ALL CANNINGS
PARISH COUNCIL

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ANTI-BRIBERY, GIFTS & HOSPITALITY POLICY

1.0 What does your policy cover?
1.1 This anti-bribery policy exists to set out the responsibilities of All Cannings Parish Council and those who work for us in regards to observing and upholding our zero-tolerance position on bribery and corruption.

1.2 It also exists to act as a source of information and guidance for those working for All Cannings Parish Council. It helps them recognise and deal with bribery and corruption issues, as well as understand their responsibilities.

2.0 Policy statement
2.1 All Cannings Parish Council is committed to conducting business in an ethical and honest manner, and is committed to implementing and enforcing systems that ensure bribery is prevented. All Cannings Parish Council has zero-tolerance for bribery and corrupt activities. We are committed to acting professionally, fairly, and with integrity in all business dealings and relationships, wherever in the country we operate.

2.2 All Cannings Parish Council will constantly uphold all laws relating to antibribery and corruption in all the jurisdictions in which we operate. We are bound by the laws of the UK, including the Bribery Act 2010, in regards to our conduct both at home and abroad.

2.3 All Cannings Parish Council recognises that bribery and corruption are punishable by up to ten years of imprisonment and a fine. If our Council is discovered to have taken part in corrupt activities, we may be subjected to an unlimited fine, be excluded from tendering for public contracts, and face serious damage to our reputation. It is with this in mind that we commit to preventing bribery and corruption in our business, and take our legal responsibilities seriously.

3.0 Who is covered by the policy?
3.1 This anti-bribery policy applies to all parish councillors, employees (whether temporary, fixed-term, or permanent), consultants, contractors, trainees, seconded staff, home workers, casual workers, agency staff, volunteers, interns, agents, sponsors, or any other person or persons associated with us (including third parties), or any of our subsidiaries or their employees, no matter where they are located (within or outside of the UK). The policy also applies to Officers, Trustees, Board, and/or Committee members at any level.

3.2 In the context of this policy, third-party refers to any individual or organisation the Parish Council meets and works with. It refers to actual and potential clients, customers, suppliers, distributors, business contacts, agents, advisers, and government and public

bodies – this includes their advisors, representatives and officials, politicians, and public parties.

3.3 Any arrangements the Parish Council makes with a third party is subject to clear contractual terms, including specific provisions that require the third party to comply with minimum standards and procedures relating to anti-bribery and corruption.

4.0 Definition of bribery

4.1 Bribery refers to the act of offering, giving, promising, asking, agreeing, receiving, accepting, or soliciting something of value or of an advantage so to induce or influence an action or decision.

4.2 A bribe refers to any inducement, reward, or object/item of value offered to another individual in order to gain commercial, contractual, regulatory, or personal advantage.

4.3 Bribery is not limited to the act of offering a bribe. If an individual is on the receiving end of a bribe and they accept it, they are also breaking the law.

4.4 Bribery is illegal. Employees must not engage in any form of bribery, whether it be directly, passively (as described above), or through a third party (such as an agent or distributor). They must not bribe a foreign public official anywhere in the world. They must not accept bribes in any degree and if they are uncertain about whether something is a bribe or a gift or act of hospitality, they must seek further advice from the Monitoring Officer at Wiltshire Council Democratic Services Department.

5.0 What is and what is NOT acceptable 5.1

This section of the policy refers to 4 areas:

- Gifts and hospitality.
- Facilitation payments.
- Political contributions.
- Charitable contributions.

