



Anti-Bribery Policy

Document	Date	Officers
New Policy- v.1	Feb 2024	AD Finance (Brian Moldon)
Revised Version 2	Oct 2025	AD Finance & Deputy S151 (Atif Iqbal) & Monitoring Officer (Victoria Wilders)

Contents

- 1. Introduction**
- 2. Economic Crime and Corporate Transparency Act (ECCTA)**
- 3. Definition of bribery**
- 4. Objective of the Policy**
- 5. Scope of the Policy**
- 6. Ownership of the Policy**
- 7. Anti-bribery policy**
- 8. Gifts and hospitality**
- 9. Responsibilities of staff and others**
- 10. Reporting procedure**
- 11. Sanctions**
- 12. Monitoring and Review**
- 13. Related policies**
- 14. Quick Reference Guide**

1. Introduction

- 1.1. The Bribery Act 2010 ('the Bribery Act'), which came into force on 1 July 2011, aims to promote anti-bribery practices amongst businesses. It applies to both the private and public sectors and so applies to the Local Authorities. An organisation may commit a criminal offence under the Bribery Act if it fails to prevent bribery that is intended to obtain or retain business or an advantage in the conduct of business for the organisation. An individual can also be guilty of an offence under the Bribery Act.
- 1.2. There are four key offences under the Act.
 - Section 1 - Bribing another person.
 - Section 2 -Taking a bribe.
 - Section 6 - Bribing a foreign public official.
 - Section 7 - Failing to prevent bribery.
- 1.3. Before the Bribery Act came into force organisations were only likely to be guilty of a bribery offence if senior management were involved. The Bribery Act applies to all staff in the organisation and now an organisation may be guilty of bribery if only the individual offender knew of the bribery.
- 1.4. An organisation will have a defence to the 'corporate' offence if it can demonstrate that it had adequate procedures in place to prevent bribery by or of persons associated with the organisation.
- 1.5. An individual guilty of an offence under sections 1,2 or 6 is liable:
 - On conviction in a magistrate's court to imprisonment for a maximum term of 12 months, or to a fine not exceeding £5,000 or both.
 - On conviction in a crown court to imprisonment for a maximum term of 10 years or to an unlimited fine or both
- 1.6. Organisations are liable for these fines and if guilty of an offence under section 7 are liable to an unlimited fine.

2. Economic Crime and Corporate Transparency Act (ECCTA)

- 2.1. In 2023 the government introduced the Economic Crime and Corporate Transparency Act 2023 (ECCTA) which aims to strengthen the UK's response to economic crime. It introduces new corporate criminal offences and reforms to improve transparency, accountability, and fraud prevention across all sectors.
- 2.2. **Section 196:** Establishes corporate liability where a senior manager commits a relevant offence (e.g., fraud, false accounting, bribery) within the scope of their authority. Where the substantial offence is proven, the organisation is also guilty of that offence, even if it did not benefit from the offence.

A ‘senior manager’ is defined at Section 196(4) of ECCTA as a person who plays a significant role in:

- the making of decisions about how the whole or a substantial part of the activities of the organisation are to be managed or organised; or
- the actual managing or organising of the whole or a substantial part of those activities.

The definition captures not only an organisation’s directors or individuals who perform an executive function but may also include officers that meet the criteria above in service areas such as human resources, Finance, or officers in strategic or regulatory compliance roles.

2.3. **Section 199:** Like the failure to prevent bribery offence, ECCTA introduces the Failure to Prevent Fraud offence for large organisations. If an associated person commits a relevant offence (e.g., fraud, false accounting, bribery) intending to benefit the organisation or its clients, and the organisation lacks reasonable prevention procedures, it may be prosecuted.

3. Definition of Bribery

3.1. Bribery is an inducement or reward offered, promised, or provided to gain personal, commercial, regulatory, or contractual advantage. Examples include cash, gifts, hospitality, or other favours.

4. Objective of the Policy

4.1. The objective of the policy is to provide a coherent and consistent approach to ensuring compliance with the Bribery Act. It will enable all employees and any person who performs services for and on behalf of Stevenage Borough Council (including contractors, subcontractors, volunteers, consultants, and elected members) to understand their responsibilities and allow them to take the necessary action.

4.2. The policy forms part of Stevenage Borough Council’s Governance Framework.

5. Scope of the Policy

5.1. The policy applies to all of the Council’s activities including its work with strategic partners, third parties, suppliers, schools, and others. In the case of partnership working, the Council will seek to promote the adoption of this policy by its partners.

5.2. The Council will also ensure that suppliers and partners comply with anti-bribery standards through pre-contract compliance checks and inclusion of anti-bribery references in contracts and periodic monitoring and audits.

5.3. The policy applies equally to all staff i.e. officers, regardless of grade or whether permanently employed, as well as temporary agency staff, contractors, agents, all elected members, volunteers, and consultants.

