



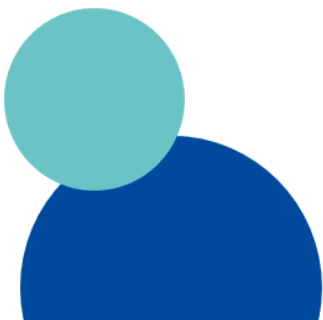
Waverley Borough Council

# Anti-Bribery Policy

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**Approval & Publication:**

Approving Body	Approval route requirement	Publication Type	Publication requirement	Review frequency	Document owner	Next Review Date
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**Impact Assessments and Consideration:**

Impact Assessment Type	Required / Not Required	Date Completed	Impact Assessments and Considerations Comment	Assessment Owner
Equality Impact Assessment			Everyone will be treated equally in accordance with the law and the contents of the agreed councils fraud related policies	
Health in all Policies	NR			
Data Protection Impact Assessment			Information obtained will be treated in accordance with legal requirements.	
Climate Change	NR			

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## **1. Policy Statement**

This document demonstrates Waverley Borough Councils commitment to educate those that are employed, including those acting on behalf of the council and those that we do business, with our expectation and governance arrangements to report, deter acts of bribery and the action that will be taken if allegations of bribery are found to have substance.

## **2. Introduction**

### **2.1 SCOPE OF THIS POLICY**

This policy covers Members, staff at all levels and grades, including those employed by agency, contractors, nonexecutives, volunteers and consultants. It also applies to all of the Council's activities. For partners, joint ventures and suppliers, we will seek to promote the adoption of policies consistent with the principles set out in this policy.

This policy provides a coherent and consistent framework to enable the Council's Members and employees to understand and implement arrangements enabling compliance. In conjunction with related policies and key documents (most notably the Counter Fraud Policy), it will also enable employees to identify and effectively report a potential breach.

We require that all Members and staff:

- act honestly and with integrity at all times and to safeguard the Council's resources for which they are responsible; and
- comply with the spirit, as well as the letter, of the laws and regulations of all jurisdictions within which this Council operates, in respect of the lawful and responsible conduct of activities

### **2.2 THIS COUNCIL'S COMMITMENT TO ACTION**

This Council commits to:

- develop and communicate adequate anti-bribery procedures based on principles such as risk and proportionality;
- ensure that there is a genuine commitment to the anti-bribery procedures from senior management;
- ensure that the anti-bribery procedures are clear, practical, accessible, effectively implemented, monitored and enforced;
- apply due diligence procedures in respect of persons who perform or will perform services for or on behalf of the Council;
- set out a clear anti-bribery policy and keeping this policy up to date;
- make Members and staff aware of their responsibilities to adhere to this policy at all times;

- encourage staff to be vigilant and to report any suspicions of bribery;
- rigorously investigate instances of alleged bribery and to assist the Police and other appropriate authorities where necessary;
- take firm and vigorous action against any individual(s) proved to have been involved in bribery; and
- include appropriate clauses in contracts to prevent bribery.

### **3. GIFTS AND HOSPITALITY**

This anti-bribery policy is not meant to change the requirements we already have in place regarding gifts and hospitality, for example, as defined in the Officers' and Members' Codes of Conduct. Central Government does not intend that genuine hospitality or similar business expenditure that is reasonable and proportionate be caught by the Bribery Act. Therefore, it is reasonable to continue to provide or accept appropriate hospitality, promotional or other business expenditure providing it is in accordance with the Codes set out below.

To avoid any doubt, the main points of the existing Members' and Officers' Codes of Conduct that relate to hospitality are listed at points 1 to 8 below. Both Codes of Conduct can also be found in full on the Intranet or the Council website.

#### **Members**

1. Members must exercise caution in accepting any gifts or hospitality which are (or which you reasonably believe to be) offered to you because you are a Member
2. must not accept significant gifts or hospitality from persons seeking to acquire, develop or do business with the Council or from persons who may apply to the Council for any permission, license or other significant advantage.
3. A Member must register with the Monitoring Officer any gift or hospitality with an estimated value of at least £50, within 28 days of receipt.

