The League of Friends of Minehead and West Somerset Hospital & The Community

Based on the Anti-bribery and Corruption policy v4 issued by HM Government's Homes and Communities Agency

Title	Anti-bribery and Corruption Policy
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Anti-bribery and Corruption Policy

1. The Bribery Act 2010

The UK is a signatory to the UN Convention Against Corruption, which requires participating countries to put in place anti-bribery criminal laws. Because of historic problems prosecuting corruption under previous legislation the Government recognised that broad-ranging and flexible powers were required and enacted the Bribery Act. The Bribery Act received Royal Assent in April 2010 and came to force on 1 July 2011.

The principal provisions of the Bribery Act include:

- Two general offences covering the offering, promising or giving of a bribe (active bribery) and the requesting, agreeing to receive or accepting of a bribe (passive bribery) (sections 1 and 2);
- A discrete offence of bribing a foreign public official in order to obtain or retain business or an advantage in the conduct of business (section 6);
- An offence which can be committed by commercial organisations which fail to prevent bribery committed on their behalf (section 7);
- Raising the maximum sentence for bribery committed by an individual from 7 to 10 years imprisonment. The maximum sentence for an offence committed by a corporate body is an unlimited fine.

2. Scope and application of this policy

The League of Friends (LoF) recognises that whilst its financial support to the various branches of the NHS is not of relatively high value, as with any other charitable organisation it is vulnerable to the risk of bribery and corruption. The LoF is therefore committed to the highest level of ethical standards and sound governance arrangements and sets high standards of impartiality, integrity and objectivity in relation to the stewardship of public funds and the management of its activities.

The LoF adopts zero tolerance to bribery and corruption.

The conduct of the LoF its Trustees and others directly involved in delivering the aims of the LoF (including any retained consultants acting on our behalf) form an essential part of these governance arrangements and ethical standards. General rules relating to conduct and disciplinary action are contained within employment terms and conditions; and specific policies and procedures in place relating to the prevention of bribery and corruption are summarised within this policy.

The principles contained within this policy apply to both internal and external audiences, including anyone wishing to undertake business or engage with the LoF.

3. Active bribery

The LOF 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.

Key measures designed to eliminate or reduce the likelihood of active bribery include existing financial controls and constraints, transparent reporting and publishing of all expenditure, auditing procedures and the publication of financial accounts.

4. Passive bribery

The LoF will not tolerate the acceptance of bribes to induce a favourable outcome of requests for financial support. At all times the LoF expects its Trustees and Committee Members to conduct their work ethically and to fully comply with the LoF policies and procedures.

Additional controls include: segregation of decision making, the policy, rules and recording procedures relating to the acceptance of corporate hospitality and gifts; the mandatory declaration of Trustees and Committee Members conflicts of interest; the publication, updating and publication of these policies; periodic risk assessment, compliance monitoring and review; and the enforcement of disciplinary and authority reporting procedures where appropriate.

The following policy extracts should be specifically noted:

5. Declaration of conflicts of interest policy

A ‘conflict of interest’ is considered to be any connection or association with a third party that is (or appears to be) against the best interests of the LoF, or which could enable you reasonably to be suspected of using your position within the LoF to gain an unfair advantage for or from a third party.

Conflicts of interest are best avoided altogether; however, the LoF acknowledges that conflicts of interest (and potential conflicts) are sometimes unavoidable. In such circumstances the principles of openness and integrity apply and you are required to disclose and manage the conflicts accordingly.

6. Gifts policy

The LoF maintains a specific gift acceptance policy within the Conflicts of Interest Guidance. The general rule is that Trustees and Committee Members are only permitted to accept and keep gifts of low value and to declare such gifts to the Secretary of the LoF. Accepting and keeping all other gifts is not permitted. In the rare circumstances where a gift cannot be returned or declined, donation records must be maintained.

7. Hospitality policy

Trustees and Committee Members should decline all corporate hospitality offered by third parties unless there is a compelling business reason to accept. Acceptance of hospitality should be discussed with the Chairman and Secretary before a decision is made. Permission to attend, as a Trustee or Committee Member, sporting events, shows, concerts or similar entertainment paid for by third parties will not normally be granted.

8. Bribing Officials

The LoF primarily engages with NHS officials; however, there may be rare occasions when we meet representatives from inward investors or organisations on site fact finding trips.

The LoF will not tolerate bribery or any other corrupt practice to produce a favourable outcome. At all times reasonableness and value for money should be sought at all times. The bestowal of over-generous hospitality to a Trustee or Committee Member is therefore inappropriate; and "only receipted proven meal expenses will be reimbursed". Token memorial souvenir gifts in keeping with the nature of the visit may occasionally be offered or exchanged between organisations and their officials (historic examples include a group framed photograph commemorating the event, or a book recording the history of the area or project).

9. Reporting actual or potential bribery concerns

It is important that all Trustees and Committee Members are able to report their concerns promptly and without fear of reprisal or victimisation and are aware of the means to do so.

It is understandable that a whistleblower may be worried about coming forward for fear about possible repercussions. The LoF's will do everything possible to help accommodate any needs that may arise in relation to a whistleblowing disclosure as far as possible.

In the first instance, any suspicion of bribery, corruption, fraud, theft or other irregularity should be reported, as a matter of urgency, to the Chairman or, where it involves the Chairman, to the Secretary of the LoF.

Individuals, groups or organisations with evidence or firm suspicion of LoF involvement in active or passive bribery should contact LoF Secretary in the first instance.

It is important to stress that in addition to prompt reporting, any document, correspondence, e-mail, text or voice message which may be relevant to the concern should be retained and the content discussed with the Chairman or Secretary.

10. Reporting outcomes

The LoF will not hesitate to report or escalate to an appropriate higher authority actual or potential bribery issues. Where bribery is suspected, this is a potential 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.