

CONSERVATOIRE NATIONAL DE MUSIQUE FRANCOIS MITTERRAND

Anti-Corruption Policy

1.0 Introduction

The **Conservatoire National de Musique François Mitterrand** recognises that risks of corruption are present and may occur within or in relation to the organisation. The **CNMFM** is committed to maintain the highest level of integrity through the adoption of and adherence to corruption prevention strategies.

This Anti-Corruption Policy (ACP) sets out the full commitment of the **CNMFM** for the deterrence and detection of corruption and for adherence to a culture of integrity.

2.0 Statement of Intent

The organisation shall not tolerate corruption in the administration of its responsibilities, whether from within or in relation to the organisation. It expects the highest standards of conduct from staff, management, board members and those who have dealings with the organisation including stakeholders and the general public. It is committed to ensuring that the risks of corruption and the potential losses that might result are minimised.

3.0 Policy Statement

The **CNMFM** is committed to promoting and adhering to the highest standards of probity, transparency and accountability in the operations and management of the organisation. Through this Policy, the organisation engages itself to fully and unequivocally adopt a zero-tolerance stance towards corruption and malpractices and shall ensure compliance with the anti-corruption legislation.

4.0 Anti-Corruption Commitment

By signing the Anti-Corruption Commitment, the **CNMFM** has committed itself to use all available means and resources at its disposal to combat corruption in all its forms at all times including the application of appropriate prevention and detection control measures.

For the purpose of ensuring sound implementation of this Policy, the **CNMFM** shall ensure that:

- employees have sufficient knowledge concerning the ACP and that it is applied to all undertakings.
- adequate controls to counteract corruption are known and used within the organisation.
- clear procedures and systems for reporting suspected cases of corruption are present in the organisation.

- the organisation's ACP has been disseminated to all stakeholders.

The main objective of this ACP is to strengthen and sustain an integrity culture within the organisation. Among others, this will be achieved through:

- the setting-up of effective processes characterised by broad participation and transparency;
- regular evaluation of corruption risks, systems and procedures;
- ensuring that projects have clearly formulated goals, expected results as well as are subject to monitoring and follow-ups; and
- learning from experiences and continually improving organisational performance and the corporate image.

5.0 Scope and Applicability

This Policy covers measures and practices of the **CNMFM** on preventing and combating corrupt, fraudulent, collusive or coercive practices in its activities and operations. This Policy applies to Board members, management, employees as well as, consultants, suppliers, contractors, outside agencies doing business, and or any other parties having a business relationship with the organisation. This Policy ensures that each stakeholder performs his duties and responsibilities with integrity and professionalism.

6.0 Definitions

For the purpose of this Policy, an act of corruption is defined as per Section 2 of the Prevention of Corruption Act as amended.

"act of corruption" -

(a) means an act which constitutes a corruption offence; and

(b) includes -

- (i) any conduct whereby, in return for a gratification, a person does or neglects from doing an act in contravention of his public duties;
- (ii) the offer, promise, soliciting or receipt of a gratification as an inducement or reward to a person to do or not to do any act, with a corrupt intention;
- (iii) the abuse of a public or private office for private gain;
- (iv) an agreement between 2 or more persons to act or refrain from acting in violation of a person's duties in the private or public sector for profit or gain;
- (v) any conduct whereby a person accepts or obtains, or agrees to accept or attempts to obtain, from any person, for himself or for any other person, any gratification for inducing a public official, by corrupt or illegal means, or by the exercise of personal influence, to do or abstain from doing an act in the exercise of his duties to show favour or disfavour to any person.

All the sections of the law penalizing corruption offences are described in sections 4 to 17A of the Prevention of Corruption Act 2002 as amended. These include, amongst others, bribery by public official, bribery of public official, taking gratification to screen an offender from punishment, public official using his office for gratification, traffic d'influence and conflict of interests.

The attention of public officers is also brought to the Declarations of Assets Act 2018 where concerned public officers should make timely declaration of assets and liabilities.

7.0 Responsibilities for implementing the Policy

The Anti-Corruption Committee - The responsibility to develop and coordinate the implementation of the Policy shall rest upon the Anti-Corruption Committee (ACC) established for the purpose. The ACC shall set priorities, provide advice on ethical issues and communicate the Policy to management and staff. The Committee shall comprise members from both operational and support departments of the institution, the Integrity Officer and where possible the Internal Auditor or Internal Control Officer.

Chairperson of the ACC: A senior manager, chosen by the head of organisation, will chair all meetings of the Committee.

