

ANTI-CORRUPTION, FRAUD AND BRIBERY POLICY

Document Control	
Approved By	AmplifyChange Directors
Responsible Owner:	CEO, Fiduciary Risk Team
Created:	1 June 2021
Revised:	
Approved:	
Next Review:	
Version	1



Table of Contents

1. Policy Statement.....	3
2. Purpose and Scope of Policy	3
3. Definitions.....	3
4. Prohibited vs permitted.....	4
5. Gifts	4
6. Responsibilities.....	6
7. Who to contact?	7
Annex A: Processes – Suspected or actual misuse of funds....	8
Step 1: Incident identified	8
Step 2: Initial assessment.....	8
Step 3: Notification of Board and the Fiduciary Risk Committee.....	9
Step 4: Completion of Investigation.....	9
Step 5: Follow-up actions.....	10

1. Policy Statement

AmplifyChange has a 'zero tolerance' policy towards fraud, bribery and corruption. As such AmplifyChange does not accept any level of bribery, fraud or corruption within the organisation. We are committed to the highest standards of ethical conduct and integrity. All employees and all individuals acting for us anywhere in the world are expected to conduct themselves professionally and within the law.

AmplifyChange makes grants to a wide range of organisations in civil society working in the field of SRHR. Alongside our own commitment to ethical conduct and integrity, we are also obligated to take all reasonable actions in ensuring our funds are granted to organisations who share these values and act in accordance with the principles of our organisation.

We work in many high-risk environments and grantees include small organisations, of limited capacity. The risk profile of our portfolio of grants is very high, and as such misuses of funds will inevitably occur. The prevention, detection and response to fraud is an essential component of our approach.

This anti-corruption, fraud and bribery policy is part of a suite of measures employed to promote and ensure ethical and lawful business conduct across AmplifyChange as an organisation and across our portfolio of grants.

AmplifyChange is subject to the UK Bribery Act 2010. This law places strict liability on us should anyone associated with us commit bribery anywhere in the world, for the benefit of AmplifyChange. If AmplifyChange is found to have taken part in corruption, we could face an unlimited fine and face damage to our reputation. AmplifyChange therefore takes its legal responsibilities very seriously. Moreover, individuals who commit violations of the UK Bribery Act can be imprisoned for up to ten years. This policy, and associated guidance and procedures, are designed to protect AmplifyChange and those representing us from contravening the law.

2. Purpose and Scope of Policy

This document has two main functions:

- Setting out personnel responsibility in upholding AmplifyChange's position on bribery corruption and fraud, and
- Providing practical guidance to AmplifyChange staff on how to react to suspected cases of fraud.

In support of the functions above, this policy provides information and guidance on how to recognise common scenarios and types of fraud bribery and corruption.

This policy applies to all persons working for AmplifyChange or on behalf of the organisation in any capacity, including employees at all levels (whether permanent, fixed term or temporary), directors, officers, agency workers, seconded workers, volunteers, interns, agents, contractors, external consultants, third-party representatives, sponsors and business partners, whether located in the UK or abroad. Persons not employed by AmplifyChange but nevertheless acting on our behalf are referred to as 'associated persons' throughout this document.

In this policy, third party representative means any individual or organisation employees come into contact with during the course of their work for AmplifyChange, and includes actual and potential clients, customers, suppliers, distributors, business contacts, agents, advisers, and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

3. Definitions

There are no universally accepted definitions of fraud, bribery, and corruption. We as an organisation should always try to operate within the spirit of our ethical policies as well as the word of the rules. However, to support a shared understanding of the common types of fraud and the concepts considerable to be unethical, we have set out some of the important definitions below.

Fraud

An intentional act of dishonesty by one or more individuals with the intent of making a gain for themselves or anyone else or inflicting a loss on another.

Bribery

An inducement or reward offered, promised or provided in order to gain and commercial, contractual, regulatory or personal advantage.

Corruption

The abuse of entrusted power for private gain.

Misuse of funds

Any use of funds for purposes other than as approved by AmplifyChange for the applicable project, or in a manner that is otherwise inconsistent with AmplifyChange's stated objectives.

This policy is intended to cover actual and suspected instances of any of the issues listed above.

4. Prohibited vs permitted

AmplifyChange prohibits all employees and associated persons from offering, promising, giving, soliciting or accepting any bribe.

