

Appendix D

Anti- Bribery Policy

July 2026

Anti-Bribery Policy	Page
Introduction	3
Ministry of Justice Bribery Act Guidance	4
Definitions	4
Who is covered by the policy	4
Expected Behaviour	4
Policy statement	4
Your responsibilities	5
1 – Proportionate Procedures	5
• Employment Policies and Recruitment Process	5
• Decision Making Process	5
• Financial Controls	5
• Supply Chain Management	6
2 – Top-level Commitment	6
3 – Risk Management	6
4 – Due Diligence	7
5 – Communication (including training)	7
6 – Monitoring and Review	8
Reporting and Investigation Procedures	8
Facilitation payments	8
Gifts and Hospitality	9
Declarations of Interest	9
Bribery Act 2000 – Definitions	12
Offences of bribing another Person	12
Offences relating to being bribed	12
Bribery of a foreign official	12
Failure of commercial organisation to prevent bribery	13

Introduction

The **Bribery Act 2010** received royal assent on 8th April 2010, and came in to force on 1st July 2011. The Bribery Act aims to reform the criminal law to provide a new, modern and comprehensive scheme of bribery offences that will enable courts and prosecutors to respond more effectively to bribery. It replaces the fragmented and complex offences at common law and in the Prevention of Corruption Acts 1889-1916 by creating two general offences:

Section 1: offering, promising, or giving of an advantage.

Section 2: requesting, agreeing to receive, or accepting of an advantage.

The purpose of this policy is to:

- set out our responsibilities, and of those working for us, in observing and upholding our position on bribery and corruption, and
- provide information and guidance to those working for us on how to recognise, and deal with bribery and corruption issues.

Bribery and corruption are punishable for individuals by up to ten years' imprisonment and if an organisation is found to have taken part in corruption, we could face an unlimited fine and damage to our reputation. We therefore take our legal responsibilities very seriously. In this policy, third party means any individual or organisation you come into contact with during the course of your work for us and includes actual and potential operatives, agencies, end-user companies, suppliers, distributors, business contacts, advisers, other government and public bodies, including their advisors, representatives and officials.

Under **section 7 of the Bribery Act**, it also creates a new offence of failure by a commercial organisation to prevent a bribe being paid for or on its behalf. It is a defence if the organisation has adequate procedures in place to prevent bribery. A public body would not be a commercial organisation for the purposes of the Act. However, the London Borough of Camden strives to meet the highest standards of behaviour and as such, have reviewed its policies and procedures in light of the Act to ensure that they are adequate in relation to those offences that could affect the Council, and to minimise risk.

The offence under section 2 of this Act, in which a person “*requests, agrees to receive or accepts*” an advantage of some kind in return for improperly performing, or allowing the improper performance of, a “*function or activity*” where that function/activity is either of a public nature or done in the course of a business is of particular importance to local authorities.

In the local authority context, a function or activity will be a “*relevant function or activity*” for the purposes of the Act if it is of a public nature and a person performing it is expected either:

- (a) to perform it in good faith;
- (b) to perform it impartially, or
- (c) the person is in a position of trust by virtue of performing it.

If the function/activity is caught under one of these tests, then the Act states that it will be “improperly performed” if there is a breach of a “*relevant expectation*”. This expectation is itself an objective test of what a reasonable person in the UK would expect in relation to the function/activity.

The Act makes it clear that if the bribery offence is committed with the consent/connivance of a senior officer of the local authority, then that person is also personally guilty of an offence. This will potentially catch all those working at manager level and upwards. Penalties under the Act include fines and/or imprisonment for up to ten years (for the more serious offences).

Official guidance can be found at: [Ministry of Justice Bribery Act Guidance](#)

Definitions

The final two pages of this document contain the relevant definitions for the Bribery Act 2010. Specifically, they clarify what is meant by:

- Offences of bribing another person;
- Offences relating to being bribed;
- Bribery of a foreign official, and
- Failure of commercial organisation to prevent bribery.

Who is covered by the policy?

This policy applies to all individuals working at all levels including directors, employees (whether permanent, fixed-term or temporary), consultants, contractors, seconded staff, homeworkers, casual workers and agency staff, volunteers, interns, agents, sponsors, apprentices, or any other person associated with us, or any of our subsidiaries or their employees, wherever located (collectively referred to as workers in this policy).

Elected Members are also covered by the policy. The [Members’ Code of Conduct](#) already requires members to declare any interests and record specific details of any gifts and hospitality received.

Expected Behaviour

Policy statement

The Council expects its employees to demonstrate honesty, integrity and fairness in all aspects of their duties and exercise appropriate standards of professionalism and ethical conduct in all their activities. The Council expects the same approach from its business partners and suppliers.

