



July 2022

STICHTING 5W FOUNDATION ANTI-CORRUPTION & BRIBERY POLICY

POLICY STATEMENT

5W Foundation is committed to applying the highest standards of ethical conduct and integrity in its business activities around the world.

Every employee and individual acting on behalf of 5W Foundation or any affiliate is responsible for maintaining our reputation and for conducting our business to the highest codes of conduct, honesty and professionalism.

Ethical behaviour and financial transparency are at the core of our values.

5W Foundation maintains a zero-tolerance approach to bribery and corruption and we are committed to upholding all laws relevant to countering bribery and corruption in all the jurisdictions in which we operate.

POLICY PURPOSE

The purpose of this policy statement is to;

- a) set out our responsibilities, and of those working or providing services for us, in observing and upholding our position on bribery and corruption; and
- b) provide information and guidance as to how we expect those working for or with us to conduct themselves and how to recognise and deal with bribery and corruption issues; and
- c) how to raise concerns with us, including any breaches of this policy statement.

TO WHOM DOES THIS POLICY APPLY?

Those collectively referred to as “staff” in this policy. This policy applies to all individuals working at all levels and grades, including senior managers, officers, directors, employees (whether permanent, fixed-term or temporary), consultants, contractors, trainees, seconded staff, homeworkers, casual workers and agency staff, volunteers, interns, agents, sponsors, or any other person associated with us, or any of our affiliates, wherever located.

Those collectively referred to as “third party/parties” in this policy. This policy applies to all individuals or organisations you come into contact with during the course of your work for us, and includes suppliers, distributors, business contacts, agents, advisers, and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

WHAT IS BRIBERY?

A bribe, broadly, is an inducement or reward offered, requested, promised, or provided in order to gain any commercial, contractual, regulatory or personal advantage. This can be in the context of giving or receiving.

An offence is committed when the bribe is coupled with an intention of inducing, a reward for or in anticipation for a person to improperly perform their function or if the request, agreement to accept or acceptance of the bribe itself constitutes or is believed to constitute the improper performance of an activity. In addition, offering a bribe to a foreign public official to induce that public official to obtain or retain business or an advantage in the conduct of business (and that is not permitted by local laws), will also be an offence.



RESPONSIBILITIES

The prevention, detection and reporting of bribery and other forms of corruption is the responsibility of all those working for 5W Foundation, or supplying services to us, or under our control.

GIFTS & HOSPITALITY

5W Foundation permits normal and appropriate corporate entertainment, gifts, hospitality, and promotional expenditure (given and received) to or from third parties that is undertaken:

- a) for the purpose of establishing and maintaining good business relationships
- b) to improve the image and reputation of 5W Foundation
- c) to present 5W Foundation goods/services effectively.

This is provided it is in good faith and not offered, promised, or accepted to secure an advantage for 5W Foundation employees or associated persons or to influence the impartiality of the recipient.

Staff (and their relatives) must not give or accept entertainment, gifts or special favours to or from any person or organisation with which 5W Foundation has a current or potential business relationship (including, but not limited to, clients, prospective clients, regulators and suppliers) unless the entertainment, gift or favour is reasonable, appropriate, proportionate and has a nominal value, or it has been disclosed and authorised in advance pursuant to the procedures set out below.

Staff (and their relatives) may not provide or accept entertainment or give or accept a gift that: is unusual in its type; is extravagant in its value; is excessive in its frequency; creates, or may be viewed as creating, an inappropriate obligation or expectation on the part of the provider or recipient; or appears intended to induce someone inside or outside 5W Foundation to act otherwise than in accordance with their normal duties, obligations or responsibilities.

The test to be applied is whether in all the circumstances, the gift, entertainment, or hospitality is reasonable and justifiable.

5W Foundation 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.

5W Foundation expect the intention behind the gift to always be considered.

The giving or receipt of gifts is not prohibited, if the following requirements are met:

- a) the gift is not made with the intention of influencing a third party to obtain or retain business or a business advantage
- b) the gift is not made to reward the provision or retention of business or a business advantage
- c) the gift is not made in explicit or implicit exchange for favours or benefits;
- d) the gift complies with local law;
- e) it is given in the 5W Foundation name and not in any personal name;
- f) it does not include cash or a cash equivalent (such as gift certificates or vouchers);
- g) it is appropriate in the circumstances; holidays, special events, commemorations;
- h) taking into account the reason for the gift, it is of an appropriate type and value and given at an appropriate time;
- i) it is given openly, not secretly;
- j) gifts should not be offered to, or accepted from, government officials or representatives, or politicians or political parties, without the prior approval of the 5W Foundation management.



- k) gifts should not be offered to, or accepted from, government officials or representatives, or politicians or political parties, without the prior approval of the compliance manager.

All gifts and entertainment, regardless of value, must be recorded in accordance with *Record Keeping* below.

