



ANTI-BRIBERY POLICY

Adopted: 24th May 2022
Review: May 2023

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.

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Approving committee: Full Council

Date of committee meeting: 24th May 2022

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Date for next review: May 2023