

Bribery and Fraud Policy & Response Plan

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Committee Sign-off
RMC

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**Motability
Operations**

1. Introduction

- 1.1 It is our policy to conduct all of our business in an honest and ethical manner. We take a zero-tolerance approach to any level of bribery, fraud, facilitation of tax evasion or corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships.
- 1.2 We are also committed to complying with the Economic Crime and Corporate Transparency Act 2023 (“ECCTA”). This includes maintaining and enforcing reasonable procedures to prevent the commission of fraud by persons associated with us, in line with the corporate offence of failure to prevent fraud introduced by the ECCTA.

2. Scope

- 2.1 This policy applies to all persons working for us or on our behalf in any capacity at all levels, including employees, agency workers, seconded workers, volunteers, interns, agents, contractors, external consultants, third-party suppliers and business partners.
- 2.2 Any employee who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct. Any non-employee who breaches this policy may have any relevant contract terminated with immediate effect

3. What is Bribery?

- 3.1 A **bribe** is a financial or other inducement or reward for action which is illegal, unethical, a breach of trust or improper in any way. Bribes can take the form of money, gifts, loans, fees, hospitality, services, discounts, the award of a contract or any other advantage or benefit. Please note that this is not an exhaustive list.
- 3.2 **Bribery** includes offering, promising, giving, accepting or seeking a bribe.
- 3.3 All forms of bribery are strictly prohibited. If you are unsure about whether a particular act constitutes bribery, raise it with you line manager or Senior Leader.
- 3.4 Specifically, you must not:
 - 3.4.1 give or offer any payment, gift, hospitality or other benefit in the expectation that a business advantage will be received in return, or to reward any business received; or

3.4.2 accept any offer from a third party that you know or suspect is made with the expectation that we will provide a business advantage for them or anyone else.

4. What is Fraud?

4.1 Fraud means any act of dishonesty or deception intended to result in personal or corporate gain or to cause loss to another. It includes making a false representation, failing to disclose information when under a legal duty to do so, or abusing a position of trust. Examples include theft, misuse of funds, false accounting, or the deliberate falsification of documents. Please note that this is not an exhaustive list.

5. What is the facilitation of tax evasion

5.1 Tax evasion facilitation means being knowingly concerned in, or taking steps with a view to, the fraudulent evasion of tax (whether UK tax or tax in a foreign country) by another person, or aiding, abetting, counselling or procuring the commission of that offence. Tax evasion facilitation is a criminal offence, where it is done deliberately and dishonestly. Examples of this may include a member of your HR or payroll team deliberately falsifying information relating to a worker, so that the worker is treated as a contractor rather than deducting PAYE at source or where an employee deliberately and dishonestly collaborates with one of our suppliers to falsify the amount paid on an invoice e.g., by reducing the true amount paid so that the supplier evades income/corporate taxes. Please note that this is not an exhaustive list.

6. Gifts and Entertainment

6.1 This does not prohibit the giving or accepting of reasonable and appropriate hospitality for legitimate purposes such as building relationships, maintaining our image or reputation. Please refer to the Gifts and Entertainment policy for our approach and requirements in relation to accepting of gifts and/or entertainment.

7. How to raise concerns

- 7.1 If you are offered a bribe, or asked to make one, or if you suspect that any bribery, corruption, fraud, the facilitation of tax evasion or other breach of this policy has occurred or may occur, you must notify the Head of Audit as soon as possible. Alternatively, you may report the matter in accordance with our Whistleblowing Policy.
- 7.2 All matters reported will be treated in confidence and prompt investigations will be carried out in accordance with the Bribery and Fraud Risk Response Plan, details of which are set out in Appendix A.

8. Related documents

8.1 The following documents are relevant and/or should be read in conjunction with this policy:

- Bribery and Fraud Response Plan (see Appendix A)
- Gifts and Entertainment Policy
- Whistleblowing Policy
- Anti-Money Laundering Policy

9. References

9.1 The following statutory and regulatory documents are relevant to this policy:

- Bribery Act 2010
- Criminal Finances Act 2017
- Economic Crime and Corporate Transparency Act 2023
- Senior Management Arrangements, Systems & Controls Sourcebook
 - SYSC 3.2.6 – systems and controls in relation to compliance, financial crime and money laundering
 - SYSC 6.1.1 – systems and controls in relation to countering the risk of financial crime as amended, repealed or replaced from time to time.

