



BRIBERY AND ANTI-CORRUPTION POLICY

1. POLICY PURPOSE

- i. The purpose of this policy is to ensure that the council acts appropriately and within the law in relation to accepting gifts where there is no unspoken or spoken belief that the acceptance of the gift will convey preferential future treatment to the person or organisation offering the gift from the council.
- ii. Councillors will act in the interests of the Council and the community and not in their own personal interests in relation to any council business.
- iii. Set out the Council's commitment to upholding the law and maintaining public trust.
- iv. It will also serve as a guide for Councillors, staff and those working with the Parish Council in order that they can recognise any attempt to unduly influence the council.

2. POLICY STATEMENT

- i. The Council is committed to conducting business in an ethical and honest manner. We maintain zero tolerance to corrupt activities.
- ii. We are committed to acting fairly and honestly in all council business dealings and relationships.
- iii. We will uphold the law in regards to the Bribery Act 2010.

3. POLICY SCOPE

- i. All Councillors, employees, consultants, contractors, trainees, casual workers, agency staff, volunteers, agents, sponsors, or other persons associated with us.
- ii. Third parties, defined as any organisations that the Parish Council meet and work with. It refers to actual and potential clients, customers, distributors, suppliers, business contacts, agents, advisors and government and public bodies.
 - Any arrangement the Parish Council makes with a third party must be subject to clear contractual terms, including provision that the third party comply with basic standards and procedures regarding corruption and anti-bribery.

4. DEFINITIONS

- i. In the UK, bribery is defined under the Bribery Act 2010 as offering, promising, or giving a financial or other advantage to another person, or receiving, agreeing to receive, or accepting such an advantage, with the intention of inducing or rewarding the improper performance of a relevant function or activity. This definition includes decisions made by the Parish Council.



- ii. Bribery is not limited to the act of offering the bribe. If the individual or organisation on the receiving end of the bribe accepts it, they are also breaking the law.
- iii. Bribery is illegal. Employees must not engage in any form of bribery, whether it be directly, passively, or through a third party. If an employee is not sure if something 2 offered is a bribe they should seek advice from the Wiltshire Borough Council Monitoring Officer.
- iv. Corruption is generally defined as the abuse of entrusted power for private benefit, often involving bribery or other forms of dishonesty and illegality. This includes offering, giving, soliciting, or accepting inducements or rewards to influence someone to act against the interests of an organization.

5. ACCEPTABLE PRACTICE

5.1 GIFTS AND HOSPITALITY

The Council will accept normal levels of appropriate gestures of hospitality and goodwill, so long as the giving and receiving meets the following criteria:

- a) It is not made with the intention of influencing the party it has been given to. To obtain a business advantage or as an implicit or explicit exchange for favours or benefits.
- b) Is not made with the expectation that a return favour is expected.
- c) It is compliant with the law.
- d) It is given in the name of the Parish Council and not an individual
- e) It does not include cash or voucher equivalent. (see item 6.v for exceptions)
- f) It is appropriate for the circumstances. e.g. a small Christmas gift.
- g) It is of an appropriate type and value, taking into account the reason for the gift.
- h) It is given openly and freely.
- i) It is not given to a selected person with the intention of influencing them.
- j) It is not in excess of the councils register of interests document (Above £50.00)

5.2 FACILITATION PAYMENTS

The Parish Council will not accept any form of facilitation payment that has been offered with the expectation that the payment will expediate any decision or action of the council.

5.3 POLITICAL CONTRIBUTIONS

Broad Town Parish Council is an apolitical council and as such would not expect to receive such contributions. However, should any such situation arise, any offer would be declined.

5.4 CHARITABLE DONATIONS

- i. The Parish Council accepts and encourages donations made to charities – whether though services, time, knowledge, or direct financial contributions.
- ii. The Council will disclose all charitable donations it makes.



6. DETERMINING THE ACCEPTABILITY OF A GIFT OR DONATION

- i. The Parish Council Clerk and Chairperson will be responsible in the first instance for reviewing any offers of gifts or donations, using this policy as guidance.
- ii. If the offer clearly breaches the guidance of this policy, then the offer will be declined and an agenda item will be created for the next available committee meeting so that the decision to decline can be minuted.
- iii. If the reason for the offer of a gift or donation is unclear, then the Chairperson will be responsible for determining by majority vote whether the gift or donation should be accepted.
- iv. In the case of time critical offers (relating to an event or occasion for example) then the Chairperson and Vice Chairperson may make a delegated decision which will be ratified at the next Committee meeting.
- v. In regard to accepting cash or voucher equivalent, the council will accept these offers when the items offered are used to raise money for charity – raffle or tombola etc. The gifting of these items will be transparent, and no portion of the gift or donation will be retained for other purposes. If a Councillor receives cash, vouchers or goods for the purpose of a raffle or similar they will be placed in the temporary ownership of the Clerk. There is no upper limit to this donation if the purpose is for charity and not the Councillors own benefit. No portion should be kept by the Councillor or used for any other purpose.
- vi. The Parish Council may by majority vote, approve the sending out of correspondence to local businesses inviting them to sponsor a parish event – Christmas celebration for example. All funds raised by this method will be separately accounted for on the accounting systems and only spent for this purpose. Excess funds will be offered back to the donor. The sponsoring of an event, conveys no future preferential treatment to donors and should not be interpreted as such.
- vii. The offer of token donations (under £100) for items such as raffle prizes with proceeds going to charity, sporting equipment, office supplies etc will be accepted and recorded appropriately on the councils Asset Register and accounts.
- viii. If required, the council will accompany any acceptance of a gift, with an advisory note confirming that the acceptance of said gift does not infer any future preferential treatment to the donor.

7. WHISTLEBLOWING AND REFUSING BRIBES

- i. Staff with any concerns over whether an offer is an action of bribery or corruption should first talk to Chairperson. If this does not resolve the situation then the Wiltshire Council Monitoring Officer should be consulted. If the concern relates to the Chairperson, the Wiltshire Council Monitoring Officer should be consulted.
- ii. If you suspect you have been a victim of bribery, you must notify the Wiltshire Borough Council Monitoring Officer as soon as possible. If you are asked to make a bribe or suspect a bribe has been offered or received within the council, you must



report the concern to the Wiltshire Borough Council Monitoring Officer as soon as possible.

- iii. If you refuse to accept what you believe to be a bribe then the Parish Council will support anyone who in good faith raises a concern, even if the concern turns out to be unfounded.
- iv. The Council will ensure no one suffers adverse effects from refusing to accept a suspected bribe, refused to offer a suspected bribe or raised a concern over a possible bribe.

8. RECORD KEEPING

- i. The Parish Council keep a detailed record of all expenditure and income and this will include any genuine acceptance of funds or donations to other organisations.
- ii. Councillors are required to update the Register of Interests form within 28 days of receiving any such donation and ensure Wiltshire Borough Council have an updated copy of the form for their records. Section 139 of the Local Government Act 1972 - council may accept gifts of property for the purpose of discharging their functions or for the benefit of the inhabitants of the area. It should be noted that if the gift accepted requires additional expenditure in order to make the gift functional, then this expenditure should be recorded under S137 by the Chairperson and included in the relevant S137 calculations for that Financial Year.