



# Anti-Fraud and Anti-Corruption Policy

## **PURPOSE:**

The purpose of this policy is to help team members understand prohibited acts of fraud and corruption and ensure resources are not diverted from intended program participants. It is a policy related to Search's Code of Conduct.

Effective Date: March 31, 2024

Supersedes: Policies - 43174 - Bribery & Corruption Prevention Policy 27 Aug 2013

Responsible Team: Global People & Culture

Date Version: December 18, 2023

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## 1. Introduction

The international scope of Search for Common Ground means that we operate in a variety of legal and business environments. Search for Common Ground's Anti-Fraud and Anti-Corruption Policy reinforces our commitment to the highest standards of ethical conduct and explains specific legal guidelines and prohibitions pertaining to fraud and corruption wherever we operate. The relevant laws under this policy (henceforth referred to as "Anti-Corruption Laws") include the U.S. Foreign Corrupt Practices Act ("FCPA"), the U.S. Money Laundering Control Act ("MLCA"), the Organization for Economic Cooperation and Development Convention on Combating Bribery of Foreign Public Officials in International Business Transactions ("OECD Convention"), the United Nations Convention Against Corruption ("UNCAC"), the Organization of American States' Inter-American Convention Against Corruption ("IACAC"), the UK Bribery Act 2010, and other applicable local, national, and international anti-bribery and anti-corruption laws.

It is the policy of Search for Common Ground (henceforth, Search) to comply fully with the FCPA and all other applicable Anti-Corruption Laws.

Search expects all directors, officers, and employees of Search as well as implementing partners, consultants, agents, and other representatives acting on behalf of Search to follow the highest ethical business standards, wherever they are located.

Penalties for violations of this Anti-Fraud and Anti-Corruption Policy and related Anti-Corruption Laws can be severe. Therefore, any unlawful, improper, or unethical actions under this Anti-Fraud and Anti-Corruption Policy will result in disciplinary measures, up to and including termination and prohibition from future employment by Search. For consultants, agents, and other representatives acting on behalf of Search, Search reserves the right to terminate its relationship for any violations under this Anti-Fraud and Anti-Corruption Policy.

Any and all questions or concerns regarding this policy should be directed toward Search's Sr, Manager, Policy & Internal Compliance.

## 2. Scope

This Anti-Fraud and Anti-Corruption Policy applies to all operational entities of Search and all directors, officers, employees, interns and volunteers of Search (referred to herein as "affiliates"), as well as all implementing partners, consultants, agents, representatives, vendors, and other representatives acting for or on behalf of Search, regardless of their location anywhere in the world. This is one of several policies that serves as a related policy to the Code of Conduct, and as such, any contractual obligation to comply with the Code of Conduct or Search's Supplier Code of Conduct, include required compliance with this policy.

### 3. Policy

At Search, our reputation for honesty and integrity is among our most valuable assets. Search does not tolerate any form of fraud or corruption - bribery, kickbacks, facilitation payments, improper gifts, unapproved conflicts of interest, or other improper payments or improper behaviors - in any of our business transactions or relationships.

Any action to authorize, give, promise, or offer cash or anything of value, either directly or indirectly, to or from members of any organization or any government official for the purpose of securing any improper advantage or obtaining or retaining business or a favorable business relationship is strictly prohibited.

Likewise, Search prohibits any payments to any third party or intermediary, while knowing that all or a portion of such money or thing of value will be offered or given to any person, including any government official<sup>1</sup> for the purpose of securing any improper advantage, obtaining or retaining business or a favorable business relationship.

Involvement in fraud and corruption can result in severe damage to Search's reputation and expose us to enforcement proceedings, multi-million dollar fines, litigation, suspension and debarment from donor funding, among other serious consequences. It also can result in criminal penalties (including prison) for participants in the fraud or corruption.

To gain a better, more practical understanding of the provisions above, the following subsections walk you through some of the most significant and relevant aspects necessary in interpreting and upholding this Policy.

### 4. Fraud

Search prohibits all types of fraud. Fraud is any wrongdoing that involves deception, misrepresentation, impropriety or concealment either to gain something of value at the detriment of another. Fraud is: (1) any attempt to gain funds, information, or other assets by deception or illegal means, or (2) the deliberate false entry or omission of material facts in order to misrepresent the truth. Fraud includes, among other things, embezzlement, theft, false statements, forgery, impersonation, diversion of resources, fraudulent accounting, and procurement fraud.

