

Ferguson Transport & Shipping
Anti-Bribery & Anti-Corruption
Policy



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Document Review Sheet

The authorisations below certify that this document has been reviewed and accepted, and demonstrates that the individuals are aware of all the requirements contained herein and are committed to ensuring their provision.

	Name	Position	Date
Authorised by:	Frank Davidson	SHEQ Officer	14/11/2017
Reviewed by:	Tracy Pollington	QA	23/10/2018
Authorised by:	Frank Davidson	SHEQ Officer	24/10/2018

Amendment Record

This document is reviewed regularly to ensure relevance to the systems and process that it defines. A record of contextual additions or omissions is given below.

Amendment Date	Revision Guide Page (Numbers)	Context	Initials
23/10/2018	All	Re-formatted, renamed, points expanded	TP
N/A	N/A	Reviewed – no amendments	TP
12/05/2021	Whole	Minor spelling/grammar amendments. Formatting amendments. References added.	KH

Review

This policy will be reviewed at least annually, or sooner if legislative or other changes dictate.

Name:	Frank Davidson
Position:	Head of SHEQ
Signature:	
Date:	02/06/2021
Date for Review:	02/06/2022

1 Purpose

The purpose of this policy is to establish controls to ensure compliance with all applicable anti-bribery and corruption regulations including The Bribery Act 2010, and to ensure that the company's business is conducted in a socially responsible manner.

2 Policy Statement

Bribery is the offering, promising, giving, accepting or soliciting of an advantage as an inducement for action which is illegal or a breach of trust. A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage.

It is our policy to conduct all of our business in an honest and ethical manner. We take a zero-tolerance approach to bribery and corruption. We are committed to acting professionally, fairly and with integrity in all of our business dealings and relationships wherever we operate, as well as implementing and enforcing effective systems to counter bribery.

We will uphold all laws relevant to countering bribery and corruption in all the jurisdictions in which we operate. However, we remain bound by the laws of the UK, including the Bribery Act 2010, with respect to our conduct both at home and abroad.

Bribery and corruption are punishable offences for individuals by up to ten years' imprisonment and a fine. If Ferguson Transport & Shipping are found to have taken part in corruption, the company could face an unlimited fine, be excluded from tendering for public contracts and face damage to its reputation. The company therefore takes its legal responsibilities very seriously.

3 Scope

3.1 Who is covered by this Policy?

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

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, any other person associated with the company or any subsidiaries or their employees, wherever located (collectively referred to as employees in this policy).

This policy covers:

- Bribes;
- Gifts and hospitality;
- Facilitation payments;
- Political contributions; and
- Charitable contributions.

SAFETY BEYOND COMPLIANCE

Ferguson Transport (Spean Bridge) Ltd: SC156545; Ferguson Shipping (Kishorn Port) Ltd: SC317803
Registered Office: Annat, Corpach, PH33 7NN

QD41.3 12/05/2021

3.2 Bribes

Employees must not engage in any form of bribery, either directly or through any third party (such as an agent or distributor). Specifically, employees must not bribe a foreign public official anywhere in the world.

3.3 Gifts and Hospitality

Employees must not offer or give any gift or hospitality:

- Which could be regarded as illegal or improper, or which violates the recipient's policies;
- To any public employee, government official, representative, politician or political party; and
- Which exceeds £25 in value for each individual gift or £25 per head in value for each hospitality event (not to exceed a total value of £25 in any financial year), unless approved in writing by the employee's manager.

Employees may not accept any gift or hospitality from company business partners if:

- It exceeds £25 in value for each individual gift or £25 in value for each hospitality event (not to exceed a total of £25 in any financial year), unless approved in writing by the employee's manager;
- It is in cash; and
- There is any suggestion that a return favour will be expected or implied.

Where a manager's approval is required and you are a manager, seek approval from a Director if you there is no one else directly above your level within the company.