6. Ownership of the Policy

- 6.1. The policy has the approval of the Strategic Leadership Team and the Audit Committee.
- 6.2. The Chief Executive, the Chief Financial Officer and the Chief Legal Officer will own the policy, thereby ensuring that there is commitment at the highest level.
- 6.3. All staff receive anti-bribery training part of their online induction.
- 6.4. Contract management training also emphasizes the importance of professionalism in procurement practices. It includes guidance on identifying and avoiding unethical or improper conduct, supported by a linked article that highlights common red flags and best practices to ensure integrity throughout the procurement process.

7. Anti-Bribery Policy

- 7.1. Stevenage Borough Council is committed to preventing bribery and corruption in all forms and will not tolerate either in any of its activities. In particular the Council does not and will not, pay bribes or offer improper inducement to anyone for any purpose. Equally, the Council does not and will not accept any bribes or improper inducements or engage indirectly in or otherwise encourage bribery.
- 7.2. All staff and those working or performing any service on or on behalf of the Council will not accept nor offer bribes.
- 7.3. It is unacceptable to:
 - Give, promise to give, or offer payment, gifts or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given
 - Give, promise to give, or offer payment, gifts or hospitality to a government official, agent or representative to “facilitate” or expedite a routine procedure
 - Accept payment from a third party that is offered with the expectation that it will obtain business advantage for them, whether known or suspected
 - Accept a gift or hospitality from a third party if it is offered or provided with an expectation that a business advantage will be provided by Stevenage Borough Council in return, whether known or suspected
 - Retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy
 - Engage in activity in breach of this policy.

8. Gifts and Hospitality

- 8.1. This policy is not meant to change the requirements of the Council's gifts and hospitality policy as set out in the Code of Conduct for Officers.

9. Responsibilities of staff and others:

9.1. Prevention detection and reporting of bribery and other forms of corruption are the responsibility of all those working for Stevenage Borough Council or under its control. All staff including third parties working or performing any service on or behalf of the Council are to avoid activity that breaches this policy, and must:

- Ensure that they read, understand, and comply with the policy.
- Raise concerns as soon as possible if they suspect that this policy has been breached.
- Act honestly with integrity at all times to safeguard Stevenage Borough Council's resources for which they are responsible.
- Comply with the law (both in spirit and in the letter)

10. Reporting Procedure

10.1. Where you become concerned about an activity that you suspect involves bribery you should share your concerns with the Councils Monitoring Officer Victoria Wilders who can be contacted as per the details below:

- Address: Stevenage Borough Council, Daneshill House, Denestrete, Stevenage, Herts, SG1 1HN
- Email: Victoria.wilders@stevenage.gov.uk

10.2. In addition, any such concerns can also be reported via the Councils Whistleblowing Policy by using contact details as per below:

- Email: whistleblowing@stevenage.gov.uk.

10.3. Only the Director of Public Prosecutions (DPP) or the National Crime Agency (NCA) can bring criminal sanctions for any alleged/proven offences under the Bribery Act, therefore any allegations received which can be corroborated, if only in part, must be reported to the Police or the NCA by the Monitoring Officer.

11. Sanctions

11.1. Staff who breach this policy will face disciplinary action, which could result in dismissal for misconduct or gross misconduct.

11.2. Under the Procurement Act 2023 mandatory exclusion around direct contracting authorities to exclude a supplier from participation in a procurement where they have determined that a supplier or connected person has been convicted for an offence referred to in Schedule 6 'Mandatory Exclusion Grounds', for which bribery is included.

11.3. Breaches may also result in civil penalties, reputational damage to the Council, and termination of contracts with third parties.

12. Monitoring and Review

12.1. The Monitoring Officer and Assistant Director Finance (Deputy S151 officer) will be responsible for reviewing this Policy in every two years to ensure that it remains compliant with good practice and the needs of Stevenage Borough Council.

13. Related Policies

13.1. The anti-bribery policy should be considered alongside the following policies which collectively set out Stevenage Borough Council's approach to reducing bribery risks:

- Gifts and Hospitality
- Anti-Fraud and Corruption Policy
- Anti-Money Laundering Policy
- Whistleblowing Policy
- Code of Conduct for employees
- Code of Conduct for Members
- Contract Procedure Rules and Regulations and Procurement Regulations
- Recruitment and Disciplinary Procedures

14. Quick Reference Guide

14.1. The section below provides a concise overview of the Anti-Bribery Policy to support staff in understanding their responsibilities and ensuring compliance:

- Bribery is strictly prohibited in all forms, whether direct or indirect.
- Staff must not offer, solicit, or accept gifts or hospitality that could improperly influence business decisions or create a perception of bias.
- Any concerns or suspected breaches must be reported to the Monitoring Officer or in accordance with the Whistleblowing Policy.
- All new employees are required to complete the online induction module covering the Anti-Bribery Policy as part of their onboarding process.
- This policy must be read in conjunction with the Employee Code of Conduct, which provides detailed guidance on acceptable and unacceptable practices regarding rewards, gifts, and hospitality.