



Myers La Roche

Myers La Roche is the largest specialist firm of management consultants in Europe working exclusively with independent optometrists and opticians. Part of its business focuses on mergers, sales and acquisitions, which involves advising potential vendors and purchasers of optical practices and allied businesses, and matching potential vendors and purchasers. The other part of its business focuses on business advisory services, which involves advising optical practices and allied businesses on good

management practice and how to increase sales and profits.

It is a private company owned by two owner-managers, and has twelve employees, nine of which are located in its head office in Altrincham, Cheshire, and three of which are located in its optical practice in Stretford, Manchester.

The company operates primarily in the UK and Republic of Ireland, but occasionally has provided services in Sweden, Denmark, Norway, Finland, France, Spain and South Africa.



Patrick Myers
Myers La Roche



Reason for interest in BS 10500

- Myers La Roche believes that the risk of bribery actually occurring in relation to its business is very low, due to a combination of the type of work it undertakes, the clients for which it works, its internal management controls, and the ethics of its employees. It believes that its main risk is not actual bribery, but an occasional wrong perception of bribery in relation to a transaction with which it is involved (for example where it is advising on a competitive acquisition, a party which loses out on a potential purchase may wrongly believe it lost out for corrupt reasons).
- While the company already had in place management, financial and commercial controls which would help prevent bribery, it had not yet formally implemented an anti-bribery compliance programme.
- The company therefore wished to implement an anti-bribery management system, which could not only help prevent bribery occurring in relation to its business, but could also be used as a positive marketing tool to promote the company as a highly ethical practice.

Assessment of Myers La Roche's anti-corruption programme against BS 10500

One of Myers La Roche's two owner-managers discussed each BS 10500 requirement with a BSI appointed consultant, and compared the company's policies with the BS 10500 requirements. The assessment identified which elements of BS 10500 the company already had in



place, and the elements which would need to be further implemented.

The company is a small business, with twelve employees. The two owner-managers exercise effective day-to-day control. Their determination that the company should behave ethically and overall day-to-day control, including frequent personal communication of the company's ethics to its staff provide the primary level of anti-bribery control.

In addition to these personal controls, transactions are controlled through routine good management practices. The two owner-managers currently control all payments out of the company other than very minor ones. Appropriate backing documentation will always be attached to payment requests. Cash is never used for major transactions. Cash is received at the optical practice from purchasers of eye tests, eyeglasses and contact lenses, but these are individually relatively low amounts. Cash balances and stock checks are routinely undertaken. There is a direct link between the practice management system in Stretford and the head office in Altrincham. All major procurement and commercial transactions are authorised by the owner-managers, who will have personal knowledge of the relevant transaction.

A gifts and hospitality policy is in place which conforms to the NHS guidelines and covers all employees. This is inspected by the local Primary Care Trust. All telephone calls to the head office are now recorded.

Myers La Roche currently checks the background of its employees before they are employed, including doing Criminal Record Bureau checks on professional staff. It has a small and stable workforce, who the owner-managers know well. They have written terms of employment, with disciplinary procedures. The company does not currently operate an incentive bonus system.

The assessment found that improvements would need to be made to Myers La Roche's policies and procedures to be compliant with BS 10500. In particular, many of the policies and procedures that the company was already in practice operating would need to be formalised and documented to become part of the official management process. Myers La Roche willingly agreed to implement these additional procedures, and determined to commence implementation immediately.

A written anti-bribery policy will be developed and be communicated to all employees. All employees will sign receipt of the policy, and will receive in-person training in relation to the corruption risks faced in their day-to-day activities, and the company's policies and procedures to prevent these risks.

An appropriate senior manager will become compliance manager, responsible for ensuring that the company effectively develops and implements the policy and supporting procedures.



“Working towards meeting the BS 10500 standard has revealed holes in our existing anti-bribery processes that we were able to plug. The team from BSI have been very supportive in taking us through the standard for this pilot. We look forward to gaining full certification in future.”