10. Revision History

| Number | Author | Description |
|--------|----------------|---------------|
| 11.0 | Legal Services | November 2025 |
| 10.0 | Legal Services | November 2024 |
| 9.0 | Legal Services | November 2023 |
| 8.0 | Legal Services | November 2022 |
| 7.0 | Legal Services | November 2021 |
| 6.0 | Legal Services | November 2020 |
| 5.0 | Legal Services | November 2019 |
| 4.0 | Legal Services | November 2018 |
| 3.0 | Legal Services | August 2017 |
| 2.0 | Legal Services | January 2016 |
| 1.0 | Legal Services | October 2015 |

Appendix A

11. Introduction

11.1 This appendix sets out the procedures that should be followed in the event of any employee of Motability Operations becoming aware of a suspected or potential fraud; an act of bribery, the facilitation of tax evasion or other malicious acts that could damage the financial stability, the reputation of the company or is in breach of legislation.

12. Identification

12.1 Any employee who becomes aware of, or suspects an incident of fraud, bribery or the facilitation of tax evasion should report it to the Head of Audit.

13. Initial Investigation

13.1 The Head of Audit shall without undue delay carry out or arrange for an initial investigation to be carried out, to establish with a reasonable degree of confidence:

- 13.1.1 The accuracy of the allegation;
 - 13.1.2 The person(s) alleged to be responsible or involved in the incident;
 - 13.1.3 The magnitude of the potential loss or other impact (including reputation)
- 13.2 This initial investigation should where reasonably practicable be completed within one (1) working day of the Head of Audit becoming aware of the incident. However, these timescales are indicative and may be extended where reasonably practicable to ensure that a full and fair assessment can be completed.

14. Next Steps

- 14.1 If the Head of Audit believes that the allegation merits further investigation, the next steps will depend on who is involved in the alleged activity.
- 14.2 The Head of Audit should notify the chair of the Audit Committee and engage the services of a forensic investigation unit of a reputable professional organisation to perform a confidential review and report their findings back to the Head of Audit, if any of the following apply:
- 14.2.1 Person(s) involved includes an executive of Motability Operations;
 - 14.2.2 The potential financial exposure exceeds the level of materiality set out by our external auditors;
 - 14.2.3 The incident has been, or is likely, to be reported in national newspapers, or on national radio or any television broadcast; or
 - 14.2.4 Motability (the Foundation) the Department for Work and Pensions, the Veterans UK or Social Services Scotland are involved.
- 14.3 In all other instances, the Head of Audit should notify the Chief Executive, The Chief Finance Officer, General Counsel and the Chief People Officer and convene an appropriate investigation team. Members of this team can be drawn, as appropriate from:
- 14.3.1 Internal Audit
 - 14.3.2 Legal Services
 - 14.3.3 Business Risk & Compliance
 - 14.3.4 Technology
 - 14.3.5 Human Resources
 - 14.3.6 External forensic investigators
 - 14.3.7 Data investigation specialists.

- 14.4 Where the incident involves potential financial crime or regulatory breaches, the Head of Audit must also notify the Money Laundering Reporting Officer (MLRO) and General Counsel. All investigations will be conducted in a manner consistent with data protection legislation and internal confidentiality obligations.
- 14.5 For the duration of the investigation, members of the investigation team may be required to be seconded to the Internal Audit Department to avoid potential conflicts with colleagues and to ensure that the highest priority is given to the investigation.
- 14.6 Whether the investigation is performed by an in-house team or by external consultants, the relevant team should report progress on a daily basis to the Head of Audit and complete the investigation in no more than five working days, where reasonably possible and practicable. If the time scales are expected to exceed the five working days, the Head of Audit should notify the chair of the Audit Committee or the Chief Executive Officer, Chief Finance Officer, Legal Counsel and the Chief People Officer, as appropriate.
- 14.7 In the case of a serious allegation against an individual employee or employees, the Chief People Officer should be requested to ensure that the individual employee or employees do not have access to systems and/or documents that could allow evidence of the incident to be altered or destroyed. This may involve the suspension of the individual(s) and/or suspension of building access passes and IT user ids.

15. Reporting

- 15.1 The findings and actions should be reported by the Head of Audit to the Chair of the Audit Committee or the Chief Executive Officer, the Chief Financial Officer, General Counsel and the Chief People Officer as soon as possible after the investigation is completed.
- 15.2 Reports of any “fraud or bribery investigations” shall be reported to the Audit Committee Meetings.

16. Follow up

Once an investigation has been concluded consideration will be given as to whether additional or revisions to existing controls, such as training, awareness or procedural changes, should be implemented to prevent and/or mitigate the risk of recurrence of the incident of fraud or bribery and to ensure continued compliance with applicable legislation.

17. Costs of the Investigation

The Head of Audit shall hold a budget for use in relation to investigations into alleged incidents of fraud, bribery, the facilitation of tax evasion or other malicious act.



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