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POLICY - Anti- Bribery

Reviewed and adopted 21/01/2016 Minute 151/15

The Bribery Act 2010 came into force on 1st July 2011. It applies equally to councillors and officers.

Offences under the Act are:

- Offering, promising or giving of an advantage (The act of bribing)
- Requesting, agreeing to receive or accepting an advantage (the offence of asking for a bribe)
- Bribery of a foreign public official regardless of where the bribe is paid, and
- Commercial organisations failing to prevent bribery (includes councils)

The council will have a defence under the law if it can show that it has taken reasonable precautions to prevent bribery. The maximum penalty is 10 years in prison.

6 principles help to mitigate the risk:

Proportionality – action proportionate to the risk faced

Top level commitment

Risk assessment – assess people and companies involved

Due Diligence – know who you are dealing with

Communication

Monitoring and review – risks and effectiveness may change

Gifts and Hospitality over the value of £25 if accepted, must be entered on a register kept by the clerk

Facilitation payments are bribes.

If you are offered a bribe, it should be reported to the monitoring officer at Guildford Borough Council as soon as possible giving details of the background, history, names, dates and places and the reasons for your concerns. It is not necessary to prove the offence.