The ACC shall be responsible for coordinating and implementing the ACP. It shall develop a time-bound programme with clear and precise deliverables and related budget and execute it once approved by management. The organisation shall designate an officer to act as Secretary to the Committee.

The Committee shall meet on a regular basis, preferably every month or as decided by the Chairperson of the ACC. The Chair shall decide upon the setting up of sub-committees to assist the ACC in the implementation of any initiatives decided by the ACC. Such sub-committees may be tasked with specific assignments such as the conduct of Corruption Risk Assessment exercises in specific areas in the organisation and in the implementation of anti-corruption initiatives approved by the ACC.

Role of Management - It is the responsibility of directors and managers to promote the ACP within their areas of operation. Managers are expected to actively deter, prevent and detect corruption by maintaining effective control systems and ensuring that their staff are familiar with the Policy.

Role of Employees – Each employee shall read, be familiar with and strictly comply with the Policy. The organisation shall ensure that each employee is provided with either a hard or soft copy of this Policy.

Role of Internal Audit – The Internal Audit has the responsibility to ensure the effectiveness and adequacy of the Internal Control System in place. It should ensure that system is subject to regular audit to provide assurance that they are effective in countering corruption opportunities.

Role of Integrity Officer – An Integrity officer, designated by the organisation, is expected to act as secretary of the ACC, coordinate with the ICAC in the implementation of integrity and ethics programme

and training and facilitate the development, implementation and monitoring of anti-corruption policies and procedures.

Role of the Ex-Officio member – The Ex-Officio member is an ICAC officer appointed by the ICAC with a view to guide and advise the Committee on issues tabled at the level of the Committee.

8.0 Risk Assessment

The organisation is conscious that the risks of corruption may occur in every sphere of its activities and that these are dynamic and may evolve. In its endeavour to proactively address risks of corruption, the **CNMFM** should focus on a thorough analysis of the functional activities in close collaboration with officers involved in the process with a view to identifying potential or actual corruption risk areas. With respect to risks identified, necessary corruption prevention and control measures including policies and procedures should be developed to address the risks. The responsibility to plan, coordinate and monitor the risk management process rests with the ACC and management.

9.0 Handling and reporting corruption

Reporting suspected cases of corruption - Notwithstanding Section 44(1) of the Prevention of Corruption Act 2002 which provides that where an officer of a public body suspects that an act of corruption has been committed within or in relation to that public body, he shall forthwith make a written report to the ICAC. In this connection, the organisation shall put in place measures that shall facilitate the reporting of suspected cases.

S 45 of the PoCA as amended provides that where in the exercise of his functions, the chief executive of a public body is of the opinion that an act of corruption may have occurred, he may refer to the ICAC for investigation. The **CNMFM** may set up a committee to assist the head of the organisation in determining whether there is reasonable doubt for suspicion of corruption prior to referral of the case to the ICAC for investigation.

Confidentiality - Information pertaining to complaints shall not be disclosed to any unauthorised party.

10.0 Protection of whistleblowers

There will be no reprisal by management against the “public official” who in good faith reports an act of corruption or malpractice or suspected illegal and dishonest activity that s/he has witnessed.

11.0 False Disclosures

It is important to point out that disciplinary actions may be taken against any person who knowingly has made false allegations.

12.0 Sanctions

The **CNMFM** is committed to ensuring that this Policy is duly implemented in the organisation.

Disciplinary measures in accordance with established procedures will be taken against any staff who is found guilty of a breach of the provisions contained in this Policy.

13.0 Training and Communications

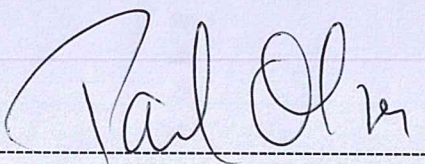
The **CNMFM** recognises that the success of this Policy depends on effective training, communications and the awareness of directors, managers and employees throughout the organisation. Management should ensure that the ACP is clearly disseminated to all staff and that its content is understood.

14.0 Review of Policy

This Policy may be reviewed annually or earlier if necessary or in the event of any changes in the laws and regulations that are relevant to the **CNMFM**. The Chairperson of the ACC shall recommend the review to the Board and Chief Executive/ Head of organisation as applicable.

15.0 Approval

Mr. Paul OLSEN

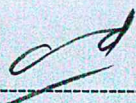


Chairperson of Board

23/08/22

Date

Mrs. Claudie RICAUD



Head of organisation (title)

22/08/22

Date