



ANTI-BRIBERY POLICY

March 2025

1. Introduction

- 1.1. The Borough Council of King's Lynn & West Norfolk is committed to upholding the highest standards of integrity, transparency, and accountability. We adopt a zero-tolerance approach to bribery and corruption and are fully committed to ensuring compliance with the Bribery Act 2010 and other relevant UK legislation.
- 1.2. This policy provides clear guidance to all employees, elected members, suppliers, contractors, and any individuals or organisations acting on behalf of the Council, setting out our commitment to preventing and addressing bribery in all its forms.

2. Scope and Applicability

- 2.1. This policy applies to:

- ✓ All council employees (including volunteers, temporary staff and agency staff)
- ✓ Elected members
- ✓ Staff and committee members of council funded voluntary organisations
- ✓ Council partners
- ✓ Wholly owned local authority trading companies
- ✓ Council suppliers, contractors and consultants (whether engaged directly or indirectly through partnership working) - the council's template contractual terms set out the main principles which the council expects all suppliers to comply with - the council expects its suppliers throughout the supply chain to support the principles contained in the code of conduct, and to actively communicate and promote the principles to their own supply chains

- 2.2. Compliance with this policy is mandatory, and failure to adhere may result in disciplinary action, exclusion from contracts, and potential legal consequences.

3. Legal Framework

- 3.1 This policy is underpinned by the Bribery Act 2010, which defines the following offences:

- Bribing another person (Section 1) – Offering, promising, or giving a financial or other advantage to induce or reward improper performance.
- Being bribed (Section 2) – Requesting, agreeing to receive, or accepting a bribe.
- Bribing a foreign public official (Section 6) – Offering a bribe to influence a public official's actions.
- Failure to prevent bribery (Section 7) – A commercial organisation failing to prevent bribery by an associated person acting on its behalf.

3.2. Additionally, under the Procurement Act 2023, any supplier convicted of bribery must be excluded from participating in public contracts.

4. Council Commitment

4.1 The Council is committed to:

- ✓ Preventing bribery and corruption in all Council operations.
- ✓ Detecting and reporting any suspected bribery or corrupt activity.
- ✓ Taking disciplinary and legal action against those found engaging in bribery.
- ✓ Ensuring compliance through training, risk assessments, and due diligence.

4.2 Whether the procedures are adequate will ultimately be a matter for the courts to decide on a case-by-case basis. Adequate procedures need to be applied proportionately, based on the level of risk of bribery in the organisation. It is for individual organisations to determine proportionate procedures in the recommended areas of six principles. The principles are not prescriptive and are intended to be flexible and outcome focussed e.g. small organisations will face different challenges to those faced by large multi-national enterprises.

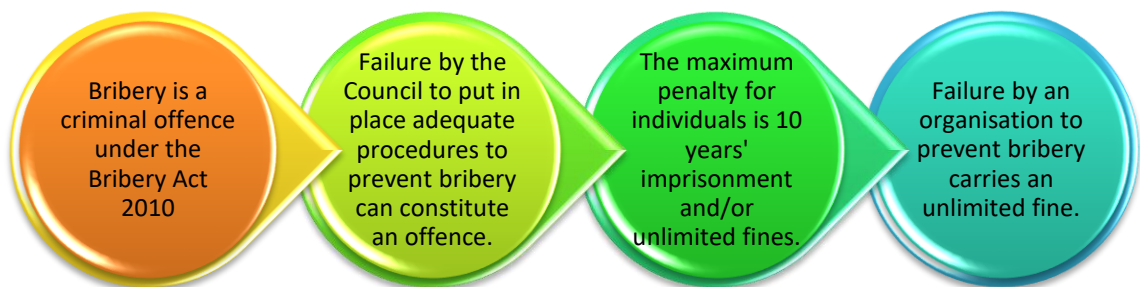
4.3 Proportionate procedures: The council's procedures to prevent bribery by persons associated with it are proportionate to the bribery risks it faces and to the nature, scale and complexity of its activities. They are also clear, practical, accessible, effectively implemented and enforced:

Top level commitment	Elected members and the council's Corporate Leadership Team are committed to preventing bribery by persons associated with the council. They foster a culture within the council in which bribery is never acceptable.
Due diligence	The council 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 to mitigate identified bribery risks.
Risk Assessment	The council 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. It includes financial risks but also other risks such as reputational damage.
Communication	The council 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.
Monitoring and review	The council monitors and reviews procedures designed to prevent bribery by persons associated with it and makes improvements where necessary.

- 4.4. The council is committed to proportional implementation of the above principles.

5. What is Bribery?

- 5.1. Bribery is an inducement or reward offered, promised, or provided to gain personal, commercial, regulatory, or contractual advantage. Examples include:
- Offering a supplier an advantage in procurement in exchange for gifts or favours.
 - A contractor giving excessive hospitality to influence a decision.
 - A public official soliciting payments in exchange for preferential treatment.



6. Responsibilities

- 6.1. The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for the organisation or under its control. All employees are required to avoid activity that breaches this policy.
- 6.2. As an officer, you must:
- ✓ ensure that you read, understand and comply with this policy
 - ✓ raise concerns as soon as possible if you believe or suspect that a conflict with this policy has occurred or may occur in the future
- 6.3. As well as the possibility of civil and criminal prosecution, employees breaching this policy will face disciplinary action, which could result in dismissal for gross misconduct.

Role	Responsibility
All Employees & Councillors	Avoid involvement in bribery, report concerns, and adhere to this policy.
Managers & Heads of Service	Lead by example, ensure compliance within their teams, and support staff training.
Suppliers & Contractors	Comply with anti-bribery terms in contracts and report any suspected bribery.
Monitoring Officer	Investigate reports of bribery and enforce policy compliance.