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<sup>1</sup> A government official is any (i) official or employee of a government, including any political party, administrative agency, government-owned business, or any government department, agency, or instrumentality; including any military officers and members of the police as well as any utility companies, health care facilities, transportation, and sanitation service providers.;(ii) officer or employee of a public international organization; (iii) person acting in an official capacity for or on behalf of a government entity or public international organization; (iv) person or firm employed by, or acting for or on behalf of, any government; (v) political party official, employee or agent of a political party, or candidate for political office (or political party position); and (vi) any family member or other representative of any of the above. Government includes any city, local, regional, or national government. Search also prohibits payments made to members of organizations, such as local armed groups, which are not technically governmental.

## 5. Bribery

Corruption can take many forms, but most often occurs through bribery.

Bribery is offering, giving, or accepting anything of value from any person or organization, including a government official, in order to influence the actions of another person or entity. Bribery involves collusion or agreement between at least two parties. Bribery is illegal everywhere Search does business. It is contrary to Search's values as an organization and is strictly prohibited by this policy.

### **"Anything of Value"**

"Anything of value" is defined broadly and may include, but is not limited to, the following:

- cash of any amount, cash equivalents;
- non-cash benefits including gifts and favors;
- meals, entertainment, travel, donations
- loans with favorable terms;
- educational scholarships for family members; housing
- shopping trips;
- promises of future employment; or contracts or other business opportunities to companies or charities in which a government official or other holds a beneficial interest.

A violation of this policy can occur even if the bribe fails to achieve the purpose for which it was intended. This means that a person can violate this policy if they provide an improper payment or benefit to a recipient and the recipient does not grant any business or other advantage in return. In addition, the mere offer or promise of a bribe or other improper benefit is sufficient to constitute a violation. Bribes paid through an intermediary are also a violation.

### *Government Officials*

Bribery is strictly prohibited by Search whether it involves a government official, private party or member of an organization, but business with government officials presents heightened corruption risks. All interactions with government officials must comply with this policy and the law. Interactions with any government official or people closely associated with them should be carefully scrutinized and handled with care to avoid any appearance of impropriety.

## 6. Prohibited Purposes

Search policy broadly prohibits conferring anything of value to secure an improper advantage or to otherwise help Search to obtain or retain business with, or direct business to, any person. This includes any efforts to obtain any economic benefit such as funding, project assistance or necessary permits or approvals. Prohibited purposes under this Policy include, but are not limited to, improper payments made for any of the following reasons:

- to prevent government action, such as the imposition of a tax or fine, or the cancellation of a government contract;
- to improperly expedite a visa (i.e. paying a bribe for a visa);
- to obtain a license or other authorization from a government where the issuance involves the official's discretion;
- to obtain a contract;
- to reduce the rate of tax or custom duty;
- to expedite tax refunds;
- to resolve disputes with government such as tax or custom disputes;
- to resolve commercial litigation in courts;
- to influence regulatory provisions and their application to Search; or
- to secure any improper advantage.

## 7. Facilitation Payments

Facilitation payments are payments made to government officials to expedite or secure the performance of a routine government action or function. They are sometimes referred to as "expediting payments" and include, for example, payments to lower-level government employees to secure or expedite the performance of a routine or necessary action, which Search is entitled to have performed. In short, facilitation payments are made to get government officials to do what they are supposed to do. Examples are listed above.

Facilitation payments are not permissible and are strictly prohibited by Search. Exceptions to this rule are available in the following circumstances (Facilitation Payments Exception).

- A. Payment Under Duress -In order to qualify for this exception, the facilitation payment must be made under duress, in circumstances where a reasonable person would believe that they have no alternative other than to

provide the facilitation payment in order to protect life, limb, or liberty. If a payment is made under these circumstances, the circumstances of the payment and amount should be reported as soon as is practicable to the VP, Finance, Director of Finance & Administration & Sr. Manager, Global Safety & Security. Any such payment should be reported and described accurately, including in the accounting system, and no documents regarding the payment should be altered or falsified.