This policy forms part of the Councils overall [Anti-Fraud and Corruption Strategy](#) (AFCS) which states the Council will not tolerate bribery or

corruption in any form and has a **zero tolerance** approach to any breach of this policy.

Your responsibilities

You must ensure that you read, understand and comply with this policy at all times.

The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for us or under our control. All workers are required to avoid any activity that might lead to, or suggest, a breach of this policy.

The Ministry of Justice's Bribery Act Guidance outlines six key principles an organisation must meet to ensure good practice and compliance. To ensure the London Borough of Camden is compliant, the Council has adopted the following measures:

1. Proportionate Procedures

An organisation's procedures to prevent bribery by persons associated with it are proportionate to the bribery risks it faces and to the nature, scale and complexity of the commercial organisation's activities. They are also clear, practical, accessible, effectively implemented and enforced.

All staff have a responsibility to be aware of and understand the rules and procedures that apply to them as employees. All relevant policies and procedures are easily accessible via the Council's intranet, Essentials.

The key areas where relevant procedures apply are as follows (relevant links are provided to the supporting document, policy or process):

Employment Policies and Recruitment Process

Procedures will seek to ensure there is a practical and realistic means of achieving our stated anti-bribery policy objectives across all of the Council's functions. As such, all recruitment forms and contracts with suppliers, partners and other third parties should explicitly reference expected behaviour in relation to the Bribery Act 2010 and seek to notify that all relevant and proportionate checks will be undertaken to meet this.

Decision Making Process

In order to remain open and transparent, all decisions that are made at any level must be made in accordance with the formal scheme of delegation and recorded in a manner that is robust and clear to meet objective scrutiny. This may include various considerations, authorisations and risk assessment undertaken to inform said decision.

Financial Controls

The Financial Regulations are intended to provide a framework of rules and procedures within which the Council conducts all its financial affairs. They set out the minimum standards to be applied. They are designed to help officers

and protect them and the Council from vulnerability and loss and ensure best value for local taxpayers.

Supply Chain Management

Supply chain management encompasses the planning and management of all activities involved in sourcing, procurement, conversion, and logistics management. It also includes the crucial components of coordination and collaboration with channel partners, which can be suppliers, intermediaries, third-party service providers, and customers. In essence, supply chain management integrates supply and demand management within and across companies/organisations.

The contract standing orders are part of the Councils constitution and provide a framework for the procurement of goods, works and services by the Council. The Procurement Act 2023 went live on 24th February 2025 and replaced the procurement code of practice. Further information and guidance can be found at: [Procurement Act 2023 - Guidance documents - GOV.UK](#).

The Council will need to take considerable care in entering into certain business relationships, due to the particular circumstances in which the relationships come into existence. An example is where local law or convention dictates the use of local agents in circumstances where it may be difficult for an organisation to extricate itself from a business relationship once established. The importance of thorough due diligence and risk mitigation prior to any commitment are paramount in such circumstances. Another relationship that carries particularly important due diligence implications is a merger of commercial organisations or an acquisition of one by another.

2. Top-level Commitment

The top-level management of an organisation (be it a board of directors, the owners or any other equivalent body or person) are committed to preventing bribery by persons associated with it. They foster a culture within the organisation in which bribery is never acceptable.

The Anti-Fraud and Corruption Strategy (AFCS) defines the Council's zero tolerance stance on fraud, corruption and bribery. This forms part of the Financial Regulations and as such is the responsibility of the s.151 Officer (currently the Director of Finance). The AFCS is reviewed and approved by the Audit and Corporate Governance Committee.

3. Risk Management

The organisation assesses the nature and extent of its exposure to potential external and internal risks of bribery on its behalf by persons associated with it. The assessment is periodic, informed and documented.

The [Corporate Risk Management Strategy](#) provides an overview of the broad risk management arrangements at the council, and thereby of how the council is executing its statutory risk management responsibilities.

A key part of the risk management arrangements is the single and proactive risk management process that is utilised at all levels throughout the Council. This process encompasses the identification, evaluation, treatment and monitoring of risks. This process is detailed in the *Managing Risk Toolkit*, alongside which this strategy sits.

Managers must include and consider fraud risk on their departmental risk registers in accordance with Camden's Risk Management Framework.

4. Due Diligence

The commercial organisation applies due diligence procedures, taking a proportionate and risk based approach, in respect of persons who perform or will perform services for or on behalf of the organisation, in order to mitigate identified bribery risks.

Managers are responsible for ensuring adequate and proportionate Customer Due Diligence checks and anti-bribery measures are followed in any pre and post engagement with suppliers and/or contractors of any value. All procurement must be in accordance with the [Corporate Procurement Processes](#).

We must ensure that in all dealings with third parties, e.g. our Partners, voluntary, grant funded organisations etc we undertake relevant and proportionate checks based on a risk analysis. All contracts, clauses, agreements must clearly detail the Council's expected behaviours (as defined in this policy) and seek an assurance that the third party will adopt these provisions or has adequate and equivalent arrangements in place.