5.2 Gifts and hospitality

All Cannings Parish Council accepts normal and appropriate gestures of hospitality and goodwill (whether given to/received from third parties) so long as the giving or receiving of gifts meets the following requirements:

a. It is not made with the intention of influencing the party to whom it is being given, to obtain or reward the retention of a business or a business advantage, or as an explicit or implicit exchange for favours or benefits.
b. It is not made with the suggestion that a return favour is expected.
c. It is in compliance with local law.
d. It is given in the name of the Parish Council, not in an individual's name.
e. It does not include cash or a cash equivalent (e.g., a voucher or gift certificate).

f. It is appropriate for the circumstances (e.g. giving small gifts around Christmas or as a small thank you to a company for helping with a large project upon completion).
g. It is of an appropriate type and value and given at an appropriate time, taking into account the reason for the gift.
h. It is given/received openly, not secretly.
i. It is not selectively given to a key, influential person, clearly with the intention of directly influencing them.
j. It is not above a certain excessive value, as pre-determined by the Parish Council's Code of Conduct [Register of Interests] (in excess of £80).
k. It is not offer to, or accepted from, a government official or representative or politician or political party, without the prior approval of the Monitoring Officer at Wiltshire Council Democratic Services Department.

5.3 Where it is inappropriate to decline the offer of a gift (i.e. when meeting with an individual of a certain religion/culture who may take offence), the gift may be accepted so long as it is declared to the Monitoring Officer at Wiltshire Council Democratic Services Department, who will assess the circumstances.

5.4 All Cannings Parish Council recognises that the practice of giving and receiving business gifts varies between countries, regions, cultures, and religions, so definitions of what is acceptable and not acceptable will inevitably differ for each.

5.5 As good practice, gifts given and received should always be disclosed to the Parish Council and any Register of Interests should be updated. Gifts from suppliers should always be disclosed.

5.6 The intention behind a gift being given/received should always be considered. If there is any uncertainty, the advice of the Monitoring Officer at Wiltshire Council Democratic Services Department should be sought.

5.7 Facilitation Payments and Kickbacks

All Cannings Parish Council does not accept and will not make any form of facilitation payments of any nature. We recognise that facilitation payments are a form of bribery that involves expediting or facilitating the performance of a public official for a routine governmental action. We recognise that they tend to be made by low level officials with the intention of securing or speeding up the performance of a certain duty or action.

5.8 All Cannings Parish Council does not allow kickbacks to be made or accepted. We recognise that kickbacks are typically made in exchange for a business favour or advantage.

5.9 All Cannings Parish Council recognises that, despite our strict policy on facilitation payments and kickbacks, employees may face a situation where avoiding a facilitation

payment or kickback may put their/their family's personal security at risk. Under these circumstances, the following steps must be taken:

a. Keep any amount to the minimum.
b. Ask for a receipt, detailing the amount and reason for the payment.
c. Create a record concerning the payment.
d. Report this incident to your line manager.

5.10 Political Contributions

All Cannings Parish Council will not make donations, whether in cash, kind, or by any other means, to support any political parties or candidates. We recognise this may be perceived as an attempt to gain an improper business advantage.

5.11 Charitable Contributions

All Cannings Parish Council accepts (and indeed encourages) the act of donating to charities – whether through services, knowledge, time, or direct financial contributions (cash or otherwise) – and agrees to disclose all charitable contributions it makes.

5.12 Employees must be careful to ensure that charitable contributions are not used to facilitate and conceal acts of bribery.

5.13 We will ensure that all charitable donations made are legal and ethical under local laws and practices, and that donations are not offered/made without the approval of the Monitoring Officer at Wiltshire Council Democratic Services Department.

6.0 Employee Responsibilities

6.1 As an employee of All Cannings Parish Council, you must ensure that you read, understand, and comply with the information contained within this policy, and with any training or other anti-bribery and corruption information you are given.

6.2 All employees and those under our control are equally responsible for the prevention, detection, and reporting of bribery and other forms of corruption. They are required to avoid any activities that could lead to, or imply, a breach of this anti-bribery policy.

6.3 If you have reason to believe or suspect that an instance of bribery or corruption has occurred or will occur in the future that breaches this policy, you must notify the Monitoring Officer at Wiltshire Council Democratic Services Department.

6.4 If any employee breaches this policy, they will face disciplinary action and could face dismissal for gross misconduct. All Cannings Parish Council has the right to terminate a contractual relationship with an employee if they breach this anti-bribery policy.