- B. Payments Made in Accordance with Local Legal Requirements – facilitation payments that are required or permitted by local written law (not local custom) are permitted. Such payments are not considered bribes.
- C. Payments Made with Prior Approval of HQ – In limited circumstances, a facilitation payment that is made with the prior approval of the HQ- is authorized only if all possible efforts to avoid the facilitation payment have been made, the extent of the payment is as small as possible, and an assessment has been done, concluding that failure to make the payment would result in a significant negative impact on Search's ability to deliver on its programs. A memo must document the case and all steps taken before reaching this decision, and lessons learned to avoid a similar situation arising in the future. Circumstances where such approval will be granted are extremely rare. Any such payment should be reported and described accurately, including in the accounting system, and no documents regarding the payment should be altered or falsified. Positions authorized to approve such requests are Senior Manager, Policy & Internal Compliance or the Director of Finance & Administration.

## 8. Kickbacks

Kickbacks are illegal payments intended as compensation for preferential treatment or any other type of improper benefit, such as information or discounts. Kickbacks are a type of bribery, and like other bribes, they can take many forms, including cash, cash equivalents, gifts, meals and entertainment. Kickbacks involve some sort of collusion between at least two parties. Offering, giving, or receiving a kickback is a corrupt practice. Kickbacks of any kind are not permissible and strictly prohibited by Search.

## 9. Third Parties

Search also prohibits indirect payments authorized or given by Search or its employees to any third party or intermediary if Search knew or should have known that all or a portion of such money or thing of value would be offered, given, or promised, directly or indirectly, to any person, including any government official for the purpose of influencing or inducing any official act in order to secure an improper advantage or to otherwise obtain or retain business with, or direct business to, any person.

This is very important, because in certain situations, Search could be held responsible for the improper payments made by such independent third parties or intermediaries as a consultant, agent, or other representative.

Authorizing a third party to do something that is unlawful or prohibited that Affiliates or Partners cannot do directly is a violation of this policy. Third party risk management – and ensuring Search engages only reputable third parties committed to anti-fraud, anti-money laundering and anti-corruption – is a key element of Search’s compliance program.

Therefore, the following sub-sections below provide a more detailed explanation of the risks associated with the use of any third party agent wherever Search operates, as well as a practical, though not exhaustive, guide to some common “red flags” of questionable or potentially illegal conduct that should be monitored carefully or reported.

### *1. Knowledge of Third Party Actions*

Knowledge of a third party’s improper conduct, circumstance, or result may be inferred if:

- Search or its employees are actually aware of the third party’s improper payments, or of the existence of such improper circumstances, or that an improper result is substantially certain to occur; or
- Search or its employees hold a firm belief as to the existence of improper circumstances or a firm belief that an improper result is substantially certain to occur; or
- a high probability of improper payments or actions occurring exists, unless the person actually believes that such circumstances does not exist; or
- Search or its employees are willfully blind to such circumstances. In other words, a payment is made in “conscious disregard” or with “deliberate ignorance” of known circumstances that would alert a reasonable person to a potential legal violation associated with such payment.

#### *a. Due Diligence*

Search employees must exercise reasonable due diligence in the selection of any third party that may interact on Search’s behalf with government officials.

#### *b. Hiring of non-U.S. agents, consultants, representatives, or other third parties*

Search policy requires certain procedures and contractual provisions when engaging non U.S. agents, consultants, representatives, or other third parties. The Search program manager responsible for engaging these parties also has special responsibilities to undertake due diligence.

#### *c. Agreements and Payments to non-U.S. agents, consultants, representatives, or other third parties*

Agreements between Search and any non-U.S. agent, consultant, representative, or other third party must be in writing, state the services to be performed, state the fee basis and amounts to be paid, and specify any other key terms and conditions. Any and all fees must bear a reasonable relationship to the value of the services performed,

documented and recorded completely, made by check or wire transfer directly to the third party whenever possible, and comply with the rest of this Policy.

## 10. Reasonable, Bona Fide Expenditures, and Gifts

Search policy allows certain benefits and expenses that are directly related to (1) the promotion, demonstration, or explanation of Search programs or (2) the execution or performance of a project with the country's government or a government agency. Reasonable business expenditures should not be authorized, offered, given, or promised unless specifically approved under the Policies of Search.