5. Communication (including training)

The organisation seeks to ensure that its bribery prevention policies and procedures are embedded and understood throughout the organisation through internal and external communication, including training that is proportionate to the risks it faces.

All staff have a responsibility to be aware of and understand the rules and procedures that apply to them as employees. All relevant policies and procedures are easily accessible via the Council's intranet, Essentials.

We understand that the key to introducing a successful anti-fraud culture and making sure it continues to apply depends on programmed training and the way all our employees respond.

A fundamental aspect of awareness is ensuring all our employees have a general understanding of fraud issues and practical examples of how this may apply to their role.

To ensure we reach as many staff as possible the Council has adopted a three-pronged approach to delivering "fraud awareness":

- Induction – captures all new starters.
- E-learning (compulsory for all staff) – online, interactive learning tools with interesting video scenarios and fun knowledge tests to ensure learning.
- Fraud Workshops – tailored presentations and practical exercises for identified risk areas, or provided on request.

Full links and details can be on Essentials at: [Fraud Awareness Training](#)

Our zero-tolerance approach to bribery and corruption must be communicated to all operatives, agencies, suppliers, contractors and business partners at the outset of our business relationship with them and as appropriate thereafter.

6. Monitoring and Review

The organisation monitors and reviews procedures designed to prevent bribery by persons associated with it and makes improvements where necessary.

There is a wide range of internal and external review mechanisms which as a public organisation we are required to undertake. The principals defined above are in place to deter, detect and investigate bribery, and monitor the ethical quality of transactions, such as internal financial control mechanisms. These will help provide insight into the effectiveness of procedures designed to prevent bribery. Staff surveys, questionnaires and feedback from training can also provide an important source of information on effectiveness and a means by which employees and other associated persons can inform continuing improvement of anti-bribery policies.

Reporting and Investigation Procedures

All suspicions of fraud, corruption and bribery must be reported to the Head of Internal Audit, Investigations and Risk management (IAIRM) in accordance with Financial Regulation 31 – The Anti-Fraud and Corruption Strategy (AFCS). All referrals made are investigated in accordance with the AFCS and associated Fraud Response Plan.

[Reporting Fraud, Corruption and Bribery](#)

Facilitation payments

Facilitation payment is a payment made to an official to perform a function they would normally carry out as part of their job. It has been described as 'grease' money that speeds up a bureaucrat's decision.

Examples of facilitation payments include the following:

- Granting a permit, licence or other official document that qualifies a person to do business.

- Processing government papers such as a visa or work permit.
- Providing police protection or mail collection or delivery.

These are illegal payments and Camden has zero tolerance to any form of payment in this category.

Gifts and Hospitality

You must not accept any gift, reward or benefit from members of the public, organisations or firms that you are in contact with during the course of your duties. This is inclusive of any inducement that is meant to corrupt or influence, or could be seen to corrupt or influence, or is against our interests.

If you know of others being offered or accepting gifts or hospitality you should report this immediately to a senior manager. If you receive a gift or are offered hospitality you should tell your manager and declare it to your chief officer in line with process as below.

The exceptions that you do not need to declare are low value tokens like company pens, calendars, diaries, mouse mats that are given out widely and offers of light refreshments at an external visit, providing you do not request them.

Otherwise, you should never accept hospitalities unless you genuinely need to give or receive information or to represent Camden Council in your work. Your manager must agree beforehand wherever possible.

Significant gifts or offers of hospitality from companies seeking a contractual relationship with the Council should be rejected. Examples of influential hospitality when not representing Camden Council are drinks, meals, entertainment, sporting events, overnight accommodation, travel and holidays.

Further information can be found in the Council's [Reporting Gifts and Hospitality Policy](#)

Declarations of Interest

Failure by employees to disclose financial interests in contracts with Camden Council could be a criminal offence and be subject to a fine under the Local Government Act 1972. It can also breach the Code of Conduct, anti-fraud procedure and financial regulations, which may lead to formal action under the Council's Disciplinary Procedure.

You must declare to your chief officer, in writing, if you or your husband, wife, partner, or a relative, has a financial interest (direct or indirect and whether or not it benefits you) in any contract with Camden Council.

If you do have a financial interest, you must not take part in any negotiations or preparations for the contract. If you do have an interest in a contract but you have to monitor as part of your job, your chief officer will decide whether you can continue to work in your role.

This also applies in any case where we pay or propose to pay money, for example, a grant, to another organisation, whether or not there is a formal contract with that organisation.

You will have a direct financial interest in a contract or a proposed contract if in any way you stand to benefit financially from the contract. For example, if you are a director or partner of a business which is party to a contract with the Council.

