

## **COUNCIL**

**26 JULY 2012**

### **ANTI BRIBERY POLICY – ADDENDUM REPORT**

Report from/Author: Perry Holmes, Assistant Director, Legal and Corporate Services and Monitoring Officer

#### **Summary**

To report on the outcome of consideration of the Anti Bribery Policy at the Employment Matters Committee on 18 July 2012.

#### **1. Background**

- 1.1 The Committee considered this report on 18 July 2012. Given that the Council agenda was published earlier that day, it was not possible to include the Committee's comments in the main report on the Council agenda.
- 1.2 The Committee was updated on the views and comments of the Audit Committee including the greater emphasis being placed on collective working, and it was noted that the Monitoring Officer had undertaken to strengthen the role of partners within the policy by reinforcing their role in protecting against bribery. Consideration was given as to, as a minimum, expecting other organisations to have a similar anti-bribery policy.
- 1.3 The Employment Matters Committee sought further clarification as to whether contractors were captured by the following section of the Policy, and the size of contractors expected to have similar policies in place. The Committee expressed concern that small scale contractors which provided Council services would not have similar policies in place and that small businesses could be unduly burdened by the Council's expectations.
  - The Council will also seek to promote this policy with partners and suppliers and will expect partner organisations to have similar policies in place.

#### **2. Assistant Director's comments**

- 2.1 The Employment Matters Committee have raised some useful points as it is right that there should not be disproportionate burdens on small businesses.

2.2 Therefore, it is suggested that the following section of the Policy be amended as follows:

- The Council will also seek to promote this policy with partners and suppliers and will expect them to bring it to the attention of their staff when they are working for the Council and for large partner organisations and suppliers to have similar policies in place

2.3 This would allow small and medium size businesses to have a proportionate responsibility.

2.4 For the avoidance of doubt, partners and suppliers to the Council includes contractors.

### **3. Revised Recommendations for Council**

3.1 That Council notes the views and comments of the Audit Committee and Employment Matters Committee, and approves the Anti Bribery Policy, as set out in Appendix 1 to the report, as part of the Constitution, subject to the inclusion of the following amendment to paragraph 4 of the section entitled “Who in the Council is covered by this Policy” (page 158 of the Council agenda refers):

- The Council will also seek to promote this policy with partners and suppliers and will expect ~~partner organisations to have similar policies in place~~ them to bring it to the attention of their staff when they are working for the Council and for large partner organisations and suppliers to have similar policies in place.

3.2 That Council agrees the additions to the Employee Code of Conduct, as set out in paragraph 3.9 of the report.

#### **Lead officer contact**

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#### **Background papers**

None