Before an affiliate offers or receives any gift from anyone, the affiliate should ensure it is in accordance with the following mandatory principles:

- It is reasonable and consistent with local customs,
- It is not offered or received to gain an improper advantage or influence action;
- It is not motivated by a desire to influence or induce an individual improperly,
- It is not offered or received during a procurement process;
- It is not offered or received in the form of cash or cash equivalents;
- It or the frequency of prior gifts provided to the same recipient does not create an appearance of impropriety,
- It is legal under the written laws, regulations, or rules of that country. If Search policy or limits differ from local law, Search will always adhere to the stricter of the two.
- It is provided directly to the government organization or service provider's company whenever possible,
- It is fully documented with receipts, and
- It is accurately recorded in Search's books and records.

Any travel expenses for government officials should comply with all relevant Travel and Per Diem policies as well as any relevant donor policies in addition to the provisions stated herein. As with all Search expense procedures, bona fide expenditures must be Allowable, Allocable, and Reasonable, as is defined in Search's finance policies and donor regulations.

### 1. Gifts

Generally, modest gifts such as souvenirs and promotional products bearing the Search logo and name are permitted as the gift does not violate local corruption laws. Gifts must be reasonable, legitimate and directly related to the promotion or demonstration of Search products. The line between legitimate and inappropriate is not always clear; prudence and caution are appropriate. Such gifts must be accurately reported and fully documented as to the value of the gift, recipient of the gift, and supported by receipt whenever possible.

Section 8.4 of Search's Code of Conduct describes Gifts and Favors prohibitions as follows:

"An affiliate involved in a procurement process or any process involving selection of vendor, supplier, partner, participant or employee, should not be in a position where his/her actions may constitute or could be reasonably perceived as reflecting favorable treatment to an individual or entity by accepting any gifts or any hospitality or other similar considerations. An affiliate shall neither solicit nor accept a gift, or any form of gratuity, from anyone who has submitted a proposal to do business with Search. The use of Search funds or assets or the offering of private funds or assets for any unlawful, improper, or unethical purpose including, but not limited to, improper gifts, payments, or offerings of anything of value, including to government officials, is strictly prohibited."

Gifts valued at more than USD 25.00 or equivalent are prohibited. This is a maximum limit. Where this limit can be considered extravagant in a local setting, it is the responsibility of local management to set lower local limits and communicate them clearly.

Cash gifts, gifts purchased with personal funds, paying for entertainment expenses, and/or charitable donations to a government official – or for a government official's personal benefit - are strictly prohibited.

In some cases, refusal of a business gift may cause embarrassment or offense to the person offering it. In these cases, it is usually best to accept the gift on behalf of Search, report it to your supervisor and turn it over to Search. Affiliates may never accept cash, or the equivalent of cash, regardless of the amount.

Search requires all affiliates to immediately disclose any business gift that is received to the head of the department or Country Program.

## *2. Meals*

Generally, modest and infrequent meals for government officials are permitted. Further, all meals must be properly recorded in Search's books and records following purchase and comply with Search's expense policies.

## *3. Travel and Lodging*

All travel and lodging expenses must follow this Anti-Fraud and Anti-Corruption Policy and Search's Travel Policies, whichever provides stricter limitations on the expenses for government officials. At a minimum, excessive airfare, lodging, local transportation expenses, sightseeing trips, and provision of travel expenses for spouses and/or children of government officials are prohibited. International and domestic airfare, local transportation fees, and lodging expenses for government officials must be clearly described in approved funding

proposals and budgets, must be consistent with local expenses, and documented according to the normal accounting policies and procedures.

Whenever possible, employees should pay expenses directly to the service provider or the government of the official. If a government official seeks reimbursement, all supporting receipts must be collected by Search prior to any payment. Any and all travel and lodging expenses must be made in compliance with Search's Travel Policy and properly recorded in Search's books and records.