For the purposes of this policy it is irrelevant whether the bribe is:

- Conveyed through cash, gift, or other inducement. Bribes can be offered to, or solicited from, a private individual, a public or government official, official of a state-controlled industry or political party or a private person or company and would be a bribe whether the employee or associated person is situated in the UK or overseas.
- Made to ensure that a person or company improperly performs a duty or function for the benefit of AmplifyChange. Improperly performing duties or functions could include not acting impartially or in good faith or in accordance with a position of trust.
- Made or received directly or through a third party. Acts of bribery are designed to influence the receiver to act in a specific way. The act to be performed by the receiver may not, necessarily, be illegal but could still be a bribe for the purposes of this policy.

Facilitation Payments

Facilitation payments¹ represent a common type of bribe. Typically a small amount of money is paid to expedite the completion of an administrative process.

AmplifyChange does not make, and will not accept, any facilitation payment of any kind. Facilitation payments, or offers of such payments, constitute a criminal offence under the UK Bribery Act and gross misconduct under AmplifyChange's Disciplinary Policy.

We recognise that demands for facilitation payments are commonplace in certain parts of the world. Where a public official has requested such a payment, Employees or associated persons should ask for further details of the purpose and nature of the payment in writing. If the official refuses, a request should be made to speak to the official's manager for clarification of the purpose of the payment. An explanation should be given to the official of both our rules and the

UK anti-bribery law. If the official is persistent immediate contact should be made with a line manager, the CEO or Operations Manager.

If the public official does provide written details, the CEO will consider the nature of the payment. Local legal advice may be sought by AmplifyChange. If it is concluded that the payment is a legitimate fee, for example part of a genuine fast-track process, or is otherwise permitted locally, we will authorise the employee to make the payment. Where the CEO considers that the request is for a facilitation payment, the employee or associated person will be instructed to refuse to make the payment and notify the official that a report of the incident will be made to AmplifyChange and the UK embassy.

Kickbacks

Kickbacks describe a type of bribe made in return for a business favour or advantage. All Employees and associated persons must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by us. AmplifyChange will support employees and associated persons who refuse to pay a bribe.

What is permitted

Bribes paid under duress will not be a breach of this policy. Bribes paid under duress are payments made when the payee is in fear for his or her safety or liberty, or the safety or liberty of another person. An example could be where a policeman demands a bribe described as a 'fine', before allowing the payee to continue with their journey. All demands for bribes (including bribes paid under duress) must be reported at the earliest opportunity after the event to the CEO or Operations Manager.

5. Gifts

Gifts or hospitality that are reasonable and proportionate are acceptable practice. Moreover, AmplifyChange understands that in certain countries, gift giving and receiving is a cultural norm. However, we also recognise that inappropriate gifts, entertainment and hospitality can constitute bribery. Even if not received or given as a bribe, gifts and hospitality can give the impression of bribery or otherwise garner a sense of obligation.

Cash or cash equivalents (such as gift certificates or vouchers) will never be given as a gift, irrespective of the value.

This policy allows reasonable and appropriate gifts or hospitality to be given to

¹ Also commonly referred to as grease payments, or speed payments.

or received from third parties, for the purposes of:

- establishing or maintaining good business relationships,
- improving or maintaining our image or reputation, or
- marketing or presenting our products and / or services effectively.

Promotional gifts of low value such as branded stationery provided to or received from existing customers, suppliers and business partners will usually be acceptable.

Reimbursing a third party's expenses or accepting an offer to reimburse our expenses (for example, the costs of attending a business meeting) would not usually amount to bribery.

However, a payment in excess of genuine and reasonable business expenses (such as the cost of an extended hotel stay) is not acceptable.

AmplifyChange recognises that spontaneous gifts and hospitality are sometimes offered, and it is unreasonable to expect individuals to seek permission before accepting such offers. Therefore, this policy allows for the acceptance provision of unplanned gifts and hospitality.

We appreciate that practice 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, and would be perceived to be reasonable by an independent third person.

All instances of gifts and hospitality provided or received must be reported by email to the CEO or Operations Manager who maintain a Gifts and Hospitality Register as part of the Anti-corruption, Fraud and Bribery framework. The information required is:

- Date/time/place of the event,
- Circumstances including purpose of the expenditure,
- Nature (including value) of the expenditure, and
- Who was present.