#### **Officers**

1. Employees should accept offers of hospitality only if there is a genuine need to impart information or represent the local authority in the community. Offers to attend purely social or sporting functions should be accepted only when these are part of the life of the community or where the authority should be seen to be represented. They should be authorised by your Head of Service, in advance where possible.
2. When hospitality is declined, those making the offer should be courteously but firmly informed of the procedures and standards operating within the authority.
3. Employees should not accept significant personal gifts from contractors and outside suppliers, although the authority may wish to allow employees to keep

insignificant items of token value such as pens, diaries, etc. when you are satisfied that there is no ulterior motive associated with the offer of the gift and where acceptance gives no danger of misinterpretation by a member of the public.

4. When receiving authorised hospitality, employees should be particularly sensitive as to its timing in relation to decisions which the authority may be taking affecting those providing the hospitality.
5. Acceptance by employees of hospitality through attendance at relevant conferences and courses is acceptable where it is clear the hospitality is corporate rather than personal, where the authority gives consent in advance and where the authority is satisfied that any purchasing decisions are not compromised. Where visits to inspect equipment, etc are required, you should claim any personal expenses involved from Waverley to avoid jeopardising the integrity of subsequent purchasing decisions.
6. Gifts which fall outside the definition re insignificant items of token value above. should be politely refused and Waverley's policy on the acceptance of gifts should be explained. If you have any doubt, please seek advice from, in the first instance, your Head of Service.
7. If a gift is delivered to the office without prior warning, unless it falls within the scope of insignificant gifts (see 3 above), in consultation with your Head of Service, the gift should be returned.
8. All hospitality offered, whether or not it is accepted, and all gifts offered or received, whether or not they are accepted or returned, must be entered in the Register of Hospitality and Gifts on Backstage and a note made of the action taken.

#### **4. RESPONSIBILITIES OF MEMBERS AND STAFF**

The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for the Council or under its control. All Members and staff are required to avoid activity that breaches this policy.

You must ensure that you read, understand and comply with this policy, and that you 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. You should be aware that breach of the Bribery Act can lead to civil and criminal prosecution; in addition, breach of this policy may result in disciplinary action, which could lead to dismissal on the grounds of gross misconduct.

## 5. RAISING A CONCERN

As a first step, employees should normally raise concerns (verbally or in writing) with their immediate manager or supervisor. If circumstances dictate that this isn't possible, then other contacts for raising a concern are:

- Joint Chief Executive 01483 523237
- Monitoring Officer: 01483 523108
- Internal Audit Manager: 01483 523260

The Council's Confidential Reporting (Whistleblowing) Policy can also be used to raise bribery concerns.

If the concern is not able to be raised via internal channels, then options such as Local Councillors; Trade Unions; The Police; or The Local Government Ombudsman are all possible alternatives.

Staff not involved with bribery who raise a genuine concern, either via the Confidential Reporting (Whistleblowing) Policy or otherwise, will not be at risk of losing their job or suffering any form of retribution or harassment as a result. Providing that concerns raised are genuine and in good faith, it does not matter if they are mistaken or ultimately turn out to be not proven.

The Council welcomes comments and feedback on its policies and procedures. This policy will be reviewed every year by the Internal Audit Manager, unless legislation or sector development require otherwise, ensuring that it continues to meet its objectives and take account of good practice developments. The policy will be presented for endorsement to the Audit Committee every two years. If you have any comments, please provide these to the Internal Audit Manager.

## 6. OTHER RELATED COUNCIL POLICIES/INFORMATION (ALL AVAILABLE ON THE INTRANET OR COUNCIL WEBSITE)

- Counter Fraud Strategy
- Counter Policy
- Fraud Response Plan
- Anti-Money Laundering Policy
- Confidential Reporting (Whistleblowing) Policy
- Officers' Code of Conduct
- Members' Code of Conduct
- Financial Regulations
- Contract Procedure Rules
- Councillors Planning Code of Good Practice

THIS POLICY IS NOT EXHAUSTIVE AND MAY BE SUBJECT TO CHANGE