



Anti-Bribery

Version 1

Category: Operations – Finance

Latest Review Date: June 2013

Review Frequency: 3 years

Owner: Finance Director

Contributors: Head of Finance, Company Secretary, Internal Auditor, Head of HR Services

POLICY

1. Policy Goal

To ensure that all staff at all times act honestly and with integrity and safeguard both the ExtraCare Charitable Trust's (ECCT) residents' and the organisation's resources. To ensure that all members of staff can be confident that they will not suffer in any way as a result of reporting reasonably held suspicions of bribery.

2. Business Objectives

To effectively minimise the possibility of bribery and corruption occurring within ECCT. To ensure compliance with the regulatory frameworks.

3. Organisational Statement

As a responsible provider of care, housing and housing related support, ECCT is committed to providing older people with an independent, safe and secure future in a network of inspirational communities. ECCT is best placed to do this if it is financially strong and not exposed to unnecessary risks. By minimising the risk of bribery in the most efficient way, the organisation will be more able to deliver its services.

4. Outcomes

All staff are aware of and follow this policy meaning that the risk of bribery is minimised and no instances occur. The Homes and Communities Agency (HCA) does not highlight any areas of non-compliance relating to bribery and no examples of bribery are reported by the external auditors.

5. Application

The Finance Director is responsible for the implementation of this policy. All staff are to be aware of, understand and adhere to this policy.

6. Reason for the Policy

To ensure that ECCT is not exposed to any unnecessary risks that may compromise its ability to finance the business. To ensure that all customers, suppliers and residents are dealt with fairly. To ensure that Charity

Commission and HCA guidance is followed. To ensure that all relevant accounting standards are adhered to. To comply with ECCT's board approved Financial Regulations. General principles are defined in Appendix 1 and a Definition of Bribery at Appendix 2.

7. What is new / What is different

This is a new policy.

8. How to measure success

The potential for bribery is minimised and no instances of bribery exist. Both internal and external audit do not raise any concerns around bribery risk.

9. Reference to relevant documents

Regulation / Guidance	In House Documents
Homes and Communities Agency Regulatory Framework for Social Housing in England from April 2012	Gifts and Hospitality Policy
Bribery Act 2010	Whistleblowing Policy
Fraud Act 2006	Anti-Fraud Policy
Money Laundering Regulations 2007	Financial Regulations
The Public Interest Disclosure Act 1998	Register of Interests
	Disciplinary Policy
	Grievance Policy
	Complaints Policy

10. Approval date – June 2013

11. Next review date – June 2016

APPENDIX 1

General Principles

- The charity will not tolerate any internal action which encourages, implies, bestows, tolerates or promises an unfair, unlawful, improper or unethical advantage to any individual, group or organisation, regardless of whether there is financial inducement or not.
- The charity will not tolerate the acceptance of bribes to induce a favourable decision, property transaction or other business outcome.
- At all times the charity expects its Board Members, Executive Directors, staff and consultants acting on our behalf to conduct their work ethically and to fully comply with their terms and conditions of employment and ExtraCare policies and procedures.
- Individuals, groups or organisations with evidence or firm suspicion of the charity being involved in active or passive bribery should contact the Chief Executive, Finance Director or Chair of the Audit Committee.
- Where actual bribery has taken place, this is a criminal offence and will be reported to the police.
- Allegations of bribery will be thoroughly investigated and may result in appropriate disciplinary or police reporting action where substantiated.
- The Finance Director is responsible for the organisation's anti-bribery measures and will consider at least annually what additional measures should be taken.

APPENDIX 2

Definition of Bribery

The Act defines bribery as giving or receiving a financial or other advantage in connection with the "improper performance" of a position of trust, or a function that is expected to be performed impartially or in good faith.

Bribery does not have to involve cash or an actual payment exchanging hands and can take many forms such as a gift, lavish treatment during a business trip or tickets to an event.

The types of bribery that take place in the commercial sector are numerous.

Some simple examples follow:

- bribery in order to secure or keep a contract.
- bribery to secure an order.
- bribery to gain any advantage over a competitor.
- bribery of a local, national or foreign official to secure a contract.
- bribery to turn a blind eye to a health safety issue or poor performance or substitution of materials or false labour charges.
- bribery to falsify an inspection report or obtain a certificate.