



GKW COMPLIANCE IN BRIEF

Part II

Compliance within GKW Consult

GKW COMPLIANCE MANAGEMENT SYSTEM

- GKW Consult has implemented an extensive and advanced Compliance Management System (CMS).
- This program is continuously reviewed, updated and enforced.
- Our CMS provides clear guidelines for our members of staff, including local project staff as well as freelancers.
- The CMS is based on the Lahmeyer Compliance System. It was introduced when joining Lahmeyer International.
- and it was further developed and adopted to the GKW needs.

HIERARCHY OF CMS DOCUMENTATION

The GKW Compliance System follows the hierarchy below and includes the following elements

1. **Principles of Business Ethics**
2. **GKW Compliance Guidelines**
3. **Annexes to Compliance Guidelines**
 - Annex 1: Guiding Principles and Procedural Guidelines for Chief Executives and Employees
 - Annex 2: Guidelines for the Selection of Business Partners
 - Annex 3: Guidelines for the Avoidance of Conflicts of Interest
 - Annex 4: Guidelines for the Conduct towards Competitors
4. **CMS Operational Procedures**
 - Compliance Training
 - Compliance in PQs and Proposals
 - Compliance in Project Execution
 - Compliance in Human Resources
 - Compliance in Contracts
 - Due Diligence of Business Partners
 - Compliance in Reporting
 - Compliance in Management Meetings

PRINCIPLES OF BUSINESS ETHICS

Of utmost importance is the articulation of Principles of Business Ethics to define the company's guiding core values

- Our reputation is a most valuable asset
- Our Clients and business partners expect that we fulfill our duties on the basis of high ethical standards
- We expect our executives to live the ethical standards, to disseminate them and to provide a good example
- Business Ethics and integrity secure our credibility
- We act in compliance with laws, honestly and with fairness. We expect the same from our partners
- We acknowledge the basic principles of the FIDIC Code of Ethics and the OECD Treaty of 1997

PRINCIPLES OF BUSINESS ETHICS

Our Principles include

- Strict adherence to local and international laws and regulations as well as ethical standards
- Permanent dissemination, training and implementation of ethical standards as part of our professional self conception
- Practical and effective support for the identification and dealing with potential and actual infringements and violations
- Consequent follow-up of violations and application of disciplinary measures and sanctions
- Ongoing review and improvement of our guidelines.

COMPLIANCE GUIDELINES

In addition, the [Compliance Guidelines](#) provide guiding principles for employees that all GKW employees must adhere to in all company business. Employees, local employees and freelancers must:

- not allow themselves to be influenced by public officials and/or competitors through invitations to bribery, fraud, and other improper conduct;
- must refuse, and inform superiors of any efforts on the part of business partners and public officials to dishonestly influence their conduct;
- refuse any gifts above nominal value;
- limit their acceptance / extension of offers of dining and drinking, and act within specified rules of conduct when invitations are extended / accepted;
- notify GKW management of outside employment opportunities or any financial involvement with business partners and/or competitors (Conflict of Interest);
- shall not sign contracts with business partners without having received references and having conducted a compliance check-up; during contract execution.
- particular emphasize has to be drawn on the release of payments and counterchecking invoices.

COMPLIANCE GUIDELINES

In detail our the Compliance Guidelines cover the following

1. Scope of Application and Target Groups
2. Basic Code of Conduct
3. Guidelines towards Business Partners, Competitors and Public Officials
4. Avoiding of Conflicts of Interest
5. Protection of Business and Trade Secrets and Protection of Company Assets
6. Transparency and Documentation
7. Data Protection and Data Safety
8. Money Laundering
9. Donations and Sponsoring
10. Training and Communication
11. Procedure for the Notification of Irregularities
12. Consequences in Case of Identified Infringements
13. Compliance-Organization
14. Final Provisions

ANNEXES TO COMPLIANCE GUIDELINES

The [Annexes to the Compliance Guidelines](#) define in more detail the actual procedures to be observed. They comprise:

