



APPENDIX B

# Anti-Bribery Policy

Document Owner :	Clare Fletcher
Version:	1.0
Last Revision:	07/2020
Review Date :	07/2022

## Anti-Bribery Policy

Stevenage Borough Council will do all it can to protect the Council and its staff being exposed to bribery.

### 1. Introduction

- 1.1. The Bribery Act 2010 ('the Bribery Act') aims to promote anti-bribery practices amongst businesses. It applies to both the private and public sectors and so applies to the Stevenage Borough Council. An organisation will commit a criminal offence under the Bribery Act if it fails to prevent bribery that is intended to obtain or retain business or an advantage in the conduct of business for the organisation. An individual can also be guilty of an offence under the Bribery Act.
- 1.2. There are four key offences under the Act
  - Section 1 - Bribing another person
  - Section 2 - Taking a bribe
  - Section 6 - Bribing a foreign public official
  - Section 7 - Failing to prevent bribery.
- 1.3. Before the Bribery Act came into force organisations were only likely to be guilty of a bribery offence if senior management were involved. The Bribery Act applies to all staff in the organisation and now an organisation may be guilty of bribery if only the individual offender knew of the bribery.
- 1.4. An organisation will have a defence to the corporate offence if it can demonstrate that it had adequate procedures in place to prevent bribery by or of persons associated with the organisation.
- 1.5. An individual guilty of an offence under sections 1,2 or 6 is liable:
  - On conviction in a magistrates court to imprisonment for a maximum term of 12 months, or to a fine not exceeding £5,000 or both
  - On conviction in a crown court to imprisonment for a maximum term of ten years or to an unlimited fine or both
- 1.6. Organisations are liable for these fines and if guilty of an offence under section 7 are liable to an unlimited fine.

### 2. Definition of Bribery

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

# Stevenage Borough Council: Anti Bribery Policy

---

## 3. Objective of the Policy

- 3.1. The objective of the policy is to provide a coherent and consistent approach to ensuring compliance with the Bribery Act. It will enable all employees and any person who performs services for and on behalf of Stevenage Borough Council (including contractors, subcontractors, volunteers, consultants and elected members) to understand their responsibilities and allow them to take the necessary action:
- 3.2. The policy forms part of Stevenage Borough Council's Anti-Fraud and Corruption Framework.

## 4. Scope of the Policy

- 4.1. The policy applies to all of Stevenage Borough Council's activities including its work with strategic partners, third parties, suppliers, schools and others. In the case of partnership working, the Council will seek to promote the adoption of this policy by its partners.
- 4.2. The policy applies equally to all staff i.e. officers, regardless of grade or whether permanently employed, as well as temporary agency staff, contractors, agents, all elected Members, volunteers and consultants.

## 5. Anti-Bribery Policy

- 5.1. Stevenage Borough Council is committed to countering bribery and corruption in all forms and will not tolerate it in any of its activities. In particular the Council does not and will not, pay bribes or offer improper inducement to anyone for any purpose. Equally, the Council does not and will not accept any bribes or improper inducements or engage indirectly in or otherwise encourage bribery.
- 5.2. All staff and those working or performing any service on or on behalf of the Council neither accept nor give bribes.
- 5.3. It is unacceptable to:
  - Give, promise to give, or offer payment, gifts 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 payment, gifts or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure
  - Accept payment from a third party that is offered with the expectation that it will obtain business advantage for them, whether known or suspected
  - Accept a gift or hospitality from a third party if it is offered or provided with an expectation that a business advantage will be provided by Stevenage Borough Council in return, whether known or suspected
  - 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.

# Stevenage Borough Council: Anti Bribery Policy

---

## 6. Gifts and Hospitality

- 6.1. This policy is not meant to change the requirements of the Council's gifts and hospitality policy as set out in the Code of Conduct for Officers.

## 7. Responsibilities of staff and others:

- 7.1. Prevention detection and reporting of bribery and other forms of corruption are the responsibility of all those working for Stevenage Borough Council or under its control. All staff including third parties working or performing any service on or behalf of the Council are to avoid activity that breaches this policy, and must:

- Ensure that they read, understand and comply with the policy
- Raise concerns as soon as possible if they suspect that this policy has been breached.
- Act honestly with integrity at all times to safeguard Stevenage Borough Council's resources for which they are responsible
- Comply with the law (both in spirit and in the letter).

## 8. Reporting Procedure

- 8.1. Where you become concerned about an activity that you suspect involves bribery you should share your concerns with the Strategic Director (Chief Financial Officer) who can be contacted as per the details below:

Name: Clare Fletcher  
Address: Strategic Director (Chief Financial Officer)  
Stevenage Borough Council  
Daneshill House  
Danestrete  
Stevenage, SG1 1HN  
Email: [clare.fletcher@stevenage.gov.uk](mailto:clare.fletcher@stevenage.gov.uk)

## 9. Sanctions

- 9.1. Staff who breach this policy will face disciplinary action, which could result in dismissal for misconduct or gross misconduct.
- 9.2. Under the Public Contracts Regulations 2015 contracting authorities shall exclude a supplier from participation in a procurement where they have established that supplier has been convicted of certain offences, including bribery.

## 10. Monitoring and Review

- 10.1. The Strategic Director (Chief Financial Officer) will be responsible for reviewing this Policy to ensure that it remains compliant with good practice and the needs of Stevenage Borough Council.

## 11. Review

- 11.1 This Policy will be reviewed bi-annually.