

Report to the Council

Committee: Audit and Governance

Date: 26 July 2011

Chairman: Councillor A Watts

1. BRIBERY ACT 2010 – CORPORATE POLICY

Recommending:

That the Policy attached as Appendix 1 to this report be approved and implemented

Report:

1. The Bribery Act 2010 came into force on the 1 July 2011 and requires action by organisations to ensure that due diligence procedures are applied, taking a proportionate and risk based approach to mitigate the risk of bribery. The Audit and Governance Committee, at their meeting on 23 June 2011 considered such a draft policy, and following some alteration, are proposing its adoption by the Council.
2. The Act includes a corporate offence under Section 7 of failure by the Council to prevent bribery. The Council will have a defence to this corporate offence if it can show that it had in place adequate procedures designed to prevent bribery by or of persons associated with the Council. As part of these requirements the Council should seek to ensure that its bribery prevention policies and procedures are embedded and understood throughout the organisation, the first stage of this is the adoption of a policy document (appendix 1).
3. Following adoption of the policy all Members and employees will be made aware of their responsibilities to adhere strictly to this policy at all times and training will be included within the finance training currently given. Consideration will be given to the development of an e-learning module as resources allow.
4. Members and staff will be encouraged to report breaches and suspected breaches of this policy through the Council's Confidential Reporting Policy. The Council's standard forms of contract will also be reviewed to include appropriate clauses to prevent bribery.
5. We recommend as set out at the commencement of this report.