

SOUTH SOMERSET DISTRICT COUNCIL ANTI-BRIBERY POLICY STATEMENT

1. Introduction

The Bribery Act came into force on the 1st July 2011 and created the offences of offering or receiving bribes, and of failure to prevent a bribe being paid on an organisation's behalf. Guidance is clear that procedures should be proportionate to the risks faced by an organisation. The Act introduces a new crime of "failure to prevent" bribery, which means that an authority or company that is unable to demonstrate that they have implemented "adequate procedures" to prevent corrupt practices within their organisation, or by third parties on their behalf, could be exposed to unlimited fines.

South Somerset's Commitment:

South Somerset District Council recognises that over and above the commission of any crime, any involvement in bribery will also reflect adversely on its image and reputation. The purpose of this Policy Statement is to set out for members and employees the aim of limiting exposure to bribery by:

- Setting out a clear anti-bribery policy;
- Ensuring all employees and members are advised how to recognise and avoid the use of bribery by themselves and others;
- Encouraging its employees to be vigilant and to report any suspicions of bribery, providing them with suitable channels of communication and ensuring sensitive information is treated appropriately;
- Rigorously investigating instances of alleged bribery and assisting police and other appropriate authorities in any resultant prosecution;
- Taking action against any individual(s) involved in bribery;
- A zero tolerance to bribery;
- A commitment to carry out its business fairly, honestly, and openly.

2. Scope

This Policy Statement applies to all members and employees.

SSDC prohibits;

- The offering, the giving, the solicitation or the acceptance of any bribe, whether in cash or other inducement

To or from

- Any person or company, wherever they are situated and whether they are a public official or body or private person or company

By

- Any individual employee, member, agent or other person or body acting on the authority's behalf

In order to

- Gain any commercial, contractual or regulatory advantage for the authority in a way which is unethical

Or in order to

- Gain any personal advantage, pecuniary or otherwise, for the individual or anyone connected with the individual.

3. Further Clarification

The authority recognises that market practice varies across the areas in which it does business and what is normal and acceptable in one place may not be in another. This policy statement prohibits any inducement which results in a personal gain or advantage to the recipient or any person or body associated with them, and which is intended to influence them to take action which may not be solely in the interests of SSDC or of the person or body employing them or whom they represent.

This policy is not meant to prohibit the following practices providing they are customary in a particular market, are proportionate, are properly recorded and are within South Somerset's approved policies:

- Normal and appropriate hospitality;
- The giving of a ceremonial gift on a festival or another special time;
- The use of any recognised fast-track process, which is available to all on payment of a fee;
- The offer of resources to assist the person or body to make the decision more efficiently provided that they are supplied for that purpose only (without future obligation in response).

The authority's codes of conduct for members and employees give details of the actions to be taken where they perceive fraudulent or corrupt acts are being perpetrated. Further guidance is contained in the SSDC Whistleblowing procedure.

Inevitably, decisions as to what is acceptable may not always be easy. If an officer is in doubt as to whether a potential act constitutes bribery the matter should initially be referred to your Manager. If necessary, guidance should also be sought from either the Assistant Director – Finance and Corporate Services, or the Assistant Director – Legal and Corporate Services.

4. Employee and Member Responsibility

The prevention, detection and reporting of bribery is the responsibility of all employees and members. Suitable channels of communication by which employees and others can report confidentially any suspicion of bribery will be maintained by the Whistleblowing procedure.

5. Related Strategies and Policies

The following other strategies and policies have been developed to demonstrate to all that the authority will not tolerate any party who it either employs or works with entering into fraudulent or corrupt acts that would damage their reputation of financial standing:-

- Anti-Fraud and Corruption policy;
- Anti-money Laundering Policy;
- Whistleblowing procedure

All of these are documents can be accessed on Insite and copies can be obtained from either the Assistant Director – Finance and Corporate Services or the Assistant Director – Legal and Corporate Services.