You will have an indirect financial interest in a contract or a proposed contract if:

- You are a member of an organisation or other body which has entered into or proposed to enter into a contract with the Council.
- You are a relative of someone whom the contract is made or is proposed to be made.

If you are in any doubt whatsoever as to whether you need to declare an interest, you should go ahead and disclose it in the fullest terms. The Disclosure of Interests form sets out possible areas of conflicting interests between you, or your spouse/partner or relative and the Council, as follows:

- direct financial interest in a contract relating to the Council;
- indirect financial interest in a contract relating to the Council;
- other employment held;
- other dealings with the Council over last five years;
- directorships and trusteeships held;
- large amount of shareholdings in companies;
- leasehold interests in property in Camden which you do not live;
- freehold interests in property in Camden which you do not live;
- grant aid applied for or received;
- direct loans from the Council;
- association with organisations in receipt Council grants/loans;
- other activities, relationships or conflicts of interest.

If any of the above applies, you must:

- tell your manager immediately, and
- send your completed disclosure form to have the details recorded in your directorate's disclosure of interests register, see the contact list for directorate registers. The chief officer will counter sign the register to indicate the action she/he has taken to address the conflict of interest.

If any details change during your employment, it is your duty to disclose again within 21 days of the change.

You must write and tell your manager if you have a friend, partner, associate or relative who provides Camden Council with goods or services or who is

receiving grants or benefits from us and who you deal with directly or monitor in any way at work.

You must also tell your manager if you, your friend, partner, associate or relative is, or could be:

- applying for a service or benefit you supply, deal with or influence, for example, Housing Benefit and student grants, or
- affected by procedures that you carry out, deal with or influence, for example, environmental health inspections.

Bribery Act 2010 – Definitions

Offences of bribing another Person

It will be an offence to offer, promise or give a financial or other advantage with the intention of inducing that person to perform improperly a 'relevant function or activity' or to reward that person for doing so.

It will also be an offence to offer, promise or give a financial or other advantage where the person doing so 'knows or believes' that the acceptance of the advantage would itself constitute the improper performance of a 'relevant function or activity'.

In both cases it does not matter whether the advantage is offered, promised or given directly or through a third party.

In the local authority context, a function or activity will be a "relevant function or activity" for the purposes of the Act if it is of a public nature and a person performing it is expected either (a) to perform it in good faith, (b) to perform it impartially or (c) the person is in a position of trust by virtue of performing it. If the function/activity is caught under one of these tests, then the Act states that it will be "improperly performed" if there is a breach of a "relevant expectation". This "expectation" is itself an objective test of what a reasonable person in the UK would expect in relation to the function/activity.

Offences relating to being bribed

This offence is relevant to a number of prescribed cases but in essence it will be an offence to agree to request, receive or accept a financial or other advantage with the intention that a 'relevant function or activity' should be performed improperly and it does not matter whether the advantage is received directly or through a third party.

This will be of particular relevance to the Council.

Bribery of a foreign official, i.e., with the intention of influencing a public official in his foreign capacity.

Section 6 creates a standalone offence of bribery of a foreign public official. The offence is committed where a person offers, promises or gives a financial or other advantage to a foreign public official with the intention of influencing the official in the performance of his or her official functions. The person offering, promising or giving the advantage must also intend to obtain or retain business or an advantage in the conduct of business by doing so. However, the offence is not committed where the official is permitted or required by the applicable written law to be influenced by the advantage.

It is not likely this offence will be relevant to the Council

Failure of commercial organisation to prevent bribery

The Act creates a new offence of failure by a commercial organisation to prevent a bribe being paid for or on its behalf. For the purposes of the Act a relevant commercial organisation means a body corporate or partnership which carries on a business or part of a business. Business is defined as a trade or profession. It is a defence if the organisation has **adequate procedures** in place to prevent bribery. In general, a public body would not be a commercial organisation for the purposes of the Act, however the Council may have subsidiaries which would come under the scope of the Act or it may carry out activities which are akin to running a private business. In any event it would be prudent for the Council to review its policies and procedures in light of the Act to ensure that they would be adequate in relation to those offences that could affect the Council, and to minimise risk.

In the local authority context, a function or activity will be a “relevant function or activity” for the purposes of the Act if it is of a public nature and a person performing it is expected either (a) to perform it in good faith, (b) to perform it impartially or (c) the person is in a position of trust by virtue of performing it. If the function/activity is caught under one of these tests, then the Act states that it will be “improperly performed” if there is a breach of a “relevant expectation”. This “expectation” is itself an objective test of what a reasonable person in the UK would expect in relation to the function/activity.

The Act makes it clear that if the bribery offence is committed with the consent/connivance of a senior officer of the local authority, then that person is also personally guilty of an offence. This will potentially catch all those working at manager level and upwards. Penalties under the Act include fines and/or imprisonment for up to ten years (for the more serious offences).