- Annex 1 : Guiding Principles and Procedural Guidelines for Chief Executives and Employees
- Annex 2: Guidelines for the Selection of Business Partners
- Annex 3: Guidelines for the Avoidance of Conflicts of Interest
- Annex 4: Guidelines for the Conduct towards Competitors

ANNEX 1

Guiding Principles and Procedural Guidelines for Chief Executives and Employees cover

- rules for dealing with business partners, competitors and administrations,
- rules of accepting and granting of benefits,
- rules, thresholds and approvals for invitations, hospitality and entertainment,
- rules and thresholds and approvals for giving and receiving business gifts,
- definition of „Public Official“,
- separation of business and private activities,
- objection to facilitation payments,
- prevention of money laundering.

ANNEX 2

Guidelines for the Selection of Business Partners cover

- a definition of the various types of business partners from clients to subcontractors and representatives,
- the guidelines for selection,
- evaluation and approval of business partners comprising questionnaires and internal reviews,
- risk assessment, required declarations by donors and Clients as well as
- general contract management procedures

ANNEX 3

Guidelines for the Avoidance of Conflicts of Interest cover

- a definition of conflicts of interest,
- conflicts as a result of work for other employers,
- conflicts as result of ownership of shares,
- The duty to report conflicts of interest and the need for documentation

ANNEX 4

Guidelines for the Conduct towards Competitors cover

- anti-trust rules in general,
- the prohibition of exchange of confidential information,
- problems associated with forming co-operations that influence competition,
- prohibition of agreements on prices and conditions as well as
- agreements leading to a limitation of competition

CMS OPERATIONAL PROCEDURES – SUMMARY (1/2)

In addition to the Principles of Business Ethics and the Compliance Guidelines, the CMS Operational Procedures serve to anchor the Compliance Management in all core processes of managing the firm's activities.

Compliance Training

- GKW Compliance in brief, Part 1 and 1
- Interactive Training Modules by Lawpilots

Compliance in PQs and Proposals

- LG-F04 – Ethics Checks
- LG-F100 – Proposal Kick-off Meeting

Compliance in Project Execution

- LG-PA07 - Project Execution and Management
- LG-F17 - Project Kick-off Meeting
- Local Compliance Kick-off Meeting

Compliance in Human Resources

- Personnel Review Talks (LG-F101 - Annual Appraisal)
- Compliance Declaration
- Incentive Agreements

CMS OPERATIONAL PROCEDURES – SUMMARY (2/2)

Compliance in Contracts

- Freelance Contracts
- Employment Contracts
- Partner Contracts
- Agency Contracts

Due Diligence of Business Partners

- Questionnaire for Due Diligence of Business Partners
- Questionnaire for Internal Review of Business Partners

Compliance in Reporting

- Business Status Report (BSR)
- Internal Monthly Project Report (LG-U08)

Compliance in Management Meetings

- Monthly Meetings of Management with Heads of Department
- Half-Yearly Meetings

COMPLIANCE IN PQ'S AND PROPOSALS

- **LG-F04 – Ethics Checks:** Compiles data from business partners, i.e. clients, JV-partners, subconsultants, freelance experts on key positions, identifies red flags from Nexis Diligence™, addresses risk management issues for specific proposals and asks for provision of details in the case of using representatives
- **LG-F100 – Part 1 Proposal Kick-Off :** Reviews existing Requests for Proposals (RfPs), to make a preliminary go decision, to pre-assess risks and to determine the risk-based scope of due diligence, i.e. experience with business partner, reasons for selection, concerns and reputation, indications of incompliance.
- **LG-F100 – Part 2 Proposal Submission :** Reviews technical/commercial viability and risks, incl. outcome of ethics checks with recommendation

COMPLIANCE IN PROJECT EXECUTION

- **LG-PA07 - Project Execution and Management:** This QM procedures describes all the processes of the implementation of projects including CMS related procedures, meetings and reporting
- **LG-F17 - Project Kick-off Meeting:** This form is used by the head of department and the project manager to review all staffing, partnering, administrative, contractual, technical and financial as well as compliance issues at the start of a project. The compliance issues cover awareness, need for training, execution and monitoring of training, reporting requirements, partner issues etc.
- **Local Compliance Kick-off Meeting:** The compliance kick-off will include an introduction to the GKW Compliance Management System (GKW Consult Compliance in brief, part I and II) and special considerations of the project.