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7.0 What happens if I need to raise a concern?

7.1 This section of the policy covers 3 areas:

a. How to raise a concern.
b. What to do if you are a victim of bribery or corruption.
c. Protection.

7.2 How to raise a concern

If you suspect that there is an instance of bribery or corrupt activities occurring in relation to All Cannings Parish Council, you are encouraged to raise your concerns at as early a stage as possible. If you're uncertain about whether a certain action or behaviour can be considered bribery or corruption, you should speak to your line manager or the Monitoring Officer at Wiltshire Council Democratic Services Department.

7.3 All Cannings Parish Council will familiarise all employees and councillors with its whistleblowing procedures so employees and councillors can vocalise their concerns swiftly and confidentially.

7.4 What to do if you are a victim of bribery or corruption

You must tell the Monitoring Officer at Wiltshire Council Democratic Services Department as soon as possible if you are offered a bribe by anyone, if you are asked to make one, if you suspect that you may be bribed or asked to make a bribe in the near future, or if you have reason to believe that you are a victim of another corrupt activity.

7.5 Protection

If you refuse to accept or offer a bribe or you report a concern relating to potential act(s) of bribery or corruption, All Cannings Parish Council understands that you may feel worried about potential repercussions. All Cannings Parish Council will support anyone who raises concerns in good faith under this policy, even if investigation finds that they were mistaken.

7.6 All Cannings Parish Council will ensure that no one suffers any detrimental treatment as a result of refusing to accept or offer a bribe or other corrupt activities or because they reported a concern relating to potential act(s) of bribery or corruption.

7.7 Detrimental treatment refers to dismissal, disciplinary action, treats, or unfavourable treatment in relation to the concern the individual raised.

7.8 If you have reason to believe you've been subjected to unjust treatment as a result of a concern or refusal to accept a bribe, you should inform your line manager or the Monitoring Officer at Wiltshire Council Democratic Services Department immediately.

8.0 Training and communication

8.1 All Cannings Parish Council will include this policy as part of the induction pack for all new employees and councillors and they will be asked to confirm they have read and

understood it. Furthermore, employees and councillors will be asked annually to formally accept that they will comply with this policy.

8.2 All Cannings Parish Council's anti-bribery and corruption policy and zero-tolerance attitude will be clearly communicated to all suppliers, contractors, business partners, and any third-parties at the outset of business relations, and as appropriate thereafter.

9.0 Record keeping

9.1 All Cannings Parish Council will keep detailed and accurate financial records, and will have appropriate internal controls in place to act as evidence for all payments made. We will declare and keep a written record of the amount and reason for hospitality or gifts accepted and given, and understand that gifts and acts of hospitality are subject to managerial review.

Date of receipt of Gift/Hospitality	Name of Donor	Reason and Nature of Gift/Hospitality

10.0 Monitoring and reviewing

10.1 All Cannings Parish Council's Personnel Committee is responsible for monitoring the effectiveness of this policy and will review the implementation of it on a regular basis. They will assess its suitability, adequacy, and effectiveness.

10.2 Internal control systems and procedures designed to prevent bribery and corruption are subject to regular audits to ensure that they are effective in practice.

10.3 Any need for improvements will be applied as soon as possible. Employees and councillors are encouraged to offer their feedback on this policy if they have any suggestions for how it may be improved. Feedback of this nature should be addressed to the Personnel Committee.

10.4 This policy does not form part of an employee's contract of employment and may amend it at any time so to improve its effectiveness at combatting bribery and corruption.

10.5 The policy does not replace the Parish Council's Code of Conduct [Register of Interests] and it must be remembered is it the responsibility of individual Parish Councillors to ensure their Register of Interests is kept up to date.

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The foregoing ***Anti-Bribery Gifts and Hospitality Policy*** has been revised and amended to reflect the changes in the Council's working practices and the latest Government legislation. They were adopted by All Cannings Parish Council at a meeting held on 23rd February 2022.

Signed:

Chair: Cllr Amy Gray

Date: 23rd February 2022