#### *4. Per Diems*

Furnishing of per diems, stipends, "pocket money," or other personal spending money for any official should be avoided, if possible. If Search personnel are traveling with government officials, it is preferable for Search to pay the expenses for the officials and account for them as such, rather than giving cash. If cash per diems are necessary, the provision of per diems to government officials should be consistent with the program's participant per diem policy (or the government's policy, if applicable). As with all per diem disbursements, there should be pre-set limits, per diems should be carefully accounted for, documenting: amount of payment, date, business purpose, and recipient. In general the overall amount should be low and consistent with local expenses.

#### *5. Political Contributions*

No Search funds, property, assets, services or facilities may be used, directly or indirectly, to participate or intervene in any political campaign on behalf of, or in opposition to, any candidate for public office, or contributed to or used by any political party, campaign, political action committee or public office-holder. This includes Search-supplied computers, phones, and internet.

Please see Section 6 of Search's International Code of Conduct for the related policy.

## **11. Unapproved Conflicts of Interest**

This policy does not fully address the details of unapproved conflicts of interest, which are covered in Search's Conflict of Interest Policy, which is Section 8 of the Code of Conduct.

A conflict of interest exists when an affiliate has a personal, professional or business interest that can influence or interfere with their obligations to Search. A conflict can be actual, potential or perceived. An actual conflict is one that exists. A potential conflict may not presently exist but could arise in the future. A perceived conflict is one that appears to be a conflict, even if it is not an actual or potential conflict. The term "conflict of interest" as used in this policy addresses all three referenced scenarios.

Affiliates must fully disclose any activity or transaction that might give rise to a conflict of interest, or even the appearance of a conflict of interest related to their role at Search. Affiliates should not engage in potential conflict of interest activity without having received authorization to proceed. In some cases, an affiliate may not realize that a conflict exists until they are already engaged in the activity. Affiliates should follow the notification process in Search's Conflict of Interest Policy, as soon as they become aware that the potential for conflict exists.

## **12. Anti-Money Laundering Policy**

Money laundering is the process by which the proceeds of a crime are channeled through financial systems in an effort to disguise their illegal origin and returned to the launderer in an indirect manner. Search shall apply a risk-based due diligence approach, informed by donor type, size, context and scope, and where risk of Money Laundering is high, additional screening will be completed to validate the identity of the donor and enable reasonably informed decision regarding engaging with a party. Since money laundering also involves payments, all the existing due diligence and screening requirements for subrecipients and vendors, covered in Search's subaward and procurement policy, as well as Search's Excluded Parties, Anti-Terror and Sanctions Compliance Policy will also apply. One such requirement is for no payments to be made in cash that exceed EUR 3000 (See Policies 43800 - Cash Security Policy).

## **13. Accurate Books and Records and Internal Controls**

Search requires that all books, records and accounts must be kept in reasonable detail, and that all expenses are accurately and completely reflected in Search's ledgers, with adequate supporting documentation.

Search is also required to create and maintain an effective system of internal controls, aimed at preventing and detecting fraud and corruption. Through such controls, Search can have reasonable assurance that management is keeping track of all transactions and directing them in an ethical fashion, in accordance with Search policies.

Business records, including purchase orders/ requests, invoices, and expense reports, must accurately and fully reflect the relevant business transaction. Business records that misstate or omit material information are not acceptable. Deliberate false entries or omissions of material facts in Search's books and records in order to misrepresent the truth constitute fraud.

## 14. Reporting and Discipline

Complying with anti-bribery and anti-corruption laws is important for Search's continued work around the globe. Violations can result in severe civil and criminal penalties, as well as significant harm to Search's reputation.

Affiliates who engage in or assist any form of fraud or corruption or other material violation of this policy will be subject to discipline, up to and including termination and prohibition from future employment by Search, and may be subject to criminal prosecution.

Any consultant, agent, or other representative acting for or on behalf of Search will be in breach of their agreement with Search and may have their agreements terminated, be prohibited from working with Search, and/or be subject to criminal prosecution.

As with reporting of any Code of Conduct Violation, Search requires all affiliates and encourages participants to immediately report any allegation of fraud or corruption or other material violation of this policy. Please see [Section 11 of The Code of Conduct](#) for more details, including a description of the anonymous reporting portal: [sfcg.ethicspoint.com](http://sfcg.ethicspoint.com) Affiliates should not investigate any allegation or fraud or corruption if they are not authorized to do so. Search will review all fraud and corruption reports to determine credibility and will investigate any credible evidence of fraud or corruption, or policy violation and ensure proper resolution. Credible means any allegation where there is evidence that a reasonable person would believe reliable under the circumstances. See Search's Internal Investigation Guidelines for more information.

