



**Manusher Jonno
Foundation**

Policy
on
Bribery, Gift and Hospitality



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Table of Contents

1.	About MJF	1
2.	Objectives of this policy	1
3.	Ethical Dilemma in Gifts and Hospitality.....	2
4.	Bribery, Gift and Hospitality under this policy:.....	2
5.	Registering Bribery, Gift and Hospitality.....	4
6.	Responsibility associated with this policy:.....	5
7.	Data Protection	5
8.	Failure to make a declaration.	5
9.	What to do if you are victim of bribery:	6
10.	Permissible and impermissible Gifts and Hospitality:.....	6
11.	Bribery, Gift & Hospitality Registering Flowchart	8
12.	Bribery, Gift and Hospitality Register:	9

List of Abbreviation

MJF	Manusher Jonno Foundation
DFID	Department for International Development
SIDA	Swedish International Development Agency
EU	European Union
GCERF	Global Community Engagement and Resilience Fund
NGO	Non-governmental Organization
BDT	Bangladeshi Taka
PNGO	Partner NGO



BRIBERY, GIFT AND HOSPITALITY POLICY MANUSHER JONNO FOUNDATION

1. About MJF

MJF, a leading human rights organization has been supporting hundreds of NGOs in Bangladesh since 2002 to promote human rights and good governance. Through human rights and governance program, MJF contributes towards poverty reduction aiming to bringing change in the lives of most marginalized people. Since the beginning, DFID has been providing MJF funding support to implement human rights and governance program. MJF also receives funding support from other donors like SIDA, EU, World Bank, The Carter Center and GCERF to accelerate the human rights program.

Vision of MJF

A world free from exploitation and discrimination where people live in freedom, dignity and human security.

Mission of MJF

Right holders especially the poor and marginalized are capable of demanding fulfillment of their fundamental and basic rights and duty bearers are responsive, accountable and transparent.

2. Objectives of this policy

MJF recognizes that it is important for MJF employees to maintain and build effective networks in order to support the work of MJF. We possess true spirit and real understanding of the views of works through partnership.

However, contact with partners NGOs, vendors, suppliers and other stakeholders can raise offers of gifts, hospitality and bribes.

MJF is committed to ensure the highest standards of conduct in all that it does. As a global fund raiser, MJF must respect donor practices around the world.

Bribery is termed as corrupt practice which violates the public trust, threatens economic and social development. Gifts and hospitality can put MJF at risk if it is used to facilitate unethical practice.

Thus, MJF employees when deal with suppliers, vendors and partner NGOs are expected to conduct themselves with honesty, fairness and high ethical standards.

The objective of this policy is to describe what to do if and when bribery, gifts and hospitality is offered. This policy statement for bribery is clear and understandable and is

in alignment with laws. This policy follow international and national best practices and it has been drafted with a clear understanding for preventing corrupt practices. The entire workforce of MJF including other act on behalf of MJF, are required to understand and abide by this policy.

We abide by anti-bribery and gift culture and avoid even the perception of impropriety.



- 2.1 Accepting gifts must be balanced with upholding high standards of priority and guarding against any reasonable suspicion or perceived undue obligation being created.
- 2.2 This perception can and will have an adverse effect on MJF reputation and the objectives we aim to achieve.

3. Ethical Dilemma in Gifts and Hospitality

MJF recognizes that gifts and entertainment is occasionally used to leverage relationship. Giving gifts is a way to express gratitude and appreciation. In certain circumstances, accepting gifts may further MJF's interest.

While gifts are often given as a gesture of courtesy, overly generous gifts where professional obligation exists, tend to put pressure on the recipient to extend more than just courtesy to the giver.

Thus, surprisingly the line between sincere giving and intentional gift is becoming increasingly distorted.



- 3.1 It is unethical and in some cases illegal to accept gifts or taking hospitality where the intent is to get favor.
- 3.2 Gifts even those of nominal value, can create the perception of undue influence.

4. Bribery, Gift and Hospitality under this policy:

In our professional work, we will maintain credibility and trust among our colleagues, the others with whom we deal for official purpose, and most importantly-with vendors, suppliers, partner NGOs, donors and stakeholders.

MJF employees must be aware that offer of this kind may place them in a difficult position, because refusal may cause misunderstanding. On the other hand, acceptance could involve liability or give rise to questions of impropriety.

Through this policy, MJF expresses definition and organizational approaches to address hospitality, gifts and bribery.

