

ANTI-BRIBERY POLICY (GIFTS & HOSPITALITY)

Introduction

Greener Ealing is committed to ensuring that all our activities are carried out in an honest and ethical manner. We expect all members of staff and consultants to act with integrity, professionally and fairly at all times, we will not tolerate bribery or corruption taking place in connection with any activities carried out on behalf of Greener Ealing.

This policy applies to all employees, staff seconded from the London Borough of Ealing (“the Council”), directors, agency staff, consultants, volunteers and trainees and contractors (collectively referred to as employees).

What is a bribe?

A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage.

Bribery Act 2010 (the Act)

The Bribery Act 2010 makes it a criminal offence to offer, pay, request or receive a bribe. There is also a corporate offence of an organisation failing to prevent bribery being undertaken on its behalf. The Act’s focus is on identifying and punishing lavish corporate hospitality, where it is seeking to influence a person in a position of trust to act improperly. It is not intended to punish any reasonable hospitality or gifts. In order to protect employees from any suspicion of undue influence in the course of their duties and to ensure that the relevant procedures are in place to prevent bribery, this policy provides guidance on your responsibilities as an employee and advice with regards to giving and accepting hospitality and gifts.

Your responsibilities

- As an employee you must not accept any fee or reward whatsoever other than contractual pay and benefits
- All employees must read and comply with this policy, failure to comply with this policy will be treated as a disciplinary matter
- We encourage all employees to be vigilant and report any suspicions of bribery, malpractice and/or corruption
- Where it is alleged that an employee has corruptly accepted or offered a bribe it would be for them to demonstrate that this is not the case
- Gifts or hospitality offered must only be accepted subject to the guidelines stated in this policy

- All gifts or hospitality authorised by a Director and accepted by an employee in the course of their duties **must** be recorded.
- All gifts or hospitality refused by an employee in the course of their duties **must** be recorded
- Any employee giving gifts or hospitality must ensure that it is authorised by a Director.

Bribery Prevention Measures

Communication

Employees will be issued with this policy as part of the induction process and it will be circulated after any changes made to it.

Third parties

It will be the responsibility of Directors (or officers duly authorised by them) to communicate this policy to suppliers, contractors and organisations they have dealings with (third parties) to ensure that our approach/ policy is understood and complied with. As mentioned earlier, the Act creates a corporate offence for failing to prevent bribery, so it is important that employees make third parties aware of this policy.

Conflicts of interests

All employees are expected to act at all times in the interest of Greener Ealing and prevent a conflict arising between their Greener Ealing duties and any outside interests they may have.

Gifts

Employees should refuse any personal gift offered to them or to Greener Ealing.

There are some limited exceptions to this where gifts maybe accepted at the Directors' discretion, providing they do not exceed £20 in value. These are listed below:-

- Small gifts of a promotional or advertising nature, which are frequently given to a wide range of people during the festive period. These gifts include calendars, diaries, mugs, mouse mats, pens and other similar articles.
- Small gifts where refusal would cause needless offence and the giver is not seeking a decision or business from Greener Ealing but merely wishes to express thanks for advice help or co-operation received.

- Gifts from a foreign visitor, which should generally be accepted since refusal might cause offence. Greener Ealing should retain ownership and safeguard the gifts or display them. Where a gift is personal, is valued at less than £20 and cannot be used by Greener Ealing, an individual may accept it

Please note that where gifts are accepted as above, these should still be declared in the usual way.

Cash must not be accepted in any circumstances. It must be specifically noted that alcohol, hampers or other expensive gifts, which could be misinterpreted by the public as influencing employees, should never be accepted. If however, such gifts are sent unsolicited to the office and it will cost Greener Ealing money to return the gifts, the employee must complete a declaration form and pass the gifts over to the Company Secretary. All such gifts will be put into an employee raffle.

Hospitality and Entertainment

Hospitality includes such things as drinks, meals, entertainment, overnight accommodation, travel and holidays. Care should be taken where hospitality is offered to an individual employee, especially from organisations looking to do business with Greener Ealing. It is important that any suggestion of improper influence should be avoided and the question is one of very careful judgement.

There are some limited exceptions, where hospitality maybe be accepted at the Directors' discretion. These include:-

- A working lunch provided to allow the parties to discuss business. It is important that the level is appropriate to the circumstances, as lavish provision could raise questions;
- Attendance in an official capacity at functions to which invitations have also been sent to employees of other similar businesses.
- An invitation to take part in a company jubilee or other anniversary celebration.

Lavish hospitality such as a holiday, theatre tickets, use of a company flat, tickets for sporting events are always unacceptable, especially if provided by companies or others who do business with Greener Ealing. When receiving hospitality always ask yourself if it "can be clearly and positively seen to be in the interests of Greener Ealing to accept this particular hospitality?" If you are in doubt please check with the Company Secretary before accepting the hospitality.



Additionally, hospitality should not be accepted during the tendering period. The tendering period is defined at the point when the specification is first being drawn up or at the point when contact is made with the contractors, whichever is earliest.

Please note that this policy excludes beverages such as tea and coffee provided at business meetings served as a matter of courtesy.

Giving of Gifts/ Hospitality

Employees must not give gifts/hospitality to any other party unless previously authorised by a Director. The cost of gift/hospitality to be purchased is at the Director's discretion. The Director in exercising discretion should ensure that the giving of the gift could not be construed as a bribe. Once authorised, gifts/hospitality must be purchased using recognised corporate purchasing methods – Please refer to Greener Ealing's Financial Regulations. The important point is that the purchase is authorised and that an audit trail is created that can track what has been purchased, for whom, and what expenditure code has been used.

Record Keeping

Without exception, all gifts and hospitality **received** must be declared using the form attached to this policy. Any gifts given in excess of £20 must be reported to the Company Secretary. Once declared, the Company Secretary shall be responsible for ensuring that it is recorded in the register.

All gifts and hospitality declined must also be recorded immediately after the offer is made. If required, the Company Secretary can provide a template letter to be used when declining gifts and hospitality. The employee concerned must keep a copy of this letter to provide an audit trail.

How to raise a concern

All employees are encouraged to raise any concerns or suspicious they may have about malpractice as soon as possible. Greener Ealing has an approved whistle blowing policy; employees are encouraged to raise their concerns following the procedures outlined in that policy.

Monitoring and Review

The Board will review the gifts and hospitality register annually, to ensure compliance with this policy. Any incidents reported under this policy will be subject to a full internal audit review to ensure that the relevant action is taken to prevent reoccurrence. The



Company Secretary will be responsible for ensuring that the policy is reviewed at least annually and any necessary changes are recommended to the Board. Any suspicions, incidents or investigations carried out further to this policy shall be reported to the next available Board meeting

Other relevant policies

Other relevant policies that employees must read in addition to this policy include

- The Whistle Blowing policy
- Anti-Fraud policy

GREENER EALING GIFTS & HOSPITALITY DECLARATION FORM

Name:	
Job Title:	
Name & address of person and company offering Gift or Hospitality	
Details of current relationship with person offering Gift or Hospitality (e.g. contractor, potential contractor etc.)	
Description of Gift / Hospitality offered:	
Estimate value of Gift /Hospitality¹	
Date of offer:	
Action taken i.e. gift kept/returned/ hospitality refused	
Signed by Director:	
Signed by Officer:	
Date this form was completed:	

1

Please note that you must declare any gifts or hospitality received or declined. Please pass any gifts received that are over the value of £20 and too expensive to return, to the Company Secretary, together with this declaration form. Gifts received will be used in a staff raffle.