As detailed in section 12 of [The Code of Conduct](#), Whistleblower Policy & No Retaliation, Search will not tolerate any form of retaliation against anyone who reports a suspected violation in good faith. Search will not tolerate abuse of reporting systems. For example, Search will not tolerate reports brought with knowledge that they are false and in bad faith.

Search will report credible evidence of fraud or corruption to the relevant authorities, and to donors, as may be required by agreement or applicable law, or, if not required, as Search determines appropriate. Search will cooperate with investigators and law enforcement in ensuring those responsible are held accountable. Please see Search's Guidelines for Disclosure of Ethical Violations to Donors for more information.

## 15. Required Processes and Procedures to Ensure Compliance

Search ensures compliance with this policy through appropriate processes and procedures, including:

<b>Action:</b>	<b>Responsibility:</b>
Communicating this policy and collecting their certification, as part of Code of Conduct	People & Culture Focal Point
Maintaining financial control system & accounting procedures	Finance
Maintaining the reporting hotline and Internal Investigation Guidelines	People & Culture
Maintaining, through EthicsPoint, a register of fraud and corruption allegations	People & Culture, with support from Finance
Conduct training on this policy for all affiliates	People & Culture, with support from Finance
Due diligence and monitoring of Implementing Partners	Program Management, with support from Finance

## ANNEX 1: Common Fraud Indicators

- Artificial sense of urgency and pressure to expedite contracts without normal review and approval
- Lack of employee rotation in sensitive positions, such as cash handling
- Inappropriate combination of job duties
- Unclear lines of responsibility and accountability
- Employee refuses to take vacation or refuses promotion
- Material contract requirements in the actual contract differ from those in the request for bids
- Established controls not applied consistently
- High turnover among supervisory positions in finance and accounting areas
- Management override
- Frequent Non Competitive procurements / Excessive or unjustifiable use of sole-source procurement
- Same vendors for long periods of time
- Unsuccessful quotes are from same vendors over a period of time
- Excessive cash transactions
- No Serially numbered documentation
- Incomplete or disorganized records

## ANNEX 2: Examples of Fraud and Corruption

### Fraud and Misrepresentation

**Q:** Our team received a notice of an upcoming internal audit. When compiling documentation for the audit team, I realized that we were missing some of the requested records – the excluded party/ Bridger screening for some of the vendor contracts. I know that these screenings are required by Search before engaging in a financial transaction with a third party. I advised my supervisor of the missing results and was directed to run the searches and backdate the results. When I ran the searches, the third parties were not prohibited. Is it okay to backdate the results?

**A.** No. Backdating these results is forgery.

**Q:** I made a small error on the expense report I just submitted--the amount I input is slightly more than the actual cost. Do I need to correct the report?

**A.** Yes. All records must be accurately kept. Even small discrepancies are a red flag for auditors and regulators.

**Q:** I know certain costs, like alcohol or entertainment costs, are unallowable on grants. Can I code them under a general, non-specific category so it will not stand out on the financial report?

**A.** No. You may not misclassify an expense so that it can be paid from a remaining budget line or charge any unallowable cost to any budget line item. Unallowable costs incurred by the office

should be charged to unrestricted funds only.

**Q:** My team did not utilize all the budget approved this year. To maintain the same funding amount next year is it acceptable for me to ask a vendor to pre-bill Search for one of next year's projects?

**A.** No. This would qualify as falsifying expenses recorded in our books and records, misrepresenting when the organization would incur the expense.

### **Corruption**

**Q:** I was placing an order with an established supplier. My key contact at the supplier indicated that I would receive a large discount on the price if I could "do him a favor" by helping with the costs of educating one of his children. Am I allowed to do this favor?

**A.** No – this is bribery. You should report the supplier's request to your supervisor. Agreeing to this favor is prohibited by this policy.