- 4.1 **Definition of Gift:** A gift is something of value given without the expectation of return.
- 4.2 **Definition of Bribery:** A bribe is the same thing given in the hope of influence or benefit. Bribery seems to be an arena in which our moral views are changing. Bribery is viewed with intolerance throughout MJF and is a shameful act.

We should not normally accept Gifts and Hospitality but MJF recognizes that in some cases non acceptance may cause embarrassment to the provider. In some culture, it may be seen as an insult to reject a gift, and refusals may adversely affect work relationship.

MJF has mentoring program to equip employees at all levels with an inside-out approach which help staff to debate and understand the importance of ethical behavior from organizational perspective.



- 4.3 As per MJF policy, bribery is strictly prohibited and action will be taken in line with MJF disciplinary policy.

We do not accept and offer gifts and hospitality if-

- 4.3.1. Accepting a gift or having hospitality undermines our credibility or creates the appearance of impropriety.
- 4.3.2. Gift and hospitality is offered with **actual or apparent intent to influence** our official decisions.
- 4.3.3. Gifts and hospitality is offered which is **reasonably be seen improperly to influence** our official decisions.
- 4.3.4. Acceptance of Gift and hospitality might be perceived to compromise our personal judgment or integrity.
- 4.4 Individual employee will apply their personal judgment to identify any kind of acceptance of gift and hospitality, whether it is simply a gift or has improper influence.
- 4.5 Unsolicited gifts may be shared with line management which may lessen the perception that the gift was intended to influence the action of a single employee.
- 4.6 Where professional and authoritative relationship exists, gifts and hospitality can occasionally be offered to celebrate special occasions (such as religious holidays or festivals or birth of a child)

provided such gifts do not affect adversely our decision making and do not exceed BDT 2,000 in values.

- 4.7 Within our official capacity, all staff must declare and record all gifts and hospitality whether accepted or declined that is value of BDT 2,000 and more.

5. Registering Bribery, Gift and Hospitality.

To alleviate risk, **Registering** enables staff to record bribery, gift and hospitality offered whether it is accepted or declined. To maintain public confidence and protect the integrity of both MJF and its staff, it is important for us register bribery, gift and hospitality. MJF develop procedures for accepting and offering gifts and hospitality which will seek to ensure that employees act ethically. **Bribery, Gift & Hospitality Register (BGHR)** provides a centralized repository of all declarations across MJF.

- 5.1 If there is any incidence of bribery and intentional gifts and hospitality, we must declare it promptly in the **Register**.
- 5.2 All staff members are required to complete a declaration in the **Register** at least every six months to ensure compliance with this policy.
- 5.3 Even if we have no declaration to make, we are still required to fill up the **Register** as **Nil Return**.
- 5.4 Line manager will receive an automatically generated e-mail from MIS system informing that a declaration has been made.

As soon as a declaration has been made, line management must:

- 5.5 Ensure that they review all declarations within five working days.
- 5.6 We will meet with our line manager to discuss the matter.
- 5.7 Line manager will take and implement mitigating action.
- 5.8 The implementing action will be documented in the **Register**.
- 5.9 Monitor the frequency of declaration made by staff who has accepted gifts.

Through discussion with our line manager we may agree:

- 5.10 No improper influence is associated with accepted or given gifts.
- 5.11 To continue with the accepted gift of which has perceived impropriety but line management implement action to mitigate any risk. This include closure monitoring, revision to plans, exclusion from decision making activities and disclosure of all relevant information to others involved in the process and may be excluded from the activity.
- 5.12 If we cannot agree what action should be taken with our line manager we should escalate this via the appropriate management chain.



- 5.13 Registration will remove any question of improper conduct and drive transparency within the organization.

5.14 Under no circumstances, should we avoid updating the **Register**.

5.15 Individual staff is responsible for ensuring that their declaration is kept up to date at all times.

5.16 If there is any doubt on whether or not hospitality or gift should be accepted, we should seek advice and guidance from our line management or head of department.

6 Responsibility associated with this policy:

6.1 **Responsibilities of MJF employees:** Employees must ensure that they have read and understand this policy and, comply with the terms and conditions of this policy.

6.2 Responsibilities of management:

6.2.1 The governing board has overall responsibility for ensuring this policy compliance with our legal and ethical obligations, and all those under control of MJF comply with it.

6.2.2 The head of human resource department of MJF has primary day-to-day responsibility for implementing this policy.

6.2.3 MJF management holds the responsibility to bring time to time revision of this policy considering the potential risk factors.