If it is not appropriate to decline the offer of a gift, the gift may be accepted, provided it is then declared to the employee's manager and donated to charity.

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.

Within these parameters, local management may define specific guidelines and policies to reflect local professional and industry standards. Where this policy requires written approval to be given, the Company Secretary shall put in place a process to maintain a register of all such approvals.

3.4 Facilitation Payments and Kickbacks (Corruption)

Facilitation payments are a form of bribery. A common example is where a government official is given money or goods to perform (or speed up the performance of) an existing duty. Facilitation payments tend to be demanded by low level officials to obtain a level of service which one would not normally be entitled to.

Our strict policy is that facilitation payments must not be paid. Any attempts to extort a facilitation payment must be reported immediately to the relevant line manager or to a Director, in the absence of an employee's line manager.

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3.5 Political Contributions

Ferguson Transport & Shipping does not make donations, whether in cash or kind, in support of any political parties or candidates as this can be perceived as an attempt to gain an improper business advantage.

3.6 Charitable Contributions

Charitable support and donations are acceptable (and indeed are encouraged), whether of in-kind services, knowledge, time, or direct financial contributions. However, employees must be careful to ensure that charitable contributions are not used as a scheme to conceal bribery. The company only makes charitable donations that are legal and ethical under legislation and practices. No donation must be offered or made without the prior approval of the Managing Director.

All charitable contributions should be publicly disclosed.

4 Employee Responsibilities

All employees must 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 Ferguson Transport & Shipping or under the control of the company. All employees are required to avoid any activity that might lead to, or suggest, a breach of this policy.

You must notify your manager or the Company Secretary as soon as possible if you believe or suspect that a conflict with or breach of 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. Ferguson Transport & Shipping reserves the right to terminate contractual relationships with other companies or workers if they breach this policy.

5 Record-Keeping

Ferguson Transport & Shipping will keep financial records and have appropriate internal controls in place which will evidence the business reason for making any payments to third parties.

Employees must declare and keep a written record of all hospitality or gifts accepted or offered, which will be subject to managerial review.

Employees must ensure that all expenses claims relating to hospitality, gifts or expenses incurred by third parties are recorded alongside 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 should be prepared and maintained with strict accuracy and completeness. No accounts must be kept "off-book" to facilitate or conceal improper payments.

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6 How to Raise Concerns

You are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. If you are unsure whether a particular act constitutes bribery or corruption, or if you have any other queries or concerns, these should be raised with your line manager or the Company Secretary.

7 What to do if someone tries to Bribe You

It is important that you tell the Company Secretary 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.

8 Protection

Employees who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing are sometimes worried about possible repercussions. Ferguson Transport & Shipping 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.

The company is committed to ensuring that 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 the Managing Director immediately. If the matter is not remedied and you are an employee, you should raise it formally using the company's Grievance Procedure found within the Employee Handbook (HR04).

9 Training and Communication

Training on this policy forms part of the induction process for all new employees. All existing employees will receive regular, relevant training on how to implement and adhere to this policy.

Our zero-tolerance approach to bribery and corruption will be communicated to all suppliers, contractors and business partners at the outset of our business relationship with them and as appropriate thereafter.

10 Who is Responsible for the Policy?

The board of Directors has overall responsibility for ensuring this policy complies with our legal and ethical obligations, and that all those under our control comply with it.

The Company Secretary has primary and day-to-day responsibility for implementing this policy, monitoring its use and effectiveness and dealing with any queries relating to 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.

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11 Monitoring and Review

The Company Secretary will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be carried out 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 employees are responsible for the success of this policy and should ensure they use it to disclose any suspected danger or wrongdoing. Employees are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the Company Secretary.

This policy does not form part of any employee's contract of employment and it may be amended at any time.

12 References

Employee Handbook – HR04
Expenses Form – QD13
Vessel/Crew Expenses Sheet – SH12
Disciplinary Procedure – HR131