Patrick Myers
Myers La Roche

The owner-managers and appropriate senior managers will undertake a bribery risk assessment by considering the company's different types of business activities, clients and other parties, and assessing where the bribery risks lie in each respect. Having identified these potential risks, they would then assess the likelihood of that risk occurring, and how effective their procedures would be in identifying and avoiding the risk. Any weaknesses in the procedures would be identified as part of the process, and improvements instituted.

A formal process to undertake due diligence on business partners and higher risk clients will be established. A conflict of interest procedure, gifts and hospitality register, and whistle-blowing procedure will be established. The company will document all aspects of the anti-bribery management system.

Learning

From the assessment, Myers La Roche learnt that, while it already had in place controls that would help prevent bribery, it would need to implement a formal anti-bribery management system in accordance with BS 10500 to provide an optimal level of control and assurance.

The additional policies and procedures that it needed to implement were clear from BS 10500, and the company commenced immediate implementation.

Benefits of the standard

Myers La Roche believes that BS 10500 is an appropriate tool to help the company enhance its anti-bribery programme. It is clearly

written and understandable. It is scalable to the size of the company, and to the risks faced by the company, in that the BS 10500 processes only need to be implemented to the extent reasonable and proportionate to the company's business size and bribery risks.

The company supports the enhancement of its procedures, and the more formal approach to documentation required by BS 10500, as it thinks that it results in a stronger and safer business model, which is less prone to management error or oversight.

The company considers that all of the enhancements to its processes which it will need to implement so as to be compliant with BS 10500 will be relatively easy for it to implement. They will require some up-front work to prepare the necessary documents and procedures and to educate the employees. However, once prepared and implemented, it is likely that relevant BS 10500 requirements can be reasonably easily met as part of the company's day-to-day business process without undue burden on the company's resources.

Myers La Roche believes that BS 10500 is very similar in approach to ISO 9001, and its intention and approach is therefore easy to grasp.

Ultimately, Myers La Roche wishes its compliance with BS 10500 to be certified by a reputable independent certifying agency. The company sees a positive marketing and business advantage in having such certification. However, the decision to apply for certification will depend on whether certification is cost effective.



About BS 10500: 2011 Specification for an Anti-bribery Management System

In November 2011, BSI Standards published BS 10500: Specification for an Anti-bribery Management System.

BS 10500 is intended to help an organization to implement an effective anti-bribery management system. It can be used both in the UK and internationally. The requirements of UK law and internationally recognized good practice are taken into account. It is applicable to small, medium and large organisations in the public, private and voluntary sectors.

In order to comply with BS 10500, an organisation must implement a series of management measures, including the adoption and communication of an anti-bribery policy, training and guidance for employees, appointing a compliance manager, undertaking risk assessment and due diligence, controlling gifts and hospitality, implementing effective procurement, commercial and financial controls, and instituting reporting and investigation procedures.

Compliance with BS 10500 cannot provide assurance that no bribery has occurred or will take place in relation to an organization. However, the standard can help establish that the organization has implemented reasonable and proportionate measures designed to prevent bribery.

Well-managed ethical organisations are likely to implement anti-bribery management systems in their organisations in the same way that they would implement quality, environmental and safety management systems.

Organisations can use BS 10500 to measure and self-declare their compliance with anti-bribery best practice. In addition, they may obtain independent certification of their compliance with the standard, just as they do for ISO 9001, ISO 14001, and OHSAS 18001.

The cost of implementing an anti-bribery management system which is compliant with BS 10500 is likely to be minimal when compared to the loss and damage which could be suffered by an organisation which gets involved in corruption.

To obtain a copy of BS 10500, please visit:

<http://shop.bsigroup.com/BS10500>

About BSI Standards

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- BS 25999-1 for business continuity management
- BS ISO/IEC 27001 for information security management
- BS EN ISO 9001 for quality management
- BS EN ISO 14001 for environmental management
- BS OHSAS 18001 for occupational health and safety management.

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