**Q:** Our team has been waiting a long time for visas for new team members. There has been a significant delay in visa processing in our country. A team member suggests that we can make a small payment to a government official who will speed up the visa processing for us. The team member said all the NGOs make these types of payments. Can we make this payment?

**A.** No. This is a facilitation payment and a bribe. Facilitation payments are prohibited by this policy, even if such payments are perceived as a common part of local practice.

**Q:** Our team wants to engage an external consultant to ensure we get the required licenses from the local authority without delay. The consultant has a reputation for knowing the relevant processes very well. Can we contract this external consultant?

**A.** Prior to engaging the consultant, you will need to make sure that the external consultant will follow all legal requirements to obtain the license. Proper screening of the consultant (e.g., reputation, conflict of interest, website, commitment to anti-bribery, etc.) is necessary. The contract with the consultant must include precise wording on the services that are to be provided and must be explicit about the fees to be paid in relation to the license and the costs charged by the consultant. The consultant must agree that no payment will be made to a government official in connection with the services except for payment of the official government fee(s).

**Q:** I understand that Search has zero tolerance for bribery and corruption. However, where I have to pay a bribe to secure my safety or safe passage, is it allowed to pay a bribe? In such circumstances, what can I do to ensure I am safe and still operating within Search's policy provisions?

**A.** You are likely allowed to make this payment, which is considered a facilitation payment made

under duress. Although Search prohibits facilitation payments, one exception is if the payment is made under duress. This means a reasonable person would believe that they have no alternative other than to provide the payment in order to protect life, limb, or liberty. If a facilitation payment is made in these circumstances, you must report the payment immediately to the VP, Finance and Safety & Security.

**Q:** As a Search employee, may I bribe a government official to expedite the renewal of my personal driver's license?

**A.** No. Although Search respects its team members' privacy and generally does not interfere with their activities outside of work, every Search affiliate must avoid any misconduct outside of work that could impair their ability to do their job or affect Search's reputation.

### **Business Gifts**

**Q:** Senior team members in a country program interact freely with program partners and receive free meals from the partners. The program participants who are supported by these partners view this treatment as a bribe so the partner will receive more work from Search. Is it appropriate for the team members to receive these free meals?

**A.** In most circumstances, modest and infrequent business meals may be accepted. However, whenever a team member receives a free meal from a partner, vendor, etc., the team member must consider the specific circumstances and whether their impartiality could be compromised or appear to others to be compromised. Since program participants may view these meals as bribes, team members should refer to this policy and seek advice from their supervisor.

**Q:** I would like to invite a government official to a Search event where lunch will be served. Is this permitted?

**A:** YES if in the approved budget and if it is reasonable.

**Q:** How do you distribute gifts addressed to specific team members from vendors and contractors? Is there a maximum frequency of receiving such gifts?

**A.** Gifts from vendors should not be accepted if they are in the form of cash or cash equivalents, valued at more than USD 25 or equivalent, or create or appear to create an improper influence or unfair advantage. Any business gift received by a team member must be reported to the head of the department or Country Program.

**Q:** I've been invited to the wedding of a son of an influential government official. It would be rude to say no or not to bring a gift. What should I do?

**A.** A wedding gift is not a business expense and would be expected to be paid from your personal funds. Consider if any procurement or pending decision could make your presence at the wedding or your gift to be perceived as an effort to gain undue influence or conflict of interest. Ensure any

gift is modest.

**Q:** Do team members have to report having coffee or lunch with a friend who works for a vendor?

**A.** It depends. If the team member and friend are having coffee or lunch because they are friends and they both pay their share, then no reporting is necessary. However, if the outings occur regularly and the friend pays the bill each time, it should be reported. Team members should consider the frequency of the outings, the cost involved, and whether the friend is paying in order to gain an improper advantage or influence official actions. Additionally, all gifts are prohibited during procurement processes.

**Q:** A company with which Search does business delivers a holiday gift basket with food and wine to your office as a holiday gift. The basket has a value of approximately USD 100. You do not return the gift basket, but share it with the other team members in your office. Is this okay?

**A.** Yes. This is a customary business courtesy and returning it may not be appropriate (e.g., perishable items) or cause embarrassment to Search. The receipt of the gift basket should be reported to the head of Department or Head of the Country Program.