in regard to observing and upholding the Company zero-tolerance position on bribery and corruption.

It also aims to act as a source of information and guidance for those working for Flannery Plant and helps the employee/worker to recognize and deal with bribery and corruption issues, as well as understand their responsibilities.

5. Scope

- 5.1. This anti-bribery policy applies to all Flannery Plant 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 us (including third parties), or any of our subsidiaries or their employees, no matter where they are located (within or outside of the UK). The policy also applies to Officers, Trustees, Board, and/or Committee members at any level.
- 5.2. In the context of this policy, third-party refers to any individual or organization the Company 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.
- 5.3. Any arrangements the Company 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.

6. Key Responsibilities

Employees

- 6.1 Employees/workers will not be involved (directly or through anyone else) with any corrupt activity or bribery. If the employee/worker breach this policy or suspect a colleague of being in breach, they will immediately disclose the breach to their Line Manager or a Director by following our whistleblowing procedures.
- 6.2 Employee of Flannery Plant must ensure that they read, understand, and comply with the information contained within this policy, and with any training or other anti-bribery and corruption information they are given.
- 6.3 All employees and those under the Company's control 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.
- 6.4 If an employee/worker 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, they must immediately notify the Compliance Manager.
- 6.5 If any employee breaches this policy, whether intentionally or otherwise, they will be subject to disciplinary action and could face dismissal for gross misconduct. Flannery Plant has the right to terminate a contractual relationship with an employee without notice if they breach this anti-bribery policy.

7. Types of Bribery

Bribery is divided into 4 areas:

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

7.1 Gifts and hospitality

Flannery Plant 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 favors or benefits.
- (b) It is not made with the suggestion that a return favor is expected.
- (c) It is in compliance with local law.
- (d) It is given in the name of the company, 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 Christmas or as a small thank you to a company for helping with a large project upon completion).
- (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 the company's Compliance Manager (usually in excess of £100).
- (k) It is not offer to, or accepted from, a government official or representative or politician or political party, without the prior approval of the company's Compliance Manager.

7.1.1. 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 a Compliance Manager, who will assess the circumstances.

7.1.2. Flannery Plant recognizes that the practice of giving and receiving business gifts varies between countries, regions, cultures, and religions, so definitions of what is acceptable and not acceptable will inevitably differ for each.

7.1.3. As good practice, gifts given and received should always be disclosed to the Compliance Manager. Gifts from suppliers should always be disclosed.

7.1.4. The intention behind a gift being given/received should always be considered. If there is any uncertainty, the advice of the Compliance Manager should be sought.

7.2 Facilitation Payments and Kickbacks

Flannery Plant does not accept and will not make any form of facilitation payments of any nature. We recognize that facilitation payments are a form of bribery that involves expediting or facilitating the performance of a public official for a routine governmental action. We recognize that they tend to be made by low level officials with the intention of securing or speeding up the performance of a certain duty or action.

Flannery Plant does not allow kickbacks to be made or accepted. We recognize that kickbacks are typically made in exchange for a business favor or advantage.

Flannery Plant recognizes 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.

7.3 Political Contributions

Flannery Plant will not make donations, whether in cash, kind, or by any other means, to support any political parties or candidates. We recognize this may be perceived as an attempt to gain an improper business advantage.

7.4 Charitable Contributions

Flannery Plant accepts (and indeed encourages) 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 be careful to ensure that charitable contributions are not used to facilitate and conceal acts of bribery.

We will ensure that all charitable donations made are legal and ethical under local laws and practices, and that donations are not offered/made without the approval of the Compliance Manager.

8. Anti-bribery

This section of the policy covers 3 areas:

- (a) How to raise a concern.
- (b) What to do if an employee/worker is a victim of bribery or corruption.
- (c) Protection.

8.1. How to raise a concern

8.1.1. If an employee/worker suspect that there is an instance of bribery or corrupt activities occurring in relation to Flannery Plant they are encouraged to raise their concerns at as early a stage as possible. If they are uncertain about whether a certain action or behavior can be considered bribery or corruption, the individual should speak to their line manager, the Compliance Manager or the Director.

8.1.2. Flannery Plant will familiarize all employees, workers and contractors with its whistleblowing procedures so workers can vocalize their concerns swiftly and confidentially.

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

You must report to the Compliance Manager as soon as possible if the employee/worker is offered a bribe by anyone, if they are asked to make one, if they suspect that they may be bribed or asked to make a bribe in the near future, or if they have reason to believe that they are a victim of another corrupt activity.

8.3. Protection

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

8.3.2 Flannery Plant 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.

8.3.3 Detrimental treatment refers to dismissal, disciplinary action, treats, or unfavorable treatment in relation to the concern the individual raised.

8.3.4 If you have reason to believe you've been subjected to unjust treatment as a result of a concern or refusal to accept a bribe, you should inform your line manager or the Compliance Manager immediately.

9. Training and Communication

9.1. Flannery Plant 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.

9.2. Flannery Plant 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 business relations, and as appropriate thereafter.

9.3. Flannery Plant will provide relevant anti-bribery and corruption training to employees etc. where we feel their knowledge of how to comply with the Bribery Act needs to be enhanced.

10. Record Keeping

Flannery Plant will keep detailed and accurate financial records and will have appropriate internal controls in place to act as evidence for all payments made. We 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.

11. Implementation and Review

Copies of the policy will be communicated to all individuals and the receipt acknowledgment by each person shall be maintained. Flannery will communicate, implement and maintain this policy at all times throughout the organisation.

This policy is effective from the 1st November 2022 and will be reviewed and updated annually. Overall implementation of this policy lies with Patrick Flannery (Managing Director) and Compliance Manager. Any queries relating to this policy should be directed to the Compliance Manager in the first instance.



Patrick Flannery
Managing Director

1st November 2022

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