

# RAP 3

## Code of Ethics guidance, Anti-Corruption & Anti-Bribery information, and References

RAP is a highly professional programme with a long-established Ethics Policy supported by a robust Business Code of Ethics. RAP will not tolerate corruption in any form. We will not hire anybody with a known history of corrupt practices, and will terminate the employment of any individual found guilty of any corrupt offence, whether that offence is connected to the project or not.

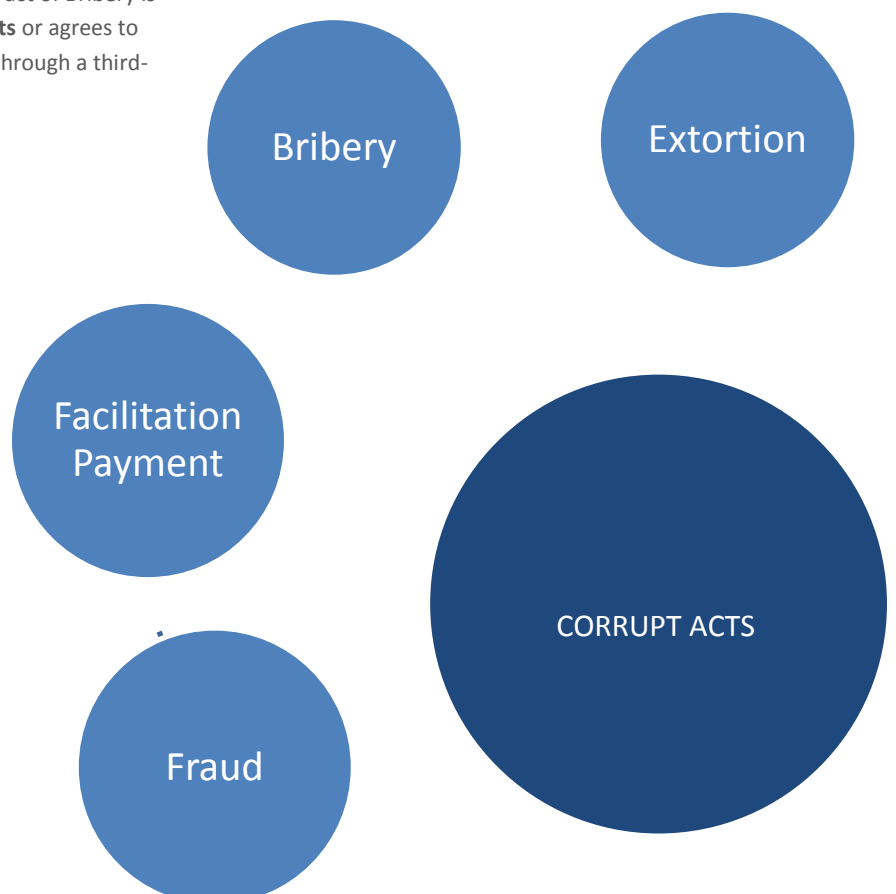
**Definition of Corruption...** any action (or deliberate inaction) taken with the intent to improperly influence the decisions – or behaviour – of an individual or organisation, to the benefit of oneself or detriment of another.

**Bribery** – any type of **benefit** (cash payments, some form of **gift or donation**, offers of **entertainment**, promise of **future employment**, or an **exchange of favours**) given to induce an individual/entity to perform a dishonest act. An act of Bribery is committed when a person **offers, gives, requests** or agrees to **receive** a benefit directly, or does so indirectly through a third-party or agent.

**Facilitation Payments** – when a payment given for a service is **over and above** the fee that is legitimately due/advertised for that service. The payments are different to a bribe as the payment is often made to ensure that an official **performs their duty properly** or bypasses 'standard procedure'.

**Fraud** – an individual or firm/entity acting **dishonestly**. It may involve the presentation/supply of information in the full-knowledge that it is – or might be – **untrue or misleading**.

**Extortion or Blackmail** – threats of negative consequences (e.g. physical harm, or monetary loss) unless the threatened individual meets some demand.



**Collusion** –when two (or more) individuals/ entities cooperate to **deceive a third party** (e.g. client or supervisor) to actively reduce **perceived competition**.

**Theft** – when an individual/entity dishonestly **takes or destroys** money/ assets that do not belong to them. Theft often also involves **fraud**, e.g. false documents or information may be used to conceal the theft/embezzlement.

**Abuse of Power** – an individual **abuses a position of trust** for the purposes of illicit (dishonest or illegal) personal advantage/ gain, or to show favouritism to family members (**nepotism**). Often committed by public officials or those in a position of authority

Collusion

Theft

Abuse of  
Power

Money  
Laundering

CORRUPT ACTS

**Money Laundering** – a party/individual/entity moves money – or assets – obtained by criminal/corrupt activity from **one location to another** to actively **conceal** the criminal source.

**The Legal Framework...** As RAP is managed by a UK-based firm, the law under which it is obligated to act is The Bribery Act 2010. You or your employer will have specific anti-corruption clauses written into your/their contract with RAP and DFID in order to ensure compliance with this Act, and to help protect you (and us) from Nepali Law and other relevant international agreements. RAP has also produced a set of guidelines – DOs and DO NOTs – that summarise the 'spirit' of these clauses in plain English.

**Do NOT** intentionally and deliberately withhold information from your employer or client

**Do NOT** dishonestly provide, conceal, or approve work, materials, equipment or services which are not of the quality and quantity required under contract

**Do NOT** become involved in any activity which you believe will, or might, involve dishonesty

**Do NOT** comply with any direct instruction to act dishonestly unless you or others around you are physically threatened

**Do NOT** instruct any other person to act dishonestly or to knowingly commit any act of Corruption, Bribery, Extortion or Fraud

**Do NOT** attempt to win contracts, or have claims/ payments approved in any way other than the legitimate and officially recorded means.

**Do NOT** give or accept gifts, payments or other benefits – including exchange of favours – if the intention is to improperly influence your actions, or the actions of another.

**DO** seek further guidance from Senior RAP staff if you are unsure

**DO** report any incidence of corruption you observe, or any incident you have been forced to become involved in through physical threats of violence

**DO** encourage others to follow your example

**DO** ask yourself this: If someone other than those directly involved were to find out what I was doing, would I feel ashamed? Fear for my job? If the answer is yes, then **DON'T DO IT.**

## FURTHER INFORMATION

### RAP RESOURCES

RAP's Anti-Corruption and Anti-Bribery Training

RAP's Ethics and Anti-Corruption Policy Statement

### OTHER RESOURCES

[Bribery Act 2010](#)

[Bribery Act 2010 Guidance](#)

[U4 Anti-Corruption Resource Centre](#)

[Transparency International](#)

[Construction Sector Transparency Initiative \(CoST\)](#)

### MORE INFORMATION OR REPORTING

If you observe something, or are asked to do something you know to be corrupt, either...

...Follow the reporting procedures of your firm/organisation; this should then be escalated to RAP senior management by your employers.

... Or if the corrupt offence is committed by your employer themselves (or under their instruction), report their behaviour directly to the RAP Programme Manager.

It is also crucial that you **follow up on your report**. If the person you have reported the offence to does not provide feedback, seems to ignore your concerns, or you see that nothing has changed and in your opinion corrupt offences are continuing to occur, contact the RAP Programme Manager – Mr Michael Green – and report your concerns directly to him: [whistleblower@rapnepal.com](mailto:whistleblower@rapnepal.com) or contact the IMC Director for Asia – Mr Suraj Rana: [imc@imcworldwide.com](mailto:imc@imcworldwide.com)