



Bribery Prevention – Policy & Procedures July 2011

Introduction

The following outlines the Board's policy on bribery prevention that has been reviewed and revised in the context of the Bribery Act 2010 which came into effect on 1st July 2011.

The Act creates a new offence under section 7 which can be committed by a commercial organisation that fails to prevent persons associated with it from committing bribery on its behalf. For the avoidance of doubt, the LDBS falls within the definition of "a commercial organisation" and "persons associated with it" applies to trustees, directors, employees, contractors and consultants.

Policy Statement

The LDBS is a charity with a stated policy of zero tolerance to bribery and is committed to carrying out its business activities fairly, openly and honestly. Its business activities are concerned with, inter alia, the use and application of charitable and public funds and are subject to public scrutiny.

The Trustees and Directorate will play an active role in the continuing communication of an anti-bribery culture.

The LDBS is required to have in place adequate bribery prevention procedures to ensure the implementation of its policy that are proportionate to the risks it faces and to the nature and scale of its activities.

The procedures which follow have been informed by the six principles set out in the guidance provided by the Ministry of Justice.

Policy & Procedures

The risk of bribery being committed by persons associated with the LDBS is the receipt of hospitality or gift(s) from an organisation or individual (a) seeking to gain advantage in the securing of a contract or appointment, or opportunity thereof or, (b) seeking to influence the judgement of an individual and gain financial advantage prior to, or in the course of negotiation, or competitive dialogue, in respect of a contract or appointment.

Bona fide hospitality and promotional, or other business expenditure which seeks to improve the image of an organisation, better present products and services, or acknowledges established and cordial relations, is recognised as an established and important part of doing business and it is not the intention of the Act to criminalise such behaviour when it is reasonable and proportionate.

The LDBS does recognise that hospitality and promotional, or other, similar business expenditure can be employed as bribes and, accordingly, has adopted the following procedures to mitigate the risk:

- 1) All employees - including secondees, fixed term contract staff, temporary staff, contractors and consultants - will receive a copy of this policy and procedures document prior to attending an awareness session to ensure a full and clear understanding of the measures and the sanctions for any breach.
- 2) The provisions in the Staff Handbook relating to hospitality, etc., include the requirement that all hospitality or gift(s) received, in excess of £50 in value, will be recorded in the Register of Hospitality and Gifts Received to be held by the Company Secretary.
- 3) The Company Secretary will prepare a regular report in respect of the Register for the information of and consideration by the Executive & Finance Committee.
- 4) Due diligence in respect of a bribery risk assessment will be carried out in respect of all persons who perform, or will perform, services for, or under the aegis of, the LDBS in respect of all building contracts in excess of £250,000 and all external consultant appointments in excess of £37,500 in value.
- 5) The policy and procedures document will be published on the Board's website and with attention drawn to it for the benefit of Schools, Governing Bodies and external consultants.
- 6) The policy and procedures should be reviewed in 2013.