

Anti-bribery policy

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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 In the spirit of transparency and honesty, we are committed to conduct all of 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 business dealings and relationships.
- 1.3 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.
- 1.4 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 engage indirectly in or otherwise encourage bribery.

2. What is bribery?

- 2.1 A “**Bribe**” means a financial or other inducement or reward for action which is illegal, unethical, a breach of trust, or improper in any way. Bribes can take the form of money, kickback, gifts, loans, fees, hospitality, services, discounts, the award of a contract, or any other commercial or personal advantage or benefit.
- 2.2 “**Bribery**” includes offering, promising, giving, accepting or seeking a bribe.
- 2.3 All forms of Bribery are strictly **prohibited**. If you are unsure about whether an act constitutes bribery, raise it with your manager or contact People and Talent.

2.4 Specifically, you **must not**:

- give or offer any payment, gift, hospitality or other benefit in the expectation that a business advantage will be received in return, or to reward any business received;
- accept any offer from a third party that you know or suspect is made with the expectation that we will provide a business advantage for them or anyone else;
- give or offer any payment (sometimes called a facilitation payment) to a government official in any country to facilitate or speed up a routine or necessary procedure (even if these payments are common in certain countries); or
- threaten or retaliate against another person who has refused to offer or accept a bribe or who has raised concerns about possible bribery or corruption.

3 Conflicts of interest

- 3.1 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.
- 3.2 Conflicts of interests can be damaging for the Council and those concerned, potentially leading to accusations of corruption and impropriety. In such situations the mere perception of wrongdoing can cause huge embarrassment, regardless of whether such accusations prove to be well founded or not.
- 3.3 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. A copy of the policy and guidance is attached at **Annex 1**.
- 3.4 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.

4 Gifts and hospitality

- 4.1 This policy is not meant to change the requirements of our gifts and hospitality.
- 4.2 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 centrally.

- 4.3 While working for the Council you may be offered gifts, as well as hospitality such as free accommodation and travel. If you are offered gifts or hospitality, you **must** register them and seek to get them approved by your manager.
- 4.4 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.
- 4.5 To register them you will need to fill out a quick and easy online form which you can find [here](#). You'll also find a short guide on how to do it.
- 4.6 Items should be recorded as they happen, 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, if refused). Regular nil returns are not required.

5 Compliance with this policy

- 5.1 Preventing, detecting, and reporting bribery in any part of our business or supply chains is the responsibility of those working for us, or working under our control.
- 5.2 Employees and those working on our behalf are required to avoid any activity that might lead to, or suggest, a breach of this policy. Breaching this policy may lead to disciplinary action, which could result in dismissal for misconduct or gross misconduct.
- 5.3 We may terminate our relationship with other individuals and organisations working on our behalf if they breach this policy.

6 Reporting your concerns

- 6.1 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 Leader of the Council and notify the Monitoring Officer and Director of Audit, Fraud, Risk and Insurance.
- 6.2 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.

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

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

- The Shared Service Director of Audit, Fraud, Risk and Insurance, david.hughes@rbkc.gov.uk
- The Assistant Director, People & Talent, mary.lamont@lbhf.gov.uk
- The Head of Fraud, andy.hyatt@lbhf.gov.uk

7 Further support

7.1 People & Talent run an Employee Assistance Programme, that offers free counselling and resources to help you with work or personal issues. This is a confidential independent service available any time, any day, 24/7, 365 days per year, either by phone (0800 243 458), email, text, or online.

To access the service:

Telephone

- Call free phone: 0800 243 458
- Minicom users phone: 020 8987 6574
- Text: 020 8987 6550
- SMS(for call back) +44(0)7909 341229

Online

- Visit <http://www.workplaceoptions.co.uk>
- The login for H&F staff is:
- User name: lbhf
- Password: employee



Declarations of Interest – Guidance for Employees and Managers

1. Introduction

Employees of the Council are expected to give the highest possible standards of service to our residents, and where it is part of their duties, to provide appropriate advice to other employees and councillors with impartiality.

The people who the Council serves and works with must be confident that they will be treated objectively, fairly and with integrity. We must make sure that there is nothing to undermine their confidence in the way in which they are dealt with. Outside activities, additional employment or voluntary work may create the potential for the interests of the employee to come into conflict with those of the Council.

The purpose of declarations of interest is to ensure that employees consider any personal interests which they have and think about whether these are likely to conflict with the job which they do or their ability to do that job effectively. Declarations of interest protect both the Council and employees from allegations that people may be abusing their positions.

