

 <p>S P Jain London School of Management</p>	<b>Anti-Money Laundering Policy</b>
Document Type	Policy
Administering Entity	Head of Finance, Chief Operating Officer, all staff
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### 1) Purpose of Policy

- a) The SP Jain London School of Management (the School) is committed to ethical standards of business conduct and adopts a zero-tolerance approach to financial misconduct, including money laundering. The purpose of this policy is to outline how the School and its staff will manage money laundering risks, apply ‘Know your Payer’ principles and comply with the relevant legislation.
- b) This policy is intended to ensure that the School upholds the law in relation to countering money laundering, including the Proceeds of Crime Act 2002 (as amended by the Crime and Courts Act 2013 and the Serious Crime Act 2015), the Terrorism Act 2000 (as amended by the Anti-Terrorism, Crime and Security Act 2001), Counter-Terrorism Act 2008 Schedule 7, and the Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017, HM Treasury Sanctions Notices and News Releases, now incorporated in the Money Laundering Regulations 2017 and the Criminal Finances Act 2017.

### 2) Scope

- a) This policy applies to all members of the School staff and associated parties, including Directors, and covers School activities undertaken in the UK or overseas. Money laundering legislation applies to all employees of the School.
- b) Potentially any member of staff could be committing an offence under the money laundering laws if they suspect money laundering or if they become involved in some way and do nothing about it. If any individual suspects that money laundering activity is or has taken place or if any person becomes concerned about their involvement it must be disclosed as soon as possible to the School’s Money Laundering Reporting Officer MLRO who is the Head of Finance.

### 3) What is money laundering?

- a) Money laundering is the process of taking the proceeds of criminal activity and making them appear legal. It can also encompass financial transactions involving money, however obtained, which is used to fund terrorism. The definition of money laundering activities under the legislation referenced above is broad.
- b) There are three principal money laundering offences under the Proceeds of Crime Act 2002:
  - i) concealing, disguising, converting, transferring criminal property or removing it from the UK (section 327 of the 2002 Act); or
  - ii) entering into or becoming concerned in an arrangement which you know, or suspect facilitates the acquisition, retention use or control of criminal property by or on behalf of another person (Section 328); or
  - iii) acquiring, using or possessing criminal property (section 329).
- c) These offences can be punishable by unlimited fines and/or terms of imprisonment up to a maximum of 14 years.
- d) There are also associated offences regarding due diligence and disclosures, including:
  - i) Failure to disclose any of the three primary offences;
  - ii) Failure to have adequate procedures for mitigating the risk of money laundering;
  - iii) Tipping off. Tipping off is where someone informs a person or people who are, or who are suspected of being involved on money laundering in such a way as to reduce the likelihood of their being investigated or prejudicing an investigation.

#### 4) Steps to prevent money laundering

- a) The School will take the following steps to assist in the prevention of money laundering:
  - i) **Maintain adequate records of transactions** for at least six years of Student/Customer identification evidence, including KYP documents and details of financial transactions carried out.
  - ii) **Enable the reporting of suspicious activity:** The legislation requires the School to disclose when it has actual knowledge or suspicion of money laundering but also if, given the circumstances, it should have reached that conclusion and failed to do so. The School needs to be familiar with the type of student and how they normally deal with us. Suspicion may be aroused if a student or other customer deals with us differently to our normal experience or wants things that are out of the ordinary for the type of business concerned. If suspicion is aroused members of staff should forward their concern to the MLRO immediately. Suspicion may also be highlighted through the bank, payment provider or other third party and this may also cause School staff to raise their concern to the MLRO.
  - iii) **Implement customer identification or 'know your customer' procedures:** staff must be reasonably satisfied as to the identity of the student/customer that they are engaging with. It is important that due diligence controls are in place to identify the student, customer or other party dealing with the School. Satisfactory evidence of identity must be obtained. Examples include passport, visa and birth certificate, correspondence with students at their home address and for third parties, letters or documents proving name, address and relationship. If an organisation is not known to the School look for

letter-headed documents, check websites, request credit checks or aim to meet or contact key sponsors if required to verify validity of contact.

## **5) Roles and responsibilities**

- a) Any member of staff or associated party who suspects that money laundering activity is or has taken place or becomes concerned about their involvement in a transaction must disclose this, in writing, as soon as possible to the MLRO who as outlined above will be the Head of Finance. Individuals must then co-operate fully with any subsequent investigations whilst maintaining confidentiality about the suspected activity.
- b) The MLRO is responsible for developing and maintaining appropriate anti-money laundering procedures and for receiving, considering and reporting, as appropriate, on any disclosure of suspicious activities by staff. The MLRO will investigate all reports or disclosures in accordance with the procedure. The MLRO will suspend a transaction(s) and make Suspicious Activity Report to the NCA, if there is a suspicion of terrorist financing or money laundering. The MLRO will maintain a log of suspicious activity reports.
- c) The Chief Operating Officer will be responsible for ensuring that a 'Reportable Event' report is submitted to the Office for Students, if appropriate, in line with the School's ongoing conditions of registration obligations.

## **6) Breaches of the Policy**

- a) Breaches of this Policy may constitute a disciplinary offence for staff and will be subject to investigation under the School's disciplinary procedures. This may lead to disciplinary action, including dismissal. Failure to comply with this Policy may expose staff to the risk of being personally liable to prosecution.
- b) Non-compliance with this legislation carries financial and reputational penalties for both the School and its staff. Whilst the risk to the School of contravening the legislation is considered to be low, it is extremely important that all staff are familiar with their legal responsibilities as serious criminal sanctions may be imposed for breaches. The key requirement on employees is to promptly report any suspected money laundering activity to the Money Laundering Reporting Officer (MLRO).

## **7) Related policies and procedures**

- a) Speak Out Policy (Whistleblowing)
- b) Anti-Bribery Policy
- c) Financial Regulations