

OFFICIAL

Anti-Bribery Policy

1. Policy Statement

- 1.1 The Bribery Act 2010 made bribery a criminal offence. The Council and everyone employed by us, including members, temporary and agency staff, consultants and contractors, will not pay bribes or offer improper inducements to anyone for any purpose. We do not accept bribes or improper inducements.
- 1.2 To use a third party to channel bribes to others is also a criminal offence. We do not and will not engage indirectly in, or otherwise encourage, bribery. The Council is committed to the prevention, deterrence and detection of bribery. We have zero tolerance towards bribery.

2. What is bribery?

- 2.1 Bribery is the offering, promising or giving of a financial or other advantages designed to induce an individual to take an improper decision or action. These inducements can take many forms including offering cash, holidays, event tickets, meals. Decisions could relate to recruitment, the award of contracts, planning consents and other awards.
- 2.2 There are four key offences under the 2010 Act:
- bribing another person (section 1);
 - accepting a bribe (section 2);
 - bribing a foreign official (section 6); and
 - failing to prevent bribery (section 7).
- 2.3 Failure by a commercial organisation to prevent bribery is a corporate offence. For the purposes of the Bribery Act 2010, the Council is classed as a 'commercial organisation'. The Act also introduces an offence of bribing a foreign official. Individuals found guilty of an offence may be imprisoned for a maximum term of ten years and face an unlimited fine.

3. Scope of the policy

- 3.1 This policy provides a coherent and consistent framework to enable all our employees to understand and implement arrangements to enable compliance with the Act. In conjunction with related policies and key documents it will also enable employees to identify and effectively report a potential breach.
- 3.2 This policy applies to all of our activities and staff including all permanent, temporary and agency staff, contractors, agents, members (including independent members), volunteers and consultants. For our partners, joint ventures and suppliers, we will encourage the adoption of policies consistent with the principles set out in this policy.

4. Our commitment to anti-bribery

- 4.1 In order to comply with the Bribery Act, we will:

OFFICIAL

- Set out a clear anti-bribery policy and keep it up to date;
- Maintain appropriate procedures to prevent bribery;
- Undertake anti-bribery risk assessments where appropriate;
- Make all employees aware of their responsibilities to comply with this policy at all times;
- Maintain appropriate gifts and hospitality procedures;
- Encourage employees to report any suspicions of bribery;
- Investigate instances of alleged bribery and assist the police and other authorities in their investigations; and
- Take a robust line against anyone found to have breached this policy or to have committed or facilitated bribery.

4.2 As part of our commitment to comply with the Bribery Act, it will be considered unacceptable to:

- 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 reward a business advantage already given;
- give, promise to give, or offer a payment, gift or hospitality to a government official, agent or representative to 'facilitate' or expedite a routine procedure;
- accept payment from a third party that you know, or suspect, is offered with the expectation that it will obtain a business advantage for them;
- accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided in return;
- retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy; and
- engage in activity in breach of this policy.

5. Contracts and failure to prevent bribery

5.1 Under the Public Contracts Regulations, a company is automatically barred from competing for public contracts where it is convicted of a corruption offence. Companies that are convicted of failing to prevent bribery are not automatically barred from participating in tenders for public contracts. We have the discretion to exclude organisations convicted of this offence and you should get advice from our Procurement team on this issue.

6. Raising a concern

6.1 We want everyone who has any concerns to be able to report these effectively. Our Whistleblowing policy sets out how to do this, including making an anonymous referral.

7. Monitoring

7.1 The Assistant Director of Corporate Governance (the Council's Monitoring Officer), is responsible for the maintenance and operation of this policy. The Assistant Director of Corporate Governance and Head of Audit and Risk



OFFICIAL

Management will liaise with the Assistant Director of Human Resources when the policy is subject to review in order to ensure all relevant employment requirements are taken into account.