

1. Introduction

The NDA requires all permanent, temporary, contracted staff and Non Executives to act at all times with honesty, integrity and with due care in all matters. In particular all staff are responsible for the safeguarding of the NDA, its assets, resources, systems, data and reputation.

This policy also sets out the high standards of probity and propriety that we expect from those that we contract with to carry out services on behalf of the NDA.

2. Policy Statement

The NDA prohibits and will not tolerate fraud, theft, acts of bribery or any other forms of corrupt behaviour, by any of its permanent or temporary staff or those individuals or organisations that are contracted to carry out services on behalf of the NDA.

The NDA shall:-

- understand and regularly assess the nature and extent of risks relating to fraud, bribery and corruption;
- deliver a culture within the NDA that is intolerant to fraud, bribery and corruption;
- ensure by appropriate due diligence that companies that do business with the NDA share the culture of intolerance to fraud, bribery and corruption;
- maintain and clearly communicate its expectations to staff through staff induction and regular updates and information on internal and external websites;
- dedicate sufficient resources to implement and embed procedures and to provide anti-fraud, bribery and corruption training;
- continually monitor and audit this policy and its associated procedures;
- ensure that practical and cost effective controls and procedures are implemented to proactively identify fraud, bribery and corruption to minimise and mitigate against the potential threat of fraud, bribery and corruption.

All staff have a responsibility to prevent and detect fraud, theft, acts of bribery or other acts of corrupt behaviour by:

- acting honestly, with integrity and propriety at all times and safeguarding the NDA resources for which they are responsible;
- adhering to NDA Policies, Guidance and their Contract of Employment;
- adhering to control processes designed to prevent and detect fraud, acts of bribery or other forms of corruption;
- being alert to the potential risk of fraud, bribery and other irregularities both within the NDA and in organisations with which the NDA contracts and reporting any matters of potential concern.

Line Managers have particular additional responsibilities for:

- identifying activities in their area which pose a risk of fraud, theft, bribery or corruption, and working practices, including random checks, which help to mitigate these risks;
- ensuring staff are fully familiar with current NDA policy and procedures;
- promoting an open, honest and questioning culture which encourages propriety and vigilance amongst all staff and that encourages them to raise concerns without fear of reprisals.

Any breach of this policy shall be taken seriously and may ultimately lead to dismissal in accordance with the NDA disciplinary procedure (HRP14). Breaches by non-employees or other organisations contracted to the NDA may result in removal from the NDA list of suppliers and/or be subject to the involvement of the police and judicial system. The NDA reserves the right to recover

losses associated with breaches of this policy from any of its staff or those contracting with the NDA.

3. Defining and Identifying Fraud, Bribery and Corruption

Fraud is a criminal activity, defined as an intentional deception to obtain an advantage, avoid an obligation or cause loss to another person or company (including, amongst others, expenses falsification, attendance record falsification, supplier and/or staff collusion with intent to deceive). It can involve the intentional abuse of delegated powers of authority, distortion of financial statements, accounting or other records undertaken in order to conceal the misappropriation of physical assets or the appropriation of funds or other material to achieve a gain to which the person or organisation is not rightfully entitled or to cause a loss or expose to another person/organisation to a loss which they would not otherwise have been exposed to.

Bribery includes the offering, promising of, giving, requesting, agreement to receive or acceptance of an inducement (including cash, favours and some gifts and entertainment) to an individual (including both public officials and private individuals) or organisation, in order to gain a financial or other (e.g. personal, commercial, contractual, financial or regulatory) advantage. Inducements to facilitate or expedite the prompt or proper performance of routine duties also fall under this definition.

Corruption is classified as the abuse of entrusted power for personal gain.

The NDA has specific guidelines with respect to the giving or acceptance of hospitality and gifts by staff (LGPR02), which must be adhered to.

If you are in any doubt as to whether a potential act constitutes either fraud or bribery, you should seek guidance before proceeding, from the Head of Group Internal Audit or Head of Legal.

4. Reporting Potential Fraud, Bribery and Corruption (“Whistle Blowing”)

The NDA has a Policy to enable any interested party to raise concerns on any matter of genuine concern, including to an independent organisation who will treat the call with discretion and confidentiality. The detail can be found within the Whistle Blowing Policy (ADP05).

Personnel are assured that there will be no repercussion or retaliation for reporting suspected fraud or acts of bribery or corruption in good faith and in an honest manner. It should be noted however, that reporting of a malicious or dishonest nature will not be tolerated by the NDA.

5. Fraud, Bribery and Corruption Response Process

The Fraud Response Plan (ADP04) is owned by the Head of Group Internal Audit. Any investigation will be carried out by the Internal Audit function utilising the NDA’s response plan, which ensures prompt and effective action can be undertaken in an organised and controlled manner. The Head of Group Internal Audit will consult with the Accounting Officer, HR Director, Security Manager and Head of Legal in deploying this response plan and agreeing the course of action to be taken. This may include the early involvement of the police in any suspected criminal activity if this is deemed to be the appropriate response.

Personnel should not attempt to investigate an alleged fraud or act of bribery or corruption themselves as there are specific steps which must be followed in order to protect the NDA and the identity of individuals concerned (in the event that an allegation proves unfounded) and to protect evidence which may be crucial to the investigation.