

LINKS: THE CHESTERFIELD AND NORTH EAST DERBYSHIRE COUNCIL FOR VOLUNTARY SERVICE AND ACTION LIMITED

ANTI-BRIBERY POLICY

Introduction

Bribery is a serious criminal offence and corrupt acts expose the employer and employees, members, board members, volunteers and business associates to the risk of prosecution, fines and imprisonment as well as endangering the organisation's reputation. Links is committed to the prohibition of such conduct. This is not just a cultural and moral commitment; it is a legal requirement.

This anti-bribery policy is in line with the Bribery Act 2010. A bribe is defined as: giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so.

It is the responsibility of all persons affected by this policy to ensure that they are not placed in a position that risks, or appears to risk, conflict between their personal interests and Links. Non-compliance with the policy may lead to action under the disciplinary or other relevant policy/agreement.

1. Six Principles of Prevention

Links complies with the six principles of prevention in the Act

- Proportional Procedures
- Top level commitment
- Risk Assessment
- Due Diligence
- Communication
- Monitoring & Reviewing

a) Proportional Procedures

Links believes that the procedures in place are proportionate to the sector that it works in and the organisations it works with.

b) Top Level Commitment

Links board has approved the policy and procedures and will view seriously and act on any breach of the policy.

c) Risk Assessment

Links carries out regular risk assessments and develops procedures appropriate for the organisation.

d) Due Diligence

Links ensures, as far as possible, that all business associates are known to the organisation and do not present any risk in terms of bribery. Appropriate checks will be carried out on business associates working on behalf of the organisation where a risk has been identified.

e) Communication

The Anti-Bribery Policy will be on Links website

f) Monitoring & Review

Links Board will regularly monitor the Hospitality and Gift Register (see page 4) and review the procedures

2. Procedures

Employees, volunteers and business associates of Links have a personal responsibility to declare hospitality and gifts, where the value is above £50, including any attempts to give hospitality and gifts. In cases of doubt, individuals should clear acceptance of hospitality and gifts with the Chief Executive or Chair.

Note that:-

- a) As a general rule, hospitality and gifts should be of an equivalent scale and type to that normally offered by Links and/ or not of a value worth more than £50.
- b) Any hospitality or gifts over the above limit accepted should be entered on the hospitality register by means of the form at Appendix 1.

It is the responsibility of the Chief Executive to keep the register and make it accessible to the public and to auditors/independent examiners in accordance with the policy.

The register will be reviewed annually and will be available to the External Auditors/Independent Examiners.

3. Receipt of Hospitality

a) Acceptable Hospitality

Hospitality may be accepted, for instance where:

- Individuals are invited to a Society or Institute Dinner or function.
- There is a genuine need to impart information or represent Links at events
- A function or event is hosted for Links, which adds benefit and value to the organisation or the wider community.

- A function or event is hosted for Links only for the purposes of training or organisational development.

b) Unacceptable Hospitality

The following examples are intended to give general guidance only on what may be regarded as unacceptable hospitality:

- A holiday abroad or weekend in a holiday centre.
- Offers of hotel accommodation not part of the paid for event.
- Attendance at a function or event restricted to Links employees, which is not for the purposes of training or organisational development or fund raising.

ANY hospitality above the agreed limit of £50 offered to Links but declined should be recorded in the register. This will enable Links to monitor the sources of the offers of hospitality.

c) Commercial Sponsorship

Attendance at relevant commercially sponsored conferences and courses is acceptable, but only where acceptance will not, and cannot be seen as compromising purchasing decisions in any way.

d) Provision of Hospitality

The provision of hospitality by Links to representatives of other organisations should be modest and be appropriate in the circumstances, for example lunches in the course of working meetings. The use of Links monies for hospitality and entertainment at conferences and seminars should be carefully considered. Links needs to be able to demonstrate good value in incurring expenditure. Such hospitality should be recorded in the register if it is above the approved value of £50.

4. Gifts

a) Acceptance of gifts

Persons affected by this policy should not accept gifts, which may be, or be capable of being construed as being able to influence a decision or cast doubt on the integrity of such decisions. Casual gifts offered by contractors, for example at Christmas time, should be declined except where they are of low intrinsic value (e.g. small stationery items such as diaries or calendars, below £50 in value).

b) Giving of gifts

On occasions the Chief Executive or Chair will authorise the giving of gifts associated with personal esteem or welfare (e.g. Flowers for retiring trustee). Gifts should be reasonable and limited in value. The amount should comply

with the Charity Commission recommendations. All other Links policies and procedures must also be followed.

c) Monetary gifts

The acceptance or giving of monetary gifts is not acceptable in any circumstances.

d) Donations

It is prohibited to donate to any organisation or charity that could be directly linked to obtaining a business advantage. However this does not prevent the payment of proper referral fees.

5. Records of Hospitality and Gifts Received, Provided or Offered

a) Requirement for a Hospitality and Gifts Register

Links maintains a register of hospitality and gifts. Such a register records any offer, receipt or provision of hospitality or gifts above the agreed value and will be subject to review by both Internal and External Audit/External Examiner.

b) Maintenance of the Register

For the purposes of internal audit all employees are to use the standard register format (see below). Individuals may wish to keep a personal copy of all submissions made. When a submission is made it is also important to record the estimated value of the hospitality or gift received, provided or offered. Annual audits of the hospitality register will be undertaken against the following performance measures:

- review of number of entries made to the register and source
- analysis of value of hospitality / gifts offered but declined
- analysis of hospitality / gifts accepted
- analysis of value and nature of hospitality / gifts provided
- analysis of outside organisations offering hospitality / gifts
- analysis of outside organisations receiving hospitality

6. Form of Register

a) Submissions

The information required for the hospitality and gifts register is set out below (see Appendix 1). Submissions should be made as soon as is practically possible.

b) Information Required

- date of entry
- name of recipient / provider
- job title
- nature and purpose of hospitality or gift received or provided and the name of any other organisation involved
- nature and purpose of hospitality or gift declined and the name of the organisation offering the hospitality or gift
- estimated value
- date of hospitality or gift.

Date policy accepted: May 8th 2012

Date of policy review: May 2015

APPENDIX 1 – DECLARATION OF ACCEPTANCE OF GIFTS OR HOSPITALITY

This form must be completed if, in connection with your official duties, you accept any form of gift, hospitality or consideration from a third party above the value of £50.

Following completion, pass the form to the Chief Executive /Chair for counter-signature. The completed form will be filed on an official register, which will be periodically scrutinised by the auditors/independent examiner and may be viewed at any time by a member of the public or interested organisation.

Name

I disclose that on (Date) I accepted/declined the following gift/hospitality (delete as appropriate)

Details.....

.....

Estimated Value

From
(Name of organisation offering gift or hospitality)

Any other organisation involved:

Signed

Job Title.....

Date

Countersigned

Role

Date