



<b>Policy &amp; Procedure Title:</b>	<b>Anti Bribery &amp; Corruption Policy &amp; Procedure</b>
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<b>Workstream/Business Area:</b>	<b>Professional Standards</b>
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This Procedure has been checked against APP. Gwent Police has adopted the APP provisions, with supplementary information contained herein, which reflects local practice and the needs of the communities served by Gwent Police.

<b>1.0</b>	<b>POLICY AIMS</b>
1.1	The aim of this policy is:-
1.2	To prevent bribery and corruption both internally and externally, including any joint ventures undertaken by Gwent Police. The policy will assist Police Personnel and their line managers in ensuring that their actions can with stand scrutiny. The overall aim is to maintain the reputation and integrity of Gwent Police.
1.3	To ensure under no circumstances, is there any inference of an intention to influence a decision maker improperly, which would amount to a criminal offence of bribery and corruption.
1.4	To ensure that Gwent Police undertake adequate bribery and corruption prevention procedures which are proportionate to the risks that the organisation faces.
1.5	To undertake, monitor and evaluate risk assessments to ensure bribery and corruption does not take place.
<b>2.0</b>	<b>PROCEDURE</b>
2.1	<b>The Origins/Background Information</b>
2.1.1	The integrity of the force has a massive impact upon public confidence. The introduction of The Bribery Act 2010, places an obligation on the organisation to have in place policies that ensure all transactions it undertakes are carried out with integrity. This policy will go some way to address the standards expected and should be read in conjunction with The Business Interest and The Gifts and Hospitality Procedures.
2.2	<b>Responsibilities</b>
2.2.1	Senior Officers and Senior Managers of the organisation are required to deal swiftly and firmly with those who defraud or who are corrupt.
2.2.2	All Gwent Police Personnel have a duty to report any suspected fraudulent or corrupt practice affecting the Force at the earliest opportunity. Members of outside bodies and members of the public are also encouraged to report any suspected fraudulent or corrupt behaviour. This policy will therefore be published on our Force internet site.
2.2.3	Individuals and organisations such as suppliers, contractors, service providers that the Force conducts business with, will act towards the Force with integrity and a total absence of fraudulent or corrupt practices.
2.2.4	In those cases where sufficient evidence is available, criminal and/or disciplinary action will be taken by the organisations. Civil recovery (including civil court

	action) of funds lost by fraud and corruption will be considered in all established cases.
2.2.5	Senior Officers and Senior Managers of the organisation will ensure that effective
2.3	procedures, practices and controls are in operation in their areas of responsibility to minimise the opportunities for fraud and corruption.
2.3.1	Gwent Police will demonstrate that it is creating a strong deterrent effect by publicising successful prosecution of fraud and corruption and any successful recovery of losses.
2.4	<b>Motivators/Driving Forces</b>
2.4.1	The prevention of Fraud & Corruption is an essential element in maintaining the reputation of the Force. The Force needs to ensure that through its policies and procedures, behaviours that affect the integrity and reputation of the force are highlighted and addressed appropriately.
2.4.2	The Bribery Act 2010 requires organisations to have in place adequate procedures to prevent bribery occurring.
2.5	<b>General Principles of the Policy</b>
2.5.1	The policy aims to address corruption and fraud within the force by compliance with The Bribery Act 2010. The policy also sets out a clear pathway for prevention, reporting and investigation of such issues.
2.6	<b>Anti-fraud and Corruption Strategy</b>
2.6.1	Gwent Police are committed to an effective anti-fraud and corruption strategy designed to: <ul style="list-style-type: none"><li>a) Encourage prevention</li><li>b) Promote detection and timely reporting</li><li>c) Identify a clear pathway for investigation</li><li>d) Provide support and guidance for Police Personnel that may be in financial difficulty, as they are most at risk of fraudulent or corrupt practices</li><li>e) Record of Gwent Police Personnel who have been subject of any County Court Judgements of who have been declared Bankrupt for example. These notices are securely stored in PSD.</li></ul>
2.6.2	All suspected fraud and corruption will be investigated in accordance with this strategy and policy.
2.7	<b>Prevention</b>
2.7.1	Gwent Police recognise that a key preventative measure in the fight against fraud

	<p>and corruption is to take effective steps at the recruitment stage to establish, as far as possible, the previous record of potential staff, in terms of their propriety, integrity and honesty. In this regard temporary and contract staff should be treated in the same manner as permanent staff. Vetting and security clearance are therefore a prerequisite to appointment.</p>
2.7.2	<p>Gwent Police are committed to working and co-operating with other organisations to prevent organised fraud and corruption. Wherever possible, the Force will be prepared to help and exchange information with other police forces and organisations to deal with fraud.</p>
2.7.3	<p>Gwent Police will assess the possibility of fraud within their risk management processes. This will include consideration of the following:</p> <ul style="list-style-type: none"><li>a) Three key fraud risk factors (opportunity, motive and rationalisation)</li><li>b) