

WELWYN HATFIELD BOROUGH COUNCIL

STANDARDS COMMITTEE – 3<sup>RD</sup> SEPTEMBER 2018

REPORT OF THE CORPORATE DIRECTOR (PUBLIC PROTECTION, PLANNING  
AND GOVERNANCE)

ANTI-BRIBERY POLICY

**1 Executive Summary**

- 1.1 The Council already has in place an Anti-Fraud and Anti-Corruption policy that sets out the procedures that ensure that they are not involved in fraud and corruption. The need for an independent stand-alone policy specifically dealing with bribery has been identified. The purpose of this report is to enable the Committee to comment on and approve a proposed Anti-Bribery policy (Appendix A).

**2 Recommendation(s)**

- 2.1 Members are asked to consider the proposed policy, suggest any changes and then recommend approval of the new policy to Cabinet.

**3 Explanation**

- 3.1 It is generally accepted that corruption causes poverty and suffering, inhibits economic growth, damages business both financially and in relation to reputation and may result in criminal and civil liability and penalties for organisations and individuals. It undermines democracy and brings authorities into disrepute.
- 3.2 All organisations need to assess whether they have adequate policies and procedures in place to ensure that as far as possible, they can demonstrate compliance with the Bribery Act 2010. The Councils existing policies, processes and procedures do already go a long way to meeting this requirement but the adoption of a stand-alone Anti-Bribery Policy will ensure that the Council continues to follow best practice in this area.

**4 Legal Implication(s)**

- 4.1 The proposed policy meets all the legal requirements under the Bribery Act 2010.

**5 Financial Implication(s)**

- 5.1 The Council may be liable for fines incurred under the four key offences under the Act. These fines can be substantial and in the case of section 7 “failure of commercial organisations” to prevent bribery, the fine can be unlimited.

**6 Risk Management Implication(s)**

6.1 Adoption of the policy is consistent with the principles laid out in the Bribery Act 2010. The policy will significantly mitigate the risk that the Council will be caught under the Act as it clearly spells out the actions that the Council will take to prevent bribery.

**7 Security & Terrorism Implications(s)**

7.1 There are no direct security and terrorism implications. However, it is acknowledged that money derived from bribery may find its way to terrorist organisations who may use this money to fund its operations.

**8 Procurement Implication(s)**

8.1 There are none.

**9 Climate Change Implication(s)**

9.1 There are none.

**10 Link to Corporate Priorities**

11.1 This report is linked to all the Council's corporate priorities.

**12 Equality and Diversity**

12.1 An equality impact assessment has not been carried out in connection with the proposals set out in this report because it is not required.

Name of author	Ian Colyer
Title	Principal Governance Officer
Date	15 <sup>th</sup> August 2018