7. Gifts and Hospitality

7.1. This policy is not intended to change the requirements of the council's code's of conduct for officers or members. Employees and councillors must not accept gifts or hospitality that could be perceived as influencing decisions. In general terms, an employee or elected member must:

- Treat any offer of a gift or hospitality if it is made to them personally with extreme caution.
- Not receive any reward or fee other than their salary.
- Never accept monetary gifts of any kind.
- Always refuse offers of gifts or services to them (or their family members) from organisations or persons who do, or might, provide work, goods or services, to the council or who require a decision from the council.
- Gifts or hospitality over £25 must be declared and recorded in the Gifts & Hospitality Register.
- Any offer that could be perceived as a bribe must be declined and reported.
- Employees must seek approval before accepting invitations to events.

8. Facilitation payments

8.1 Facilitation payments are not tolerated and are illegal. Facilitation payments are unofficial payments made to public officials to secure or expedite actions.

9. Reporting Bribery

9.1. Report concerns via the whistleblowing route (anonymous options available). If facts indicate bribery, notify the Monitoring officer, if money-laundering is suspected, make an MLRO report (see AML procedures).

- 9.2. The Council ensures whistleblower protection and a commitment to thoroughly investigating all allegations. Reports may be investigated internally, referred to the police, or reviewed by external auditors.

10. Consequences of Non-Compliance

- Employees engaged in bribery face disciplinary action, including dismissal.
- Suppliers or contractors engaged in bribery will be excluded from future contracts.
- The Council may pursue criminal prosecution of individuals and organisations.

11. Review and Monitoring

- 11.1. This policy will be reviewed annually to ensure it remains effective and compliant with legal and regulatory updates.

12. Version Control

Policy name	Anti-bribery Policy			
Policy description	This policy enables the Council to meet its requirements under the Bribery Act 2010 to ensure that adequate procedures are in place.			
Responsible Officer				
Version number	Date formally approved	Reason for update	Author	Review date
1.0		Updated to include proactive diligence in response to the "Failure to Prevent Offence" from ECCTA 2025	Assistant Director - Finance	September 2026

Procedural Guidance

Employees may find it useful to consider the following factors when considering whether the acceptance of a gift, gratuity or hospitality is reasonable:

G

GENUINE

- Is the offer made for genuine reasons without encouragement and with no potential for a reasonable member of the public to consider acceptance inappropriate?

I

IMPARTIAL

- If accepted, would a reasonable member of the public be confident that the Council is impartial and will remain impartial?

F

FREE

- Would it be clear to a reasonable member of the public that the donor does not expect any favourable treatment from the Council or its members in return?

T

TRANSPARENT

- Has the gift, gratuity or hospitality has been declared openly to the Council, to colleagues and the public?

If the answer to any of the foregoing questions is 'NO' then the offer of a gift, gratuity or hospitality must be declined. In addition the offer must be declared using the Gifts, Gratuities and Hospitality Registration Application.

Rules at a glance

Category	Examples (indicative)	Action	Registration
Acceptable	Low-value tokens; working lunches by public/professional bodies	May accept (no influence risk)	Not necessary if <£25
Needs prior approval	Invitations to events; repeat offers totalling £25 in any 12 months	Seek line-manager approval before accepting	Yes
Prohibited	Cash; alcohol; anything that could be perceived to influence	Politely decline (use template)	Yes (declined offer)

How to decline

If an offer is inappropriate or risks the perception of influence, politely decline and explain that acceptance would be contrary to Council policy. Where returning an item would cause unnecessary offence, arrange for the donation to a local charity and record this on the Register. For direct offers (such as by post), return where possible; if not, record and arrange donation for charitable use..

Registration

The Gifts, Gratuities, Hospitality Registration Form must be completed in respect of all applicable:

- Gifts / Gratuities offered (accepted or declined)
- Gifts / Gratuities received (accepted or declined)
- Hospitality offered (accepted or declined)
- Hospitality received (accepted or declined).

Record any offer/acceptance via the Gifts, Gratuities and Hospitality Form – your manager must authorise before acceptance.

Public contracts and failure to prevent bribery

Under the Procurement Act 2023, there are specific provisions regarding the exclusion of suppliers convicted of certain offences, including bribery. The Economic Crime and Corporate Transparency Act 2023 and the Failure to Prevent Fraud offence that took effect in September 2025, imposes the need for proactive diligence.

Mandatory Exclusion Grounds:

Contracting authorities are required to exclude a supplier if it, or a connected person, has been convicted of specific offences. These offences encompass various forms of misconduct, including bribery. Notably, the Act specifies that convictions under sections 1, 2, 6, or 7 of the Bribery Act 2010 constitute grounds for mandatory exclusion.

Discretionary Exclusion Grounds:

Beyond mandatory exclusions, the Act provides contracting authorities with the discretion to exclude suppliers for certain misconducts, even in the absence of a conviction. This includes serious professional misconduct, which is explicitly stated to cover dishonesty, impropriety, and serious breaches of ethical or professional standards. For instance, offences such as failing to prevent bribery under section 7 of the Bribery Act 2010 may fall under this category.

Self-Cleaning Provisions:

Suppliers subject to exclusion grounds have the opportunity to demonstrate their reliability through “self-cleaning” measures. This process involves providing evidence that they have addressed the issues leading to the exclusion, such as paying compensation, implementing corrective measures, or enhancing compliance programmes. If a supplier successfully demonstrates that the circumstances leading to the exclusion are unlikely to recur, they may be permitted to participate in procurement procedures.