

**Report to the Audit and Governance
Committee**



Report reference: AGC-2011/12-007
Date of meeting: 23 June 2011

**Epping Forest
District Council**

Portfolio: Finance and Economic Development

Subject: Bribery Act Policy

Responsible Officer: Brian Bassington (01992 564446).

Democratic Services Officer: Gary Woodhall (01992 564470).

Recommendations/Decisions Required:

1. The Committee is requested to consider the draft Bribery Act Policy for implementation by the Council.

Executive Summary:

The Bribery Act 2010 comes into force on the 1st July 2011 and requires action by organisations to ensure that due diligence procedures are applied, taking a proportionate and risk based approach to mitigate the risk of bribery.

Reasons for Proposed Decision:

To comply with legislation and reduce the risk of bribery to the Council.

Other Options for Action:

No other options.

Report:

1. The Bribery Act 2010 includes a corporate offence under Section 7 of failure by the Council to prevent bribery. The Council will have a defence to this corporate offence if it can show that it had in place adequate procedures designed to prevent bribery by or of persons associated with the Council. As part of these requirements the Council should seek to ensure that its bribery prevention policies and procedures are embedded and understood throughout the organisation, the first stage of this is the adoption of a policy document (appendix 1).
2. Following adoption of the policy all Members and employees will be made aware of their responsibilities to adhere strictly to this policy at all times and training will be included within the finance training currently given. Consideration will be given to the development of an e-learning module as resources allow.
3. Members and staff will be encouraged to report breaches and suspected breaches of this policy through the Council's Confidential Reporting Policy.
4. The Council's standard forms of contract will be reviewed to include appropriate clauses to prevent bribery.

Resource Implications:

Within the report.

Legal and Governance Implications:

Within the report.

Safer, Cleaner and Greener Implications:

No specific implications.

Consultation Undertaken:

Corporate Governance Group.

Background Papers:

Bribery Act 2010 and CIPFA Better Governance Forum Members Briefing document.

Impact Assessments:

Risk Management

The introduction of the Bribery Act Policy will put in place a further risk reduction process within the Council and the requirement for a periodic risk assessment, which includes financial risks but also other risks such as reputational damage will enhance the Council's risk management procedures.

Equality and Diversity

Did the initial assessment of the proposals contained in this report for relevance to the Council's general equality duties, reveal any potentially adverse equality implications? No

Where equality implications were identified through the initial assessment process, has a formal Equality Impact Assessment been undertaken? No

What equality implications were identified through the Equality Impact Assessment process?
There are no specific equalities impacts.

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?
There are no specific equalities impacts.