For guidance on the receipt of provision of Gifts and Hospitality advice can be sought from the CEO or Operations Manager.

What is NOT acceptable?

It is not acceptable for the employee or associated person (or someone on the

employee's or associated person's behalf) to:

- Give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given.
- 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.
- Accept payment from a third party that they know or suspect is offered with the expectation that it will obtain a business advantage for them.
- Accept a gift or hospitality from a third party if they know or suspect that it is offered or provided with an expectation that a business advantage will be provided by the employer in return.
- Threaten or retaliate against another Employee who has refused to commit a bribery offence or who has raised concerns under this policy.
- Engage in any activity that might lead to a breach of this policy.

What is acceptable?

Giving and accepting of gifts may be allowed if the following requirements are met:

- The value is not in excess of £100 per person (in the UK) or reasonable local equivalence.
- It is not made with the intention of influencing a third party to obtain or retain an advantage, or to reward the provision or retention of an advantage.
- It is not an explicit or implicit exchange for favours or benefits.
- It is given in the name of AmplifyChange, not in the name of an Employee or associated person.
- It does not include cash or a cash equivalent.
- It is appropriate in the circumstances, taking account of the reason for the gift, its timing and value. For example, in the UK it is customary for small gifts to be given at Christmas.
- It is given openly, not secretly.
- it complies with any applicable local law.

6. Responsibilities

All AmplifyChange staff members and associated persons have a responsibility for the prevention of fraud, bribery and corruption. The specific responsibilities of the groups are set out below:

All employees and associated persons

AmplifyChange has several procedures and key control measures related to the management of bribery, fraud and corruption risks. These are:

- Awareness and compliance with the guidelines set out in this document.
- Awareness and compliance with AmplifyChange's statement on expenses, conflicts of interest, and their own obligations.
- All employees should take seriously and treat in confidence any concerns raised about a potential case of misuse of funds.
- All employees should take seriously and report any suspicions of potential misuse of funds immediately.
- When communicating with the grantees staff should remain vigilant of the risk of misuse of funds. Weaknesses in financial management and gaps in reporting should not just be viewed as poor management or low capacity but it should be considered whether this issue puts AmplifyChange funding at risk of misuse.

Grants Manager

Most interaction with grantees will be through the Grants Manager of that grant. These staff members are best placed for the detection of misuse of funds and identification of risks which may lead to a misuse of funds.

- Grants Managers should consider the risk of misuse of funds while maintaining: periodic ongoing contact with the grant holders, 6-monthly progress reporting, end project reporting, and any other times when tracking of performance against milestones and verification of activities.
- Maintaining a watch-list where concerns have been raised over the performance of a project.
- Grants Managers should maintain awareness of the contractual requirements on grant holders, and responsibility for ensuring compliance with these terms.
- Site visits to projects must include verification of the risk of misuse of funds.

Fiduciary Risk Team

- Lead on setting all policies and guidelines relating to the misuse of funds.
- Advice and support on the application of these guidelines to all staff members as required, including training Grants Managers on policies/guidelines.
- Investigation of any cases reported. Where a misuse, or suspected misuse, is reported to the Fiduciary Risk Team they will follow the process set out in Annex A.
- Reporting on outstanding fraud cases through periodic reports to the leadership of AmplifyChange.
- Quarterly cycle of project audits from a sample of grants to proactively detect both actual misuses of funds and weaknesses in finance systems which could lead to increased risk.
- Monitoring of AmplifyChange's whistleblowing service and appropriate response to all issues raised.

CEO

Overall responsibility for management, including the standards and processes applied in responding to misuse of funds.

Final sign-off of each fraud case is made by the CEO. Process to be followed and the key decisions to be taken are set out in Annex A.

Board of Directors and Funders

Governance to AmplifyChange is provided through the Board of Directors, the Fiduciary Risk Committee, and the Funders Consultative Forum:

- **Board of Directors.** Appointed by our Members. Responsible for CEO and oversight of management, performance and grant making decisions.
- **Fiduciary Risk Committee** is a committee of the Board of Directors with participation of our funders. It holds an advisory role to support AmplifyChange's work in the field of fiduciary risk management and provides practical advice and coordination in individual fraud cases.
- **Funders Consultative Forum** serves to facilitate overall and technical dialogue between AmplifyChange and our current and prospective funding partners.

