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# Ethical Conduct Policy (anti corruption, anti bribery and modern slavery prevention)



Printed Thursday, April 30, 2020  
Live Document: <http://staff.etooldglobal.com/?p=12848>

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## Purpose

This policy clearly outlines our standards and expectations relating to ethical conduct at eTool, and for the avoidance of doubt specifically addresses corruption, bribery and modern slavery.

## Scope

This policy includes eTool's commitments and expectations of directors, staff, contractors and suppliers relating to:

- Ethical behaviour
- Anti Bribery and Anti Corruption
- Modern Slavery

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## Policy Statement

eTool will act ethically and with integrity in all areas of our business including the prevention of bribery, corruption and modern slavery in our own business or in our supply chains. We also expect the same standards from our suppliers. eTool directors, staff, contractors or suppliers must:

- Read and comply with this policy
- Avoid activity that may lead to a breach of the policy
- Notify the your line manager and the CEO if you believe or suspect a breach of this policy, or have concerns relating to the adherence to this policy

## Ethical Behaviour

eTool will set an example in the way we operate ethically. We will be empathetic, equitable, inclusive respectful and fair.

“When there’s a grey line, we walk truly on the virtuous side of that line in our activities.”

## Anti Bribery and Anti Corruption

eTool will not tolerate bribery or corruption and expect our directors, staff, contractors and suppliers to:

- Act professionally, fairly and with integrity in all our business dealings and relationships.
- Report suspected bribery, corruption or related concerns to your manager or the CEO.
- Never use their position to illegally, secretly or covertly exploit people or entities for personal gain.
- Never engage in fraud, blackmail, bribery, corruption or related activities.
- Never accept, give or offer any gift:
  - Of a value greater than AUD 100 unless approved in advance by an eTool Director.
  - That is accompanied with an explicit or implicit expectation that a business or personal advantage will be received in return.
  - That you would not reasonably expect to be reciprocated.
  - That constitutes a facilitation payment, for example to a government official in any country to facilitate or speed up a routine or necessary procedure.
- Never threaten or retaliate against another person who has refused to offer or accept a bribe or who has raised concerns about possible bribery or corruption.

This policy does not prohibit giving or accepting small, reasonable and appropriate gifts for legitimate purposes such as building relationships, maintaining our image or reputation, or marketing our products and services. Directors, staff, contractors and suppliers must adhere to the following guidance on acceptable gifts:

- Gifts must be of a value under \$100.
- Gifts are given in an equitable and inclusive manner.
- Gifts must not include cash or be given in secret, at a minimum you must inform your line manager of prior to offering gifts and immediately after receiving a gift.
- Promotional gifts of low value such as pens, bags, shirts, hats, or other low value branded articles.
- Paying for a meal or drink when it is understood that gift will be reciprocated at the next opportunity.
- Generally gifts should be addressed to and from teams or companies rather than individuals.
- Gifts should not be given to or received from the same party frequently.
- Excluding reciprocal gifts, generally gifts should not be requested or expected.

- Gifts of higher value may acceptable in the following circumstances:
  - As a reward for winning a publicised competition that is either randomly allocated (eg prize draw) or legitimately and independently judged for merit.
  - Gifts to charitable organisations endorsed by the business and at arms length to decision makers regarding the gift.

## Anti Cartel Behaviour

Cartels are businesses that make agreements with their competitors to fix prices, rig bids, share markets or restrict outputs. These activities are breaking laws and stealing from consumers and businesses by inflating prices, reducing choices and damaging the economy. eTool commits to avoiding this activity and explicitly staff must ensure:

- We do not make commitments not to compete
- We review existing commitments and retract any non-compete elements
- We do not provide pricing or discuss pricing to parties we know we will be competing against on the same job
- We do not communicate with parties regarding a project if we know we will be competing against them on the same project
- We are very careful to read and follow the terms and conditions of tenders we enter into
- In the absence of formal terms and conditions (and in addition, where the terms don't cover the below) we commit to the following in tenders:
  - Not trying to elicit advantageous information from the party who issued the tender
  - Using formal communication lines and explicitly encouraging our questions and the ensuing answers to be shared with other respondents providing that our intellectual property or confidential material is not contained in the question
  - Only use public information to assess competition during a tender
  - Otherwise behave in a manner that ensures that we win the tender on *merit* rather than due to some unfair advantage
- Take steps to ensure we don't unwittingly provide competitor with pricing or any other information about our offerings during a tender process (whether formal or informal)
- Avoid agreements that limit competition

## Modern Slavery

Modern slavery is a violation of fundamental human rights by depriving a person of their liberty in order to exploit them and includes such forms as slavery, servitude, forced and compulsory labour, and human trafficking. Staff, contractors and suppliers must raise concerns about any issue or suspicion of modern slavery in any parts of our business or supply chains at the earliest possible stage directly to your line manager and the CEO.

## Responsibilities

### Compliance, monitoring and review

Responsibility	Description	Who
Compliance	Respecting and complying with the policy expectations	All staff, contractors and suppliers
Monitoring	Ensuring the compliance with the procedure or policy	CEO
Review	Reviewing the procedure or policy to ensure it is kept up to date	CEO

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Reporting

Reporting requirements of the policy and procedure (for example statutory reporting responsibilities)

CEO

## Records management

Staff must maintain all records relevant to administering this policy in an approved company format and location.

## Definitions

**Bribe:** a sum of money or other inducement offered or given to persuade someone to act in one's favour.

**Bribery:** offering, promising, giving, accepting or seeking a bribe.

**Corruption:** is the abuse of entrusted power for private gain.

**Gift:** Something of value given from one party to another outside of a contractual agreement and/or without return payment. May include goods, food, vouchers, hospitality, sponsored travel or other items of benefit.

**Modern slavery:** a violation of fundamental human rights by depriving a person of their liberty in order to exploit them

## Related Legislation

### Australia:

[Modern Slavery Act 2018](#)

[The Corporations Act 2005](#)

Section 70 of the Criminal Code deals with Foreign Bribery

All States and Territories also have laws regarding bribery and corruption.

### UK:

[Modern Slavery Act 2015](#)

[Bribery Act 2010](#)

Other laws are likely to be breached for certain unethical or corrupt behaviour.

### Other:

Most jurisdictions have laws that carry significant penalties for bribery, corruption, modern slavery. Unethical behaviour is relatively likely to contradict certain laws depending on the behaviour and jurisdiction.

## Related Procedures and Documents

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[eTool Induction](#)

## Feedback

Staff may provide feedback regarding this policy by contacting the author directly or publicly posting a comment on the policy page.

## Document History

### Approval and Amendment History

Version	Date	Authors	Approved By	Comments
1	29/5/2020	Richard Haynes	Henrique Mendonca	
2	11/3/2022	Richard Haynes	Henrique Mendonca	Inclusion of the Anti Cartel Behaviour section
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