Datchworth Parish Council

Serving the communities of Datchworth, Bulls Green, Burnham Green & Hooks Cross

Anti-Bribery Policy

Adopted: 22nd September 2020
Review: September 2021

Policy Statement – Anti-Bribery
Bribery is a criminal offence. Datchworth Parish Council and those acting on its behalf does not, and will not, pay bribes or offer improper inducements to anyone for any purpose, nor does it or will it, accept bribes or improper inducements or use a third party as a conduit to channel bribes.

Datchworth Parish Council is committed to the prevention, deterrence and detection of bribery.

Bribery
Is an inducement or reward offered, promised or provided to gain personal, commercial, regulatory or contractual advantage.

The Bribery Act
There are four key offences under the Act:

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

The Bribery Act 2010 (http://www.opsi.gov.uk/acts/acts2010/ukpga_20100023_en_1) makes it an offence to offer, promise or give a bribe (Section 1). It also makes it an offence to request, agree to receive, or accept a bribe (Section 2).

Bribery is not tolerated
It is 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 by Datchworth Parish Council in return
- retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy
- engage in activity in breach of this policy.

Facilitation payments
Facilitation payments are not tolerated and are illegal. Facilitation payments are unofficial payments made to public officials, officers, staff or volunteers in order to secure or expedite actions.

Gifts and hospitality
The Act does not prohibit genuine hospitality. Reasonable, proportionate gifts and hospitality made in good faith and that are not lavish are acceptable, but should be declared, where worth more than £25, by notifying the Parish Clerk who will keep a register of gifts and hospitality received. In the case of Parish Clerk, the Chair of the Parish Council should be notified.

The register of gifts and hospitality will be inspected annually by the Parish Clerk.

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

Staff must raise concerns as soon as possible if they believe or suspect that a conflict with this policy has occurred or may occur in the future.

As well as the possibility of civil and criminal prosecution, staff and volunteers who breach this policy will face disciplinary action, which could result in dismissal for gross misconduct.

This policy will be reviewed every year or earlier if so required by legislation or additional material.
Date of policy: September 2021
Approving committee: Full Council
Date of committee meeting: 28th September 2021
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