Everyone must make a declaration of interest on joining the Council and annually at the time of their appraisal meeting. Most people will not have any interests to declare and sometimes, following a discussion with your line manager, you may agree that the interest which you thought needed to be declared does not in fact create a conflict. However, the fact that a potential conflict of interest is declared and discussed will enable you and your line manager to ensure that action is taken where it is needed to make sure that the conflict does not actually arise.

2. What are interests and what must you declare?

Section 117 of the Local Government Act requires employees:

- To disclose in writing any direct or indirect pecuniary interests in contracts which the Council has entered or may enter into. If an employee is aware that his or her spouse has a pecuniary interest, that interest will be regarded as an indirect interest of the employee and must, therefore, also be declared.

- Not, in their capacity as employees, to accept any fee or reward whatsoever other than his or her proper remuneration.

H&F's **Code of Conduct for Employees** states that:

- You must avoid any conduct inside or outside work which may discredit you and/or the Council and avoid corruption and the suspicion of it.
- Our work is publicly funded. If we are to be above suspicion, any payments or other benefits we personally receive must be properly due to us. In addition, any expenditure we incur on behalf of the Council must be lawful and justifiable.
- You must maintain political neutrality at work and be seen to be impartial.
- When working with Councillors you must ensure that you disclose to your Strategic Director/Assistant Director any family, business or personal relationships with councillors where this may appear to put you in a position to exercise improper influence over the workings of the Council.
- If you have a relationship of a business or private nature with external consultants, external contractors or potential contractors you must notify your manager of the nature of that relationship.
- If you are responsible for appointing or supervising contractors or have any other official working relationship with contractors and you have previously had, or you currently have a relationship of any kind with contractors, you must declare the relationship to your manager.
- Report to your manager if people you meet through work leave you items in their wills.
- Declare any financial interest which could conflict with the Council's interests.
- Inform your Head of Service if you have links with a firm or organisation, which may get money, grant awards, contracts or work from the Council.
- Inform your Head of Service if you have a relationship with someone which might appear to improperly influence a decision which one might take about the other in connection with the work of the Council. This includes things like being someone's landlord, being in debt to someone, or having a close personal relationship with a Council Member, client, customer or employee.
- If you are on salary scale SO1 or above you must devote your whole time to the work of the Council and you may not engage in any other business, or take up any additional employment/appointment private work without the express consent of your Assistant Director or Strategic Director.
- If you are on salary scale 1 – 6 and you wish to engage in private work or take up an outside appointment (paid or unpaid), you must advise your manager of your intentions in advance in order to avoid any conflict of interest or detrimental effect on the Council.

You must declare in writing to your Strategic Director or Assistant Director any non-financial interests that could bring about conflict with the authority's interests (i.e. acting as a school governor within schools maintained by the authority, involvement with an organisation receiving grant aid from the authority, membership of a National Health Service Trust Board, involvement with an organisation or pressure group which may seek to influence the Council's policies).

You must also declare membership of any organisation not open to the public without formal membership or commitment of allegiance, or which has secrecy or privacy about rules or membership or conduct (e.g. Freemasons) Examples of interests which must be declared are financial contracts, purchasing contracts, building contracts, grant of planning permission, leasing or renting of property, and the development of sites. You must also declare your involvement with other businesses or companies. You should keep in mind that the interests of your spouse, partner or a close relative will be considered indirect interests of yours.

If you are unsure of whether you have any interests which might conflict with those of the Council, then you should discuss them with your manager who may also seek additional advice from People & Talent.

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. Failing to comply with the Local Government Act is a criminal offence.

3. How do you declare personal interests?

You will be asked to declare any interests, secondary employment or additional appointments when you join the Council.

If you indicate that there is a potential conflict of interest, then your manager will discuss this with you and decide whether it gives rise to any risks. If it does, your manager will agree with you and record the actions needed to mitigate the risks. A record of this discussion will be made and held in a Corporate Declarations of Interest Register.

Each year in April or May, at the time of your appraisal, your line manager will ask you whether there are any conflicts of interest which you should declare and, if you are employed at SO1 or above, whether you have any secondary employment or additional appointments. Your answers to these questions will be recorded and retained on your personnel record.

If you answer “no” to both questions, there will be no need for any further action.

If you declare a conflict of interest, secondary employment or additional appointment, your manager will arrange a meeting to discuss these with you. The purpose of the meeting will be to identify any risks and agree what action should be taken to mitigate the risks. A record of this discussion will be made and held in the Corporate Declarations of Interest Register.

Copies of the forms used to record declarations of interest and action to mitigate the risks to which they give rise are at Annex 2 of this guidance. **Once completed copies of this form must be returned to your HR Business Partner, People & Talent.**

If at any time during the year your circumstances change in such a way as to create the potential for a conflict of interest, then you must raise this with your line manager. You must do this immediately and not wait for your annual appraisal.