For compliance purposes, gifts or entertainment that has a per item or per participant value exceeding USD100, or equivalent requires the prior approval in writing of 5W Foundation management.

All staff who provide third parties with entertainment or gifts must remember that all businesses and government departments are required to have in place effective policies and procedures for preventing, identifying and reporting bribery, corruption and unethical or illegal businesses practices.

5W Foundation is consequently aware that clients, contacts, and suppliers may need to report internally within their own organisation and/or decline entertainment or gifts that 5W Foundation provides to them, particularly if the entertainment or gifts are unusual, extravagant, or high value.

WHAT IS NOT ACCEPTABLE?

There are many scenarios where there is a risk of breaching a policy such as this. However, a non-exhaustive set of scenarios of unacceptable activities must include;

- a) to give, promise to give, or offer, a payment, gift or hospitality to a third party with the expectation or hope that a business advantage will be received, or to reward a business advantage already given;
- b) to give, promise to give, or offer, a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure;
- c) to give, offer or promise to a foreign public official to induce that public official to obtain or retain business or an advantage in the conduct of business (and that is not permitted by local laws), request, agrees to receive or accept payment from a third party knowing or suspecting it is offered with the expectation that it will obtain a business advantage for them;
- d) to request, agree to receive or accept payment from a third party knowing or suspecting it is offered with the expectation that it will obtain a business advantage for them;
- e) to accept a gift or hospitality from a third party knowing or suspecting that it is offered or provided with an expectation that a business advantage will be provided by 5W Foundation in return;
- f) to threaten or retaliate against another colleague who has refused to commit a bribery offence or who has raised concerns under this policy; or
- g) to engage in any activity that might lead to a breach of this policy.

FACILITATION PAYMENTS & KICKBACKS

5W Foundation do not make, and will not accept, facilitation payments or "kickbacks" of any kind.

Facilitation payments are typically small, unofficial payments made to secure or expedite a routine government action by a government official.

5W Foundation expect all employees and service providers must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by us.

If any member of 5W Foundation staff 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. If you have any suspicions, concerns or queries regarding a payment, you should raise these with the 5W management.



Any transactions must be recorded in contracts and documentation so that there is never any attempt to hide the way a contract will work.

DONATIONS

All donations made to 5W Foundation may be subject to due diligence; including all asset or financial transactions.

5W Foundation do not make contributions to political parties.

5W Foundation, with only the occasional special circumstance exception, does not make financial contributions to projects it is supporting. Our support donations, for the most part, take the form of donated equipment assets and services.

We only make charitable donations that are legal and ethical under local laws and practices.

No donation will be offered or made without the prior approval of 5W management.

RECORD KEEPING

5W Foundation personnel and our service providers are expected to keep financial records and have appropriate internal controls in place which will evidence the business reason for giving and/or receiving payments from/to third parties.

5W Foundation personnel must declare and keep a written record of all hospitality or gifts accepted or offered (regardless of value), a copy of which must be recorded promptly with 5W management. Such records will be subject to managerial review.

All expenses claims relating to hospitality, gifts or expenses incurred to third parties are submitted in accordance with our expenses practices and specifically record the reason for the expenditure.

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 maintained with strict accuracy and completeness. No accounts must be kept "off-book" to facilitate or conceal improper payments.

RAISING CONCERNS

If any member of 5W Foundation believe this policy has been breached, or even suspects it may have been breached in any way they are to contact a member of 5W Foundation management at the earliest possible stage.

If any member of 5W Foundation has any other queries, these should be raised with 5W Foundation management at the earliest possible stage.

RESPONSIBILITIES

All 5W Foundation personnel must ensure that they have 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 staff are required to avoid any activity that might lead to, or suggest, a breach of this policy.

Staff must notify 5W Foundation management as soon as possible if they 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. We reserve our right to terminate our contractual relationship with other members of staff if they breach this policy.



What to do if you are a victim of bribery or corruption. It is important that you tell the Compliance Officer as soon as possible if you are offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that you are a victim of another form of unlawful activity.

PROTECTION

Staff who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. We aim to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.

5W Foundation 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 5W Foundation management immediately. If the matter is not remedied, and you are an employee, you should raise it formally using a grievance procedure.

POLICY RESPONSIBILITY, MONITORING & REVIEW

The 5W Foundation Council have overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it.

5W Foundation management has primary and day-to-day responsibility for implementing this policy, and for monitoring its use and effectiveness and dealing with any queries on its interpretation.

Management at all levels are responsible for ensuring those reporting to them are made aware of and understand this policy and are given adequate and regular training on it.

The 5W Foundation Council will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy, and effectiveness.

Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in countering bribery and corruption.

All staff are responsible for the success of this policy and should ensure they use it to disclose any suspected danger or wrongdoing.

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