7. Who to contact?

Advice and guidance in relation to this policy can be obtained from your line manager or from the Fiduciary Risk Team. Alternatively, if you would feel more comfortable, you may seek advice directly from the CEO, Operations Manager and Human Resources Manager.

All employees and all individuals acting for us anywhere in the world are expected to report any concerns of fraud, bribery, and corruption, and to cooperate with any investigation of such concerns. You do not need to be certain of the occurrence of bribery, fraud, or corruption to raise your concerns.

In some cases, issues may arise which employees or other stakeholders wish to report anonymously. If any staff member suspects potential breach of our policies, bribery, conflict of interest, corruption, fraud, money laundering, misuse of funds, then AmplifyChange provides a secure whistleblowing service externally supported through a specialist service provider (Ethicspoint). [Whistleblowing - AmplifyChange - A fund to break the silence on SRHR.](#) Incidents are anonymously passed to the Fiduciary Risk Team for follow-up action.

Annex A: Processes – Suspected or actual misuse of funds

This process applies specifically to suspected or actual cases of fraud, which take place under AmplifyChange grants. The annex offers a step-by-step process showing the responsibilities of the different parties at all points in the process.

Since the identification and investigation of fraud is complicated and context sensitive process, this Annex can give outline and summary detail only. In practice, the detailed process followed will be assessed on a case-by-case basis.

Step 1: Incident identified

Suspicious of fraud can be identified through any source, and all reported suspicions should be subject to an appropriate level of investigation. The most common ways for fraud to be identified are:

- Grantee's own reporting.
- Concerns raised through the Grants Manager.
- Concerns raised through the Fiduciary Risk Team (FRT), typically arising via project audit or during financial reporting.
- Concerns raised by whistle-blowers. Typically this will be through AmplifyChange's whistleblowing service, but reports may also come directly to employees of AmplifyChange or associated parties.

Any AmplifyChange employee or associated person who becomes aware of a fraud, or has suspicions of fraud, must report the issue to the FRT and CEO **immediately**.

Reports should be made in writing to the relevant FRT point of contact by email, and must copy in the CEO. Individuals should remember that they are responsible for the successful completion of this first step and ensuring receipt of the report, so should follow-up with the FRT point of contact to ensure the report has been received and is to be acted upon.

AmplifyChange will maintain an issues tracker of cases relating to suspected misuse of funds. FRT will be responsible for updating the tracker upon notification of concerns of fraud.

Step 2: Initial assessment

The start of the process for resolving cases of fraud is the completion of an initial assessment by the designated member of FRT. The assessment must make plans covering two main areas:

- Immediate action, and
- Plans for investigation.

In completing this stage of the process, a fraud reporting template will be populated, setting out the basic background of the reported case. This template will be used to record the recommendations on the two points above. The template will be completed as a matter of urgency, and consequently will be populated before full facts are known about the case of fraud – the completion of the template should not be delayed to allow for further information gathering.

Plans made at this stage must be agreed by the CEO.

Immediate action

The designated member of FRT will be responsible for making recommendations on immediate action to be taken which would apply for the duration of the investigation. These actions cannot pre-judge the outcome of any investigation but are typically a judgement-based recommendation, balancing the mitigation of fiduciary risk against the potential disruption to the grant. The recommendations typically remain in place for the duration of any investigation but are open to review at any point.

The options for immediate action are:

- **No action**. The grant will continue to be funded during the period of the investigation and all reporting and payments will continue as planned. There is no requirement to inform the grant holder of this decision.
- **Temporary internal hold**. While funding is on temporary hold no additional funding may be sent to the organization until the completion of the investigation. The grant may continue to spend the funding already provided and project activity should continue as before, including reporting on the grant – however this reporting cannot trigger a release of payment. There is no requirement to inform the grant holder of this decision unless and until it will directly impact upon planned disbursements.
- **Suspension of grant**. Formal notice must be sent to the grant holder by the CEO informing them of a funding suspension and the date from



which it applies. During the period of the suspension any further project expenditure will be 'at risk' meaning that if the project is terminated then these amounts will not count as legitimate project expenditure and must be repaid. The project will be suspended for the duration of the investigation, and as such many grant holders will take the decision to halt all grant activity as well.

- **Immediate termination.** This option is unlikely as in most cases further investigation will be required. If this option is taken, the grant profiling must be removed from the website.