6.2.4 **Line Manager:** Management at all levels are responsible for ensuring that those reporting to them are aware of and understand this policy and, if necessary and appropriate, are given training on it.

7 Data Protection

7.1 All declarations held on Gift & Hospitality Register will be handled in accordance with the following eight principles. To enable confidential reporting, access to the system will be restricted to line manager and their line management chain.

- Fairly and lawfully processed.
- Processed for limited purposes.
- Adequately relevant and not excessive.
- Accurate and up to date.
- Not kept for longer than is necessary.
- Processed by line management respecting human rights.
- Held security and
- Not transferred to other one without adequate protection.

8 Failure to make a declaration.

8.1 If anyone fail to declare a conflict of interest (actual, potential or perceived) through the offer of a Gift or Hospitality (accepted or declined), appropriate action will be taken in line with MJF disciplinary policy.

9 What to do if you are victim of bribery:

We must comply with this policy and declare this in the Register if:

9.1 We are offered bribery by a third party.

9.2 We are asked to make a bribe.

9.3 We suspect that we may be asked to commit such a violation.

9.4 We are blamed by someone as the recipient though it is not fact based.

9.5 We believe that we or anyone else is a victim of any form of unlawful activity.

10 Permissible and impermissible Gifts and Hospitality:

This section contains a list of possible incidence that may arise and carry risk during the course of official dealings. The list is not intended to be exhaustive and is for illustrative purpose only. MJF draws line between permissible and impermissible gifts and hospitality.

Permissible Gifts and Hospitality:

- 10.1 **Light snacks:** Light snacks and tea may be allowed if it is necessary to maintain normal work relationship, improve image of MJF, good manner and courtesy.
- 10.2 **Bona fide to work relationship:** Hospitality and gift is accepted if it is reasonable, appropriate, modest, and that is bona fide to work relationship.
- 10.3 **Joint field visit expenses:** Joint field visit is conducted together with PNGO staff thus PNGO charge the expense to their organizational respective fund.
- 10.4 **Gifts to MJF:** If gift is offered to MJF through any employee should not be accepted as personal gift. Such gift must be kept within MJF and displayed in the general area.
- 10.5 **Personal relationship is not a concern:** MJF recognizes that employees will develop relationships, friendships and contacts in their personal and working lives. The minority of these relationships will not give rise to any concern and can be regarded as a private matter.
- 10.6 **Isolated small gift:** Gifts considered as isolated trivial gifts may be accepted and offered e.g. low value items that can be used or displayed in the workplace such as office stationery or inexpensive seasonal gifts such as dairies and calendars.

Impermissible Gifts and Hospitality

- 10.7 **Demand cash:** Demand any payment of cash or equivalent from the vendors, suppliers and Partner NGOs or potential NGO is strictly prohibited.
- 10.8 **Accept payment:** Accept payment from any vendor, supplier. Accept payment from partner NGO or potential NGO, knowingly or suspecting that it is offered with the expectation that it will obtain and assure funding advantage.
- 10.9 **Food with the expense of NGO:** We do not take lunch; dinner or breakfast with the expense of partner NGO during project visit. We do not take lunch, dinner or breakfast with the expense of NGO during assessment and appraisal.

- 10.10 **Shopping expenses:** No costs relating to shopping at the time of project field visit is allowed with the expense of Partner NGO.
- 10.11 **Travel expenses:** We do not allow travel expenses for project field visit or travel expenses of individuals with the expense of NGO at the time of project field visit.
- 10.12 **Accept an invitation:** An invitation to employee family to join with a tour, or the extension of a tour including holidays at the partner NGO's or vendor's expense.
- 10.13 **Personal payment does not cure:** Employee may never pay from or receive on their personal account for gifts or hospitality in order to avoid this policy.
- 10.14 **Gifts having negative view:** We do not accept gift and hospitality at an event be viewed unfavorably by our colleagues, vendors, stakeholders and partner NGOs.
- 10.15 **Over-generous hospitality:** Hospitality should not be over-frequent or over-generous.
- 10.16 **Illegal Gift:** Gift that is illegal and unethical is prohibited.
- 10.17 **Frequent hospitality:** Accepting hospitality from the same organization could lead to a perception that the work of MJF is being influenced by the objectives of the organization.
- 10.18 **Lavish hospitality:** Any hospitality accepted should not seem lavish or disproportionate to the nature of the relationship we have with the provider.

11 Bribery, Gift & Hospitality Registering Flowchart

Flowchart of Registering in Bribery, gift & Hospitality Register