COMPLIANCE IN HUMAN RESOURCES

- **Personnel Review Talks (LG-F101 - Annual Appraisal)**
 - Check on awareness,
 - training needs, etc.
- **Compliance Declaration**
 - A declaration to be signed by all new employees that they have received or have access to the GKW compliance documentation and
 - that they did not have a previous record of compliance violations.
- **Incentive Agreements**
 - With the GKW senior executives incentives for the implementation of the CMS are agreed

COMPLIANCE IN CONTRACTS

■ Freelance Contracts

- all GKW standard freelance contracts were reviewed,
- the necessary compliance clauses and related termination clauses were strengthened,
- Templates are made available in the GKW Intranet.

■ Employment Contracts

- all employment contracts suitably address compliance issues.

■ Partner Contracts

- all partner contracts stipulate anti-corruption issues,
- provide for termination in case of offenses,
- the standard contracts are provided in the GKW Intranet.

■ Agency Contracts

- FIDIC Model Contract will be used for agents.

DUE DILIGENCE OF BUSINESS PARTNERS

GKW has moreover recently strengthened the compliance management system by conducting compulsory checks on third parties, such as business partners and sub-consultants in order to assess and minimize risks associated with the contracting of these business partners

Questionnaire for Due Diligence of Business Partners to collect information from potential Business Partners including

- General Information
- Business Information and Ownership
- Financial Strength
- Potential Relationship to Government Organizations or Public Official(s)
- Legal and
- Compliance related information such as own CMS or previous and ongoing debarment

DUE DILIGENCE OF BUSINESS PARTNERS

GKW has subscribed to Nexis Diligence™ to conduct independent checks on partners:

User instructions, in case of Ethics & Compliance Officer's absence:

- Log in: www.diligence.lexisnexis.com; User Name: XXXXXXXX; Password: XXXXXXXX (available on GKW's intranet)
- Check client, if outside EU and if not funded by reputable IFI or by bilateral donor (KfW, AFD etc.)
- Check JV-partners, subconsultants (>€20k, relevant for project quality or reputation) and freelance experts (employed by GKW, on project's key expert positions)
- Check entity's name ("ACME Consultants Ltd.") and senior management, i.e. chairperson of board of directors, CEO, CFO, MD, President etc. ("John Smith")
- If "snapshot" returns "negative news" and "politically exposed persons" (PEP), add the negative news to the report and generate full report.
- Invalidate "negative news" and "politically exposed persons" (PEP).
- File snapshot or full report under subdirectory 2340_eth.
- Checks are valid for 12 months.

COMPLIANCE IN REPORTING

Business Status Report (BSR) (Monthly Department Report)

This report is prepared monthly by Heads of Departments and

- contains a review of the present situation of the department,
- Informs on highlights and low lights,
- covers order intake and status of invoicing,
- reviews risks and needed budget adjustments,
- addresses arising compliance issues, monitors training efforts, and
- gives an outlook on markets and covers HR issues.

Monthly Project Report (LG-U08 – Internal Monthly Project Report)

This Report is prepared monthly by Project Managers and

- covers project progress and project issues as in the BSR,
- addresses explicitly the compliance kick-off meeting at the start of the project,
- addresses arising compliance issues and defines risk control measures,
- compliance training activities, etc.

COMPLIANCE IN MANAGEMENT MEETINGS

Following compliance related topics will be addressed and decided during these meetings

Monthly Meetings of Management with Heads of Department

- Compliance is a regular topic,
- Compliance issues from the Monthly Reports of Project Managers will be reviewed, as well as
- actions, measures decided and followed up

Half-Yearly Meetings

- Special Measures
- General reviews
- Measures for improvement
- Strategic measures

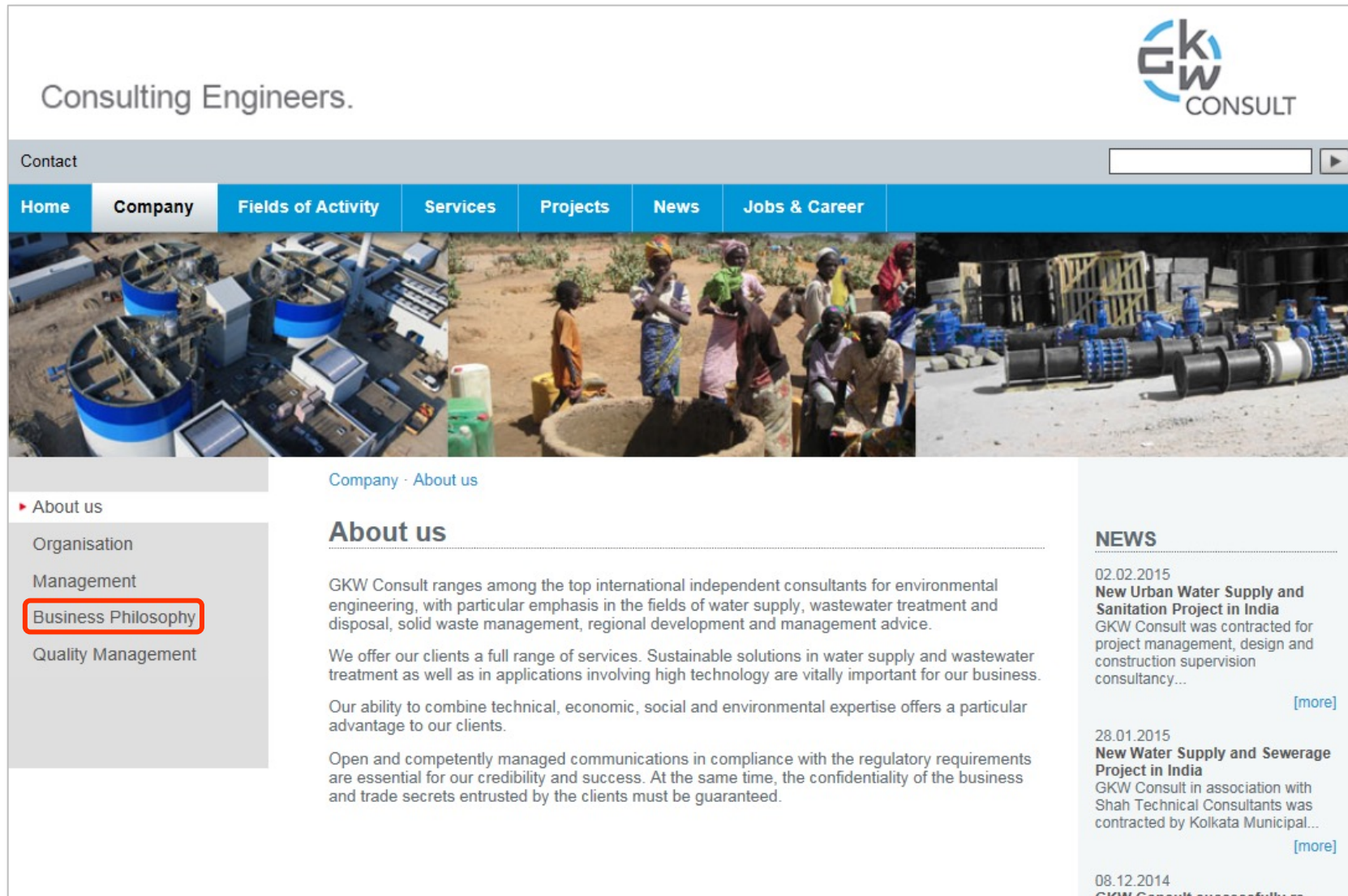
COMPLIANCE TRAINING

- Not only paper documents pay tribute to the compliance culture;
- Training sessions for all employees are regularly conducted to acquaint our personnel with the respective procedures;
- A special [On-line Training Tool](#) is available;
- All permanent staff have been trained with this tool;
- The online training will be extended to freelancers in exposed positions, such as project managers, freelancers involved in supervision of works, and freelancers participating in evaluation/award procedures;
- This presentation **GKW COMPLIANCE IN BRIEF** is a further tool to be applied by executives and project managers in projects, especially in the local compliance kick-off meeting.

COMPLIANCE IN THE GKW INTRANET

The screenshot displays the Tractebel GKW Intranet on a SharePoint platform. At the top, there is a blue header with the ENGIE logo and 'SharePoint' text, along with a search bar labeled 'Search across sites'. Below this is a navigation bar with links for 'TRACTEBEL', 'Tractebel GKW Intranet', 'Quality Management', 'Marketing', 'IT Wiki', 'Workers Council', 'On-boarding', 'Under Construction', and 'Freelance Experts'. The main content area features the GKW CONSULT logo and the text 'Tractebel GKW Intranet' with a 'Home' link. A large heading reads 'Welcome to GKW Intranet'. Below this, a section titled 'Quality, Ethics & Compliance' is expanded, showing two tiles: 'Quality Management' (with a star icon) and 'Ethics & Compliance (under construction)' (with a scales of justice icon).


COMPLIANCE ON GKW WEBSITE



Consulting Engineers.

Contact

[Home](#) [Company](#) [Fields of Activity](#) [Services](#) [Projects](#) [News](#) [Jobs & Career](#)



[Company - About us](#)

[About us](#)

Organisation

Management

Business Philosophy

Quality Management

About us