Decisions over appropriate action are taken based on individual circumstances. In taking a decision the following factors should be included: severity and nature of allegations, probability of the allegations, impact upon the project, timing of disbursements to the project, and size of grant/organisation.

In the case of a suspension of grant, or an immediate termination, a formal communication must be sent by AmplifyChange to the grantee, and the actions will be enforceable from that date.

Plans for investigation

The fraud reporting template includes a section describing next steps.

The designated member of FRT should complete this section to include the basic plans for design of an investigation. Investigations are discussed and agreed on a case-by-case basis, but option for investigation include:

- **Grantee led investigation.** By default it is to be preferred that the grantee themselves completes an investigation into the suspected fraud and reports back to AmplifyChange. In some cases however this is inappropriate, for example where: the grantee lacks capacity to adequately investigate, the allegations relate to leadership of the grantee leading to a conflict of interest, the grantee is unaware of the allegations stemming from a whistle-blowing report. In these cases AmplifyChange complete the investigation ourselves.
- **AmplifyChange led investigation:**
 - **Remote audit.** Comprising of a verification of scanned versions of the supporting documentation relating to the transactions reported in the grantee's financial reports.
 - **On site audit.** Comprising of a visit to the offices of the grantee (or relevant partner offices) and completion of a full onsite project audit.

- **No action.** In almost all cases a reported fraud will require follow-up investigation and action, however if there are clear reasons to believe that fraud reports are without credibility, made maliciously, or lack sufficient detail to enable investigation, then a decision may be taken to not proceed with any action.

The completed fraud reporting template will include details the recommended actions to be taken during the investigation.

Step 3: Notification of Board and the Fiduciary Risk Committee

The CEO is responsible for keeping AmplifyChange's senior governance structures informed over the risk of fraud. Notifications of new cases should be sent to the Board of Directors and the Fiduciary Risk Committee. It is of particular importance that the Fiduciary Risk Committee is kept informed of cases of fraud promptly, as AmplifyChange's funders have their own internal requirements of the reporting of fraud.

Notification shall take the form of a completed fraud reporting template. If the Board requires further information, especially funders who may have their own reporting requirements, then this process is to be coordinated through FRT.

The CEO may also make a determination on external communication of the suspected fraud. This may include cases where grants are featured on the AmplifyChange website, in severe cases there may also be a need to consider a press release.

Step 4: Completion of Investigation

In reporting back on the findings of the investigation the following documents must be completed:

- In all cases the FRT team must produce a summary report, supplementing the fraud reporting template. This document is to be used in reporting to the Board of Directors and the Fiduciary Risk Committee.
- Depending on the scope of the investigation there is also likely to be a full fraud report prepared providing details of the scope of the investigation, findings, and recommendations. This document would be prepared by one of: grantee, FRT, or independent auditor.

FRT are responsible for the preparation of both of the above reports (or sign-off of the report if prepared through an external consultant). The reports should be

discussed with the CEO and responsible owner of the grant with recommendation agreed before being finalized.

Reports should make clear whether there was any substance to the suspected misuse of funds, or any other significant finding identified during the investigation. Where necessary the report should also include recommendations for the future of the grant these recommendations will cover the status of the grant itself (regarding termination, suspension etc.) and financial management guidance (recommended improvements and mitigations to address the findings of the investigation).

The CEO will be responsible for sending on the summary report to the Board of Directors and the Fiduciary Risk Committee. The full report will be available to the Board of Directors if further detail is requested.

Step 5: Follow-up actions

The grantee will also be informed of the findings in due course. The form of this reporting will need to be set on a case-by-case basis, it will have to respond to the need to provide the grantee sufficient information to respond to the findings and recommendations, but consideration should be given to the risks of accusing grantees of fraud. The FRT will lead on determining the communication with grantees supported by the responsible owner of the grant.

Where recommendations have been made in the investigation report AmplifyChange will be responsible for follow-up and enforcement. This could include:

- Termination of grant,
- Ongoing suspension of grant pending actions by the grant holder,
- Actions by the grant holder with the project ongoing,
- Actions by AmplifyChange, or
- Reclaim of funds.

Follow-up on the recommendations and tracking of actions against the recommendations will be completed by the Grants Manager. If judged necessary then the grant should remain on the watch-list while actions are still to be resolved, however this decision can be taken on a case-by-case basis.