

Date of Issue	Next review date
June 2021	December 2022

ANTI-BRIBERY POLICY

1. Introduction: Policy statement

- 1.1 Bribery is an inducement or reward offered, promised or provided to gain a personal, commercial, regulatory or contractual advantage. Bribery is a criminal offence and punishable for individuals by up to ten years' imprisonment.
- 1.2 It is the Council's policy to conduct all our business in an honest and ethical manner. We take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our activities.
- 1.3 We are committed to the prevention, deterrence and detection of bribery. We aim to maintain anti-bribery compliance "business as usual", rather than as a one-off exercise.
- 1.4 Those employed by or acting as agent for the Council and its schools will not pay bribes nor offer improper inducements to anyone for any purpose. Nor will those individuals accept bribes or improper inducements.
- 1.5 To use a third party as a conduit to channel bribes to others is a criminal offence. The Council does not, and will not, allow its staff or Members to engage indirectly in or otherwise encourage bribery.

2. Objective

- 2.1 The purpose of this policy is to:
 - (a) Set out our responsibilities, and of those working for us, in observing and upholding our position on bribery and corruption; and,
 - (b) Provide information and guidance to those working for us on how to recognise and deal with bribery and corruption issues.

3. Bribery Act 2010

3.1 There are four key offences under The Bribery Act 2010:

- bribery of another person (section 1);
- accepting a bribe (section 2);
- bribing a foreign official (section 6); and,
- failing to prevent bribery (section 7).

3.2 In many instances of bribery or corruption, Fraud Act 2006 offences are also relevant, for example, fraud by abuse of position or fraud by failing to disclose.

4. Responsibilities

4.1 The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for the organisation. All staff are required to avoid activity that breaches this policy.

4.2 All staff must:

- Ensure that you read, understand and comply with this policy; and,
- Raise concerns as soon as possible if you believe or suspect that a conflict with this policy has occurred or may occur in the future.

4.3 It is unacceptable for staff to:

- Accept payment, a gift or hospitality from a third party that you know, or suspect, is offered with the expectation that it will obtain a business advantage for them; or,
- Give, promise to give, or offer a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to a government official, agent or representative to "facilitate" or expedite a routine procedure.

5 Declarations of interest

5.1 All employees need to declare whether they have any personal interests that may conflict with the interests of the Council. Outside activities, additional employment or voluntary work can all create the potential for the interests of the employee to come into conflict with those of the Council.

5.2 All employees need to read the Council's advice regarding declarations of interest and decide whether they have any conflicting personal interests and to agree to inform the Council if these circumstances change.

5.3 Because declarations of interest are fundamental to the effective operation and reputation of the Council, failing to declare an interest will always be dealt

with by the Council as a disciplinary matter and is likely to be deemed gross misconduct which may result in your dismissal.

6 Gifts and hospitality

- 6.1 This policy is not meant to change the requirements of our gifts and hospitality.
- 6.2 The acceptance of gifts and hospitality, even on a modest scale, may arouse suspicion and must be capable of public justification. A register of gifts and hospitality is therefore kept for each of the Council's directorates.
- 6.3 Employees are still required by the Officers' Code of Conduct to record gifts or hospitality offered to them (whether accepted or not) and hospitality provided to others outside the Council. This should preferably be recorded as it happens, rather than at the end of a fixed period. In any case, it must be recorded within one month of the event (or the date of an offer of hospitality, if refused). Regular nil returns are not required.
- 6.4 Hospitality recorded is subject to review by the employee's line manager.
- 6.5 For more information, and to access the online form, [click here](#).

7 Red flags: warning signs of bribery

- 7.1 The risk of Bribery will vary across the Council depending upon the functions. It is, therefore, important that staff are aware of the warning signs, including:
 - A member of staff receives and accepts excessive hospitality or has a personal interest. Is this declared?
 - A member of staff constantly ignores the procurement process
 - Continued use of a particular supplier/contractor despite reports of poor performance, and the same supplier or contractor seems to be winning all the work
 - Officers asking for invoices to be approved that do not have sufficient detail, or where there are concerns that the work/supply has never been undertaken or received.
 - A member of staff has a meeting with a supplier or contractor, and they insist on going alone, there is also a lack of minute taking. There is the risk that a corrupt relationship could develop.

8 Reporting your concerns

8.1 If in the course of your duties someone attempts to influence the outcome of a project, procurement or decision, you must politely refuse and immediately:

- Report the matter to your line manager, their manager or the Head of Service. If for any reason this is not possible you should speak to those named below.
- You should make a note of who attempted to influence you and what was offered, who they work for, their contact details and the date and time of the incident. Also, you should note any witnesses, if any.
- Members should report the incident immediately to the Monitoring Officer and Director of Audit, Fraud, Risk and Insurance.

8.2 If an incident of bribery, corruption, or wrongdoing is reported, the Council will act as soon as possible to evaluate the situation. The Council has clearly defined procedures for investigating fraud, misconduct and non-compliance issues and these will be followed in any investigation of this kind.

8.3 Employees can also raise their concerns in accordance with the Council's Whistleblowing Policy.

8.4 If you have any questions about this procedure, please contact:

- Director of Audit, Fraud, Risk and Insurance: David Hughes, David.HughesAudit@lbhf.gov.uk, 07817 507695
- Head of People & Talent, Mary Lamont (mary.lamont@lbhf.gov.uk)
- Head of Fraud: Andy Hyatt, Andy.Hyatt@lbhf.gov.uk, 07739 313817
- Fraud Hotline: 020 8753 1273