

ANTI-BRIBERY POLICY AND PROCEDURE

Section		Page
1	Policy Statement	5.8 - 3
1.1	Objective of the Policy	5.8 - 4
1.2	Scope of the Policy	5.8 - 4
1.3	The Council's commitment to action	5.8 - 4
1.4	Relevant legislation	5.8 - 5
1.5	Is The Council A "relevant commercial organisation"	5.8 - 6
2	Key Principles	5.8 - 6
2.1	Pillars	5.8 - 6
2.2	Principles of Public Life	5.8 - 7
2.3	Types of fraud	5.8 – 8
2.4	Internal audit activity	5.8 - 8
3	Anti-Bribery Procedures	5.8 – 8
3.1	Adequate procedures	5.8 – 8
3.2	Initial bribery risk assessment	5.8 - 9
3.3	Penalties	5.8 – 10
3.4	Bribery Is not tolerated	5.8 – 10
3.5	Facilitation payments	5.8 – 11
3.6	Gifts and hospitality	5.8 - 11
3.7	Public contracts and failure to prevent bribery	5.8 – 11
3.8	Staff responsibilities	5.8 – 12
3.9	Procedure for the reporting of suspected fraud and corruption	5.8 – 12
3.10	Procedure for the investigation of suspected fraud And corruption	5.8 – 12
4	Other Relevant Policies	5.8 – 13
5	Useful Links	5.8 – 13
Appendix A	Risk assessment model	5.8 – 14

Document Owner: Head of Democratic and Partnership Services

(This page is blank)

ANTI-BRIBARY POLICY AND PROCEDURE

1 POLICY STATEMENT

Bribery is a criminal offence – The Council does not, and will not, pay bribes or offer improper inducements to anyone for any purpose, and will not accept bribes or improper inducements.

To use a third party as a conduit to channel bribes to others is also a criminal offence – The Council does not, and will not, engage indirectly in or otherwise encourage bribery.

The Council is committed to the prevention, deterrence and detection of bribery and, as such, has a zero-tolerance towards bribery. The Council aims to maintain anti-bribery compliance as a continuous requirement rather than as a one-off exercise.

“The Council acknowledges that there is a risk of fraud across all areas of its operations and is working both internal and with external partners to prevent and reduce this risk”. The main mitigation against this risk is to ensure that the Fraud Strategy is delivered and this is the responsibility of the Head of Internal Audit.

In line with the objectives of the Council, this policy aims to assist in setting the highest standards of governance, ethical behaviour and ensuring the efficient and effective use of its resources. References to the Council throughout this policy also include Schools where the Local Authority retains responsibility.

The Council is committed to protecting the public funds with which it has been entrusted. The aim of this policy is to mitigate against any losses due to fraud and corruption. The Council will ensure that resources are used for their intended purpose of providing vital services to the residents of the Borough. Adherence to this policy will also ensure public confidence in the integrity and competence of the Council is maintained.

This policy also aims to outline the Councils pro-active approach to combating fraud and corruption and will respond accordingly to the guidance issued by national anti-fraud organisations. The governance arrangements within the Council include the responsibility for countering the risk of fraud and corruption.

The Council expects all members, governors and employees to assist with protecting the Council’s resources and to conduct their affairs with integrity, honesty and transparency. To assist in the fulfilment of these responsibilities the Council has a Constitution which sets out the governance arrangements and includes the Codes of Conduct for Members and Employees, Contract Standing Orders and Financial Regulations.

There is an expectation that all individuals and organisations dealing with the Council, such as contractors and their sub-contractors, partners, external stakeholders, suppliers and users of Council services will act with honest, integrity and transparency. The Council expects all of its partners in both the private and public sectors to maintain good governance arrangements and to set high standards of probity, and to observe the Nolan Principles of Public Life.

Whilst the Council has a framework of policies and controls for everyone to follow, there is also a requirement for Members and Employees alike to promote a culture in which

ANTI BRIBERY POLICY AND PROCEDURE

staff, suppliers, external stakeholders and the public recognise that fraud and corruption has no place within Calderdale and furthermore will not be tolerated by the Council.

The Leadership recognises that fraud against the council harms the citizens and taxpayers of Calderdale and for that reason, fraud, bribery and corruption against the council will not be tolerated and all such occurrences will be investigated. We will undertake to consider the circumstances of each case of fraud we investigate to ensure we seek a fair and balanced outcome.

We the leadership team, with your support, will strive to ensure that we have robust processes in place to prevent fraud in the first instance and, that we do not forget the risk of fraud in our drive to improve efficiency in our services.

1.1 Objective of the Policy

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

The Council requires all employees, agency staff and contractors to:

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

1.2 Scope of the Policy

This policy applies to all the Council's activities. For partners, joint ventures and suppliers, the Council will seek to promote the adoption of policies consistent with the principles set out in this policy.

The responsibility to control the risk of bribery occurring resides at all levels of the Council. It does not rest solely within assurance functions, but in all business units and corporate functions.

This policy covers all staff at all levels and grades and includes those permanent employees, temporary agency staff, contractors, non-executives, agents, Members (including independent members), volunteers and consultants.

1.3 The Council's Commitment to Action

The Council commits to:

- setting out a clear anti-bribery policy and keeping it up to date
- making all employees aware of their responsibilities to always adhere strictly to this policy

ANTI BRIBERY POLICY AND PROCEDURE

- encouraging its employees to be vigilant and to report any suspicion of bribery, providing them with suitable channels of communication and ensuring sensitive information is treated appropriately
- rigorously investigating instances of alleged bribery and assisting the Police and other appropriate authorities in any resultant prosecution action
- taking firm and vigorous action against any individual(s) involved in bribery
- provide information to all employees to report breaches and suspected breaches of this policy
- include appropriate clauses in contracts to prevent bribery.

1.4 Relevant Legislation

The Bribery Act 2010 contains two general offences:

- Section 1 - the offering, promising or giving of a bribe (active bribery);
- Section 2 - and the requesting, agreeing to receive or accepting of a bribe (passive bribery) it also sets out two further offences which specifically address commercial bribery:
- Section 6 - creates an offence relating to bribery of a foreign public official in order to obtain or retain business or an advantage in the conduct of business;
- Section 7 - creates a new form of corporate liability for failing to prevent bribery on behalf of a commercial organisation.

The Fraud Act 2006 created an offence of fraud and identified three main ways by which it can be committed

- Fraud by false representation.
- Fraud by failing to disclose information
- Fraud by abuse of position.

The Act also created four related criminal offences of:

- Possession of articles for use in frauds.
- Making or supplying articles for use in frauds.
- Participating in fraudulent business.
- Obtaining services dishonestly.

The Theft Act 1968 and the Forgery and Counterfeiting Act 1981 define offences of:

- Theft.
- False Accounting.
- Forgery.

In certain circumstances The Prevention of Social Housing Fraud Act 2013 makes the sub-letting of “Registered Social Landlord” without the consent of the landlord, a criminal offence.

The Council Tax Reduction Schemes (Detection of Fraud and Enforcement) (England) Regulations 2013 gives Local Authorities the power to investigate Council Tax reduction fraud.

The Criminal Finance Act 2017 created a criminal offence of failing to put adequate measures in place to prevent tax evasion in the United Kingdom or overseas.

The Proceeds of Crime Act 2002 made it a criminal offence to fail to disclose knowledge

ANTI BRIBERY POLICY AND PROCEDURE

of or suspicion of money laundering.

1.5 Is the Council a “Relevant Commercial Organisation?”

A “relevant commercial organisation” is defined at section 7(5) of the Act as “a body which is incorporated under the law of any part of the United Kingdom, and which carries on a business.” The courts will be the final arbiter. The [Ministry of Justice Guidance](#) (MOJ) states the Government’s intentions as regards the application of the phrase - “so long as the organisation in question is incorporated ... it does not matter if it pursues primarily charitable or educational aims or purely public functions. It will be caught if it engages in commercial activities, irrespective of the purpose for which profits are made.”

This means that there will be circumstances in which the Council will be a commercial organisation for the purposes of section 7. Accordingly, the Council could be liable to severe penalties if it fails to implement adequate procedures which act as a statutory defence to a section 7 offence.

2 KEY PRINCIPLES

2.1 The Council has reviewed its arrangements in line with the Fighting Fraud and Corruption Locally Strategy (2020) - the Local Government blueprint for tackling fraud in Local Government. The strategy outlines its 5 pillars for effective fraud management, as outlined below:

Pillar 1 - Govern

- Have robust arrangements and executive support to ensure anti-fraud, bribery and corruption measures are embedded throughout the organisation.

Pillar 2 - Acknowledge

- Assessing and understanding fraud risks.
- Committing the right support and tackling fraud and corruption.
- Demonstrating that it has a robust anti-fraud response.
- Communicating the risks to those charged with Governance.

Pillar 3 - Prevent

- Making the best use of information and technology.
- Enhancing fraud controls and processes.
- Developing a more effective anti-fraud culture.
- Communicating its activity and successes.

Pillar 4 - Pursue

- Prioritising fraud recovery and use of civil sanctions.
- Developing capability and capacity to punish offenders.
- Collaborating across geographical and sectoral boundaries.
- Learning lessons and closing the gap.

Pillar 5 - Protecting itself and its residents

- Recognising the harm that fraud can cause in the community.
- Protecting itself and its residents from fraud.

ANTI BRIBERY POLICY AND PROCEDURE

2.2 Principles of Public Life

The Seven Principles of Public Life (also known as the Nolan Principles) apply to anyone who works as a public officeholder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the Civil Service, local government, the police, courts and probation services, non-departmental public bodies (NDPBs), and in the health, education, social and care services. All public officeholders are both servants of the public and stewards of public resources. The principles also apply to all those in other sectors delivering public services. The Council expects both Members and Employees to follow these principles when carrying out their roles and responsibilities: -

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behavior. They should actively promote and robustly support the principles and be willing to challenge poor behaviour wherever it occurs.

The Council is fully committed to ensuring that it carries out its day-to-day operations in accordance with the principles of good corporate governance, including integrity, openness and accountability. These principles require a culture within the Council that is based upon honesty, where accountability is clear and where decisions and behaviors' can be challenged.

Source: <https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2>

ANTI BRIBERY POLICY AND PROCEDURE

2.3 Types of Fraud

The following provides examples of fraudulent or corrupt acts, but are not limited to:

- Submitting invoices for work not done;
- Stealing cash, assets or materials;
- Providing false information;
- Failing to declare relevant changes that would have a material affect;
- Falsifying or withholding information to obtain Council discounts, allowances or services;
- Using Council equipment or materials without permission for private purposes;
- Falsifying hours worked or not working on designated duties;
- Falsely presenting yourself as sick at work;
- Accepting gifts or hospitalities in exchange for providing work or receiving work or to improperly change a decision.

2.4 Internal Audit Activity

The audit plan provides for system reviews of all major financial and management systems, whether computerised or manual, on a risk assessed basis. Auditors are required to be alert to the risk of fraud at all times in all their work.

The plan also includes provision for Anti-Fraud projects to be carried out.

Internal Audit also co-ordinates the Councils involvement with the National Fraud Initiative (NFI) exercise. This is a biennial data-matching exercise at which data from across the public sector is matched to help public bodies identify fraud and overpayments.

3 ANTI BRIBERY PROCEDURES

3.1 Adequate Procedures

The question of adequacy of bribery prevention procedures will depend in the final analysis on the facts of each case, including matters such as the level of control over the activities of the associated person and the degree of risk that requires mitigation. The capacity in which the person “performs services” for or on behalf of the organisation does not matter. This person can be an individual or an incorporated or unincorporated body. Employees, agents and subsidiaries are included, but Section 8(4) makes it clear that the question as to whether a person is performing a service for an organisation is “determined by reference to all the relevant circumstances and not merely by reference to the nature of the relationship” between the person and the organisation. This means that contractors could be “associated persons” to the extent that they are performing services for or on behalf of a commercial organisation.

Whether the procedures are adequate will ultimately be a matter for the courts to decide on a case-by-case basis. The Ministry of Justice guidance states that procedures to prevent bribery being committed on behalf of an organisation should be informed by six key broad principles and should be proportionate to risk. The principles are not prescriptive but are intended to be flexible and outcome focussed, allowing for the different circumstances that organisations find themselves in. Accordingly, the detail of how organisations might apply the principles will vary, but the outcome should always be robust and effective anti-bribery procedures.

ANTI BRIBERY POLICY AND PROCEDURE

Principle 1 Proportionate Procedures

The commercial organisation's procedures to prevent bribery by persons associated with it are proportionate to the bribery risks it faces and to the nature, scale and complexity of the organisation's activities. As well as a proportionate risk-based approach, they are clear, practical, accessible, effectively implemented and enforced.

Principle 2 Top Level Commitment

The top-level management of the commercial organisation are committed to preventing bribery by persons associated with it. They foster a culture within the organisation in which bribery is never acceptable.

Principle 3 Risk Assessment

The nature and extent of the commercial organisation's exposure to potential external and internal risks of bribery on its behalf by persons associated with it is periodically assessed, informed and documented. This includes financial risks but also other risks such as reputational damage and the risk assessment should evolve to match the nature of the organisation's business and transaction risk.

Principle 4 Due Diligence

The commercial organisation applies due diligence procedures, taking a proportionate and risk-based approach, in respect of persons who perform or will perform services for or on behalf of the organisation, in order to mitigate identified bribery risks.

Principle 5 Communication (including training)

The commercial organisation seeks to ensure that its bribery prevention policies and procedures are embedded and understood throughout the organisation through internal and external communication, including training, which is proportionate to the risks it faces.

Principle 6 Monitoring and Review

The commercial organisation monitors, and reviews procedures designed to prevent bribery by persons associated with it and makes improvements where necessary.

The Council is committed to applying the principles which are set out above and to implement bribery prevention procedures which are proportionate to risk.

3.2 Initial Bribery Risk Assessment

An initial assessment of the risks is outlined below to determine the extent to which procedures additional to those already in place may be required.

Within the Council the Section 2 Bribery Act 2010 risk of Council staff being bribed is the risk most likely to be encountered. This includes when a person requests, agrees to

ANTI BRIBERY POLICY AND PROCEDURE

receive or accepts a financial or other advantage intending that, in consequence, a relevant function or activity should be performed improperly whether that person or another.

The risk of the Council being prosecuted for failing to prevent staff/agents bribing others on behalf of the Council is in all probability low. Heads of Service and Senior Managers are responsible for assessing individuals whose role makes them particularly susceptible to bribery, and for providing an appropriate level of information and training, as well as existing business control arrangements, to ensure that as far as is practicable, adequate procedures are in place to avoid risks of bribery by or of Council Officers, Members or associated persons (see Risk Assessment Model at Appendix A).

Preventing bribery of others – likely to be low risk but Councils do sell some services, for example, to schools.

The Council publishes all transactions over £500 in value to promote transparency of its spending activities.

Preventing bribery of Council staff/associates - higher risk.

The Council has a Code of Conduct for both Members and employees that prohibits financial inducements and sets out the rules on gifts and hospitality. Some employees work in higher risk areas.

Procurement regulations ensure fair competition on awarding contracts and the Council's Contract Procedure Rules set out policy and procedures for the conduct of procurement exercises.

The Council grants licences, (eg: taxis) and authorisations, (eg: planning permission) as well as assessing entitlement to grants, benefits and other entitlements and allocating school places, provision of school transport assistance, etc.

3.3 Penalties

An individual guilty of an offence under sections 1, 2 or 6 is liable:

- On conviction in a Magistrates Court, to imprisonment for a term not exceeding 12 months, or to a fine not exceeding £5,000, or to both
- On conviction in a Crown Court, to imprisonment for a term not exceeding 10 years, or to a fine, or to both

Organisations are liable to these fines and if guilty of an offence under section 7, the Council would be liable on conviction on indictment to a fine.

3.4 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

ANTI BRIBERY POLICY AND PROCEDURE

- 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 the 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.

3.5 Facilitation Payments

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

3.6 Gifts and Hospitality

The Council's policies relating to Gifts and Hospitality are set out in the:

- Code of Conduct for Members (see part 2)
- Code of Conduct for Employees _

3.7 Public Contracts and Failure to Prevent Bribery

Under The Public Contracts Regulations 2006 No. 5, which give effect to EU law in the UK, a company is automatically and perpetually debarred from competing for public contracts where it is convicted of a corruption offence. There are no plans to amend the 2006 Regulations for this to include the crime of a failure to prevent bribery. Organisations that are convicted of failing to prevent bribery are not automatically barred from participating in tenders for public contracts. However, the Council does have the discretion to exclude organisations convicted of this offence.

3.8 Staff Responsibilities

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

All staff must ensure that they:

- read, understand, and comply with this policy
- raise concerns as soon as possible where they believe or suspect that a conflict with this policy has occurred or may occur in the future.

In addition to the possibility of civil and criminal prosecution, any staff who breach this policy will face potential disciplinary action, which could result in dismissal for gross misconduct.

ANTI BRIBERY POLICY AND PROCEDURE

3.9 Procedure for the Reporting of Suspected Fraud and Corruption

The Council is committed to ensuring that staff have a safe, reliable, and confidential way of reporting any suspicious activity. We want each member of staff to know how they can raise concerns.

We all have a responsibility to help detect, prevent, and report instances of bribery. If you have a concern regarding a suspected instance of bribery or corruption, please speak up – your information and assistance will help. The sooner you act, the sooner it can be resolved.

There are a number of ways to help you raise concerns. Please refer to the Councils Whistleblowing Policy to help you determine your favoured course of action:

It is preferable that any disclosure to be made can be resolved internally (for example via your Line Manager, Head of Service or the confidential Fraud Hotline based in the Internal Audit Section). Where an internal disclosure is not appropriate, there is provision for external disclosure provided that relevant conditions as detailed within the Whistleblowing Policy are satisfied. [The Public Interest Disclosure \(Prescribed Persons\) \(Amendment\) Order 2003 Statutory Instrument 2003 No. 1993](#), provides a non-exhaustive list comprising the persons most likely to be of relevance to the work of a Local Authority.

Concerns can be raised anonymously. In the event that an incident of bribery, corruption, or wrongdoing is reported, the Council will act as soon as possible to evaluate the situation. There are clearly defined procedures for investigating fraud, misconduct and non-compliance issues and these will be followed in any investigation of this kind.

Staff who refuse the offer of a bribe, or those who raise concerns or report wrongdoing can understandably be worried about any repercussions. The Council's aim is to encourage transparency and openness, and as such will support anyone who raises a genuine concern in good faith under this policy, even if the concern ultimately turns out to be misinformed.

If you have any questions about these procedures, please contact Fiona Glover, Senior Auditor, Internal Audit on Ext 3593 or email fiona.glover@calderdale.gov.uk or Ian Hughes, Head of Legal and Democratic Services on Ext 3063 or email ian.hughes@calderdale.gov.uk.

3.10 Procedure for the Investigation of Suspected Fraud and Corruption

The Head of Internal Audit will make a decision as to whether an investigation is merited and will decide on the way in which the case is to be progressed, with discussions taking place with Service Management as appropriate.

There will be instances where it is appropriate for initial investigation work to be carried out by Line Managers within Service areas. This will particularly apply in cases where there is a need to gather additional facts to support a case. In these situations, Internal Audit will always be available to give support in the form of advice and guidance.

The need for direct Internal Audit involvement in an investigation will be the decision of the Head of Internal Audit who will make her decision based on: -

ANTI BRIBERY POLICY AND PROCEDURE

- The existence of tangible evidence.
- The need for the case to be undertaken in a structured manner (bearing in mind the possibility of the case resulting in Disciplinary Action or referral to the Police for Criminal Prosecution)

Investigations will be carried out in complete confidentiality. Professional standards will be strictly observed in the gathering of evidence and the putting together of a case file. Interviewing of staff will be carried out in adherence to HR Guidelines whereby employees will be given the opportunity to be represented (by the Trade Union, colleague or friend) where they so wish.

The final report detailing the findings of the investigation will be presented to Service Management with recommendations that may include Disciplinary Action or Criminal Prosecution.

4 OTHER RELEVANT POLICIES

Anti-Fraud and Corruption Strategy

Anti-Money Laundering Policy

Gifts and Hospitality Policy

5 USEFUL LINKS

[Bribery Act Final Guidance](#)

[Bribery Act Quick Start Guide](#)

[Joint Prosecution Guidance](#)

[Public Concern at Work](#)

[Department for Business Innovation and Skills \(blowing the whistle to a prescribed person\)](#)

Version control

<i>Rev</i>	<i>Rev Date</i>	<i>Rev By</i>	<i>Issue Date</i>	<i>Description</i>
1.0	Nov 21	C Riley c/o J Houshmand H Ahmed	Nov 21	Annual Review – Complete review, streamlined processes
1.1	April 23	H Ahmed	April 23	Annual Review and updated key contacts to Ian Hughes

ANTI BRIBERY POLICY AND PROCEDURE

RISK ASSESSMENT MODEL

APPENDIX A

Heads of Service or Senior Managers should use this model by answering the questions listed below. They should record the process that they have followed and the posts (or names) of any individuals identified through this process. The process should be reviewed whenever there is a change in structure, operational or management arrangements, and as a matter of course, refreshed or rechecked once per year.

Q1. Does anyone in the Section or Team

- (a) purchase on behalf of the Council?
- (b) carry out assessments on behalf of the Council?
- (c) make regulatory decision on behalf of the Council?
- (d) sell services on behalf of the Council?

If no, go to Q8; if yes go to Q2

Q2. Within the Team, which individuals

- (a) purchase on behalf of the Council?
- (b) carry out assessments on behalf of the Council?
- (c) make regulatory decision on behalf of the Council?
- (d) sell services on behalf of the Council?

Continue to Q3

Q3. What controls operate over each activity with which each individual is involved?

- (a) substantial controls that successfully address all business risks including bribery, making it extremely unlikely in any circumstances (if yes go to Q5)
- (b) substantial controls that successfully address all business risks including bribery, making it extremely unlikely to have more than nominal value (if yes go to Q5)
- (c) controls that successfully address most business risks including bribery, making it unlikely (if yes go to Q5)
- (d) controls that successfully address most business risks including bribery, making it unlikely to have more than nominal value (if yes to Q5)
- (e) controls that successfully address most business risks (but not specifically including bribery), making it fairly unlikely (if yes go to Q4)
- (f) controls that successfully address most business risks (but not including bribery), making it fairly unlikely to have more than nominal value (if yes go to Q4)
- (g) an activity where controls to prevent bribery are limited but even if it does occur, it is unlikely to have more than nominal value (if yes go to Q4)
- (h) an activity where controls to prevent bribery are limited and if it does occur, it is quite likely to be more than nominal value (if yes go to Q4)

Q4. Is it possible to amend or enhance business controls to reduce the risk of bribery?

Yes - make system changes – go to Q8

No - additional oversight and control measures are necessary prior to approving decisions, or where this is not practicable, by retrospective assessment. Go to Q8

ANTI BRIBERY POLICY AND PROCEDURE

Q5. Does the service have significant dealings with contractors, suppliers or partners beyond the routine provision of goods or services? If no, go to Q8, If yes, go to Q6

Q6. Do the nature of dealings with contractors and partners necessitate that specific provisions are included in contracts that require the contractor to have demonstrated arrangements that avoid bribery and corruption risks? If yes, go to Q7; if no, go to Q8.

Q7. Has an assessment concluded that arrangements in place are adequate.?

If no, carry out assessment.

If assessment has been undertaken, and arrangements are inadequate, answer is No

Q8. Does the service operate recruitment and staff management practices that wholly accord with the Council's rules? Yes /No

A service that has responded "yes" to Q4 and Q7 has low risks.

Those that have responded "no" to Q4, Q7 or Q8 create higher potential risks and Managers need to put in place additional checks that must be documented and agreed with the Head Internal Audit.