GKW Consult ranges among the top international independent consultants for environmental engineering, with particular emphasis in the fields of water supply, wastewater treatment and disposal, solid waste management, regional development and management advice.

We offer our clients a full range of services. Sustainable solutions in water supply and wastewater treatment as well as in applications involving high technology are vitally important for our business.

Our ability to combine technical, economic, social and environmental expertise offers a particular advantage to our clients.

Open and competently managed communications in compliance with the regulatory requirements are essential for our credibility and success. At the same time, the confidentiality of the business and trade secrets entrusted by the clients must be guaranteed.

NEWS

02.02.2015
New Urban Water Supply and Sanitation Project in India
GKW Consult was contracted for project management, design and construction supervision consultancy... [\[more\]](#)

28.01.2015
New Water Supply and Sewerage Project in India
GKW Consult in association with Shah Technical Consultants was contracted by Kolkata Municipal... [\[more\]](#)

08.12.2014
GKW Consult successfully re...

COMPLIANCE ORGANIZATION

Ombudsperson

PRO HONORE 



COMPLIANCE ORGANIZATION

- Compliance Officer (CO)
 - Reports directly to the Managing Director
- Compliance Correspondent in India to reflect distance from HO and size of Indian set up. Reports to CO
- Internal Revision
- Ombudsperson / Whistleblower Hotline.
 - Clients, partners and members of staff can report any observations confidentially to the ombudsman. The Ombudsperson
 - is the contact for any employees who find themselves obliged to report any infringements of our business or professional ethics, or who simply are seeking advice.
 - will be subject to the legally protected duty of confidentiality so that any information provided by the whistle blower has to be treated confidentially upon request.
 - will report to the company management on specific individual cases and once a year on his work but in an anonymous form only.
- Training/Online Training

CONCLUSION

GKW has put in place concrete technical,
organizational and personnel measures
that are appropriate
to minimize the risk of criminal offences or misconduct.