If you attend meetings you may also be required to make a declaration of interests at those meetings.

4. How is this information held?

The Corporate Declaration of Interest Register will be kept and held centrally. Councillors and those Council officers who have responsibilities to act for the Council as your employer or who can demonstrate a legitimate reason for doing so will be able to inspect the register.

The Register will not be available for public inspection. However, subject to any exemptions which may apply, information contained within the register will be disclosed in accordance with the Freedom of Information Act 2001.

5. Roles and Responsibilities

Managers

Managers must:

- Ensure that those whom they manage are asked whether they have any interests to declare, any secondary employment or additional appointments when they join the organisation and annually at each appraisal;
- Where an employee declares an interest, secondary employment or additional appointments discuss these with the employee, identify any risks to which they give rise and agree how the risks will be mitigated;
- Agree and monitor the implementation of action plans to mitigate any risks identified; and
- Ensure that a copy of the completed declaration of interest form is uploaded to the employee's personal file on an annual basis or where a change has been identified.

All managers must ensure that all the Council's relationships with its stakeholders, outside bodies and partners, are conducted to the highest standards of probity, and any contracts or agreements should include provisions to further this.

Employees

Employees must:

- Declare any interests which have the potential to conflict with the job that they are employed to do or their ability to carry out that job effectively on joining the Council and at each annual appraisal;
- Declare any secondary employment or alternative appointments whether paid or unpaid on joining the Council and at each annual appraisal;
- Ensure that, where a conflict of interest exists, they put into practice any actions which are agreed to mitigate the risks to which the conflict gives rise;
- Inform their line manager of any change in their circumstances which might give rise to a conflict of interest as soon as they become aware of it;
- Always Maintain the highest standards of honesty and integrity in the services which they deliver to customers and in their relationships with colleagues and external partners; and
- At all times comply with the Council's Code of Conduct for Employees.

H&F Strategic Leadership Team

- Ensure that every employee is given the opportunity to make a declaration of interests and that managers record that this has happened.
- Ensure that where a conflict of interest is declared appropriate follow up action is agreed and implemented.
- Ensure compliance of their department.

It is the responsibility of Strategic Directors to ensure the compliance of their department.

7. Conclusion

This guidance is intended to help everyone who works for the Council understand why declarations of interest are important and how the process for making and managing a declaration of interest works.

Our customers and our partners have a right to expect that they will be dealt with objectively, fairly and with integrity. That means that each of us must think about whether our personal interests are likely to get in the way of meeting these expectations and doing our jobs properly and effectively. If following a discussion with our line manager, we decide that there is a conflict of interests, then we must agree how to manage it in such a way that the conflict will not arise. That may mean organising the way that work is done differently, limiting our involvement in activities that might give rise to a conflict or giving up that outside interest.

The purpose of declarations of interest is to protect both you and the Council from being accused of abusing your position.

If you need any further assistance in understanding what might amount to a conflict of interest, then in the first instance you should raise the matter with your line manager.

Annex 2: Declaration of Interests Record – Part 1

This form is intended to detail any personal interests which may conflict with the interests of the Council. You have been asked to complete it because you have already indicated that there may be such a conflict.

Do you have any financial interest in any matter involving the Council?

Yes
No

Do you carry out or are you involved in any other business?

Yes
No

Are you involved with any company registered at Companies House?

Yes
No

Are you a governor of a school maintained by LBHF?

Yes
No

Are you involved with any voluntary organisation supported by the Council?

Yes
No

Are you involved with any group which has as its aim influencing public opinion or policy?

Yes
No

Are you a member of any organisation which is not open to the public without formal membership or commitment or allegiance, or which has secrecy or privacy about its rules of membership or conduct?

Yes
No

Is there anything else which you think might give rise to a conflict of interest?

Yes
No

Do you work for any other organisation in a paid or unpaid capacity?

Yes
No

I understand that in submitting this declaration I am confirming that the answers which I have given are true and complete to the best of my knowledge and that failing to disclose information may lead to disciplinary action being taken against me that could result in my dismissal.

Signed:

Name:

Date:

Declarations of Interest Record – Part 2

This part of the form must be completed by the manager of an employee who has declared any personal interests, secondary employment or additional appointments.

Give details of the interests that have been declared, include secondary employment and additional appointments and any remuneration received. In the case of employees at SO1 or above use this form to record your consent to additional employment/appointment/private work.

Do any of these interests give rise to any risks? Please give details of the risks identified

What action has been taken to mitigate the risks?

I confirm that I have discussed the interests declared with this employee and have sent a copy of this form to People & Talent for inclusion in the Corporate Risk Register and the individual's personal file.

Line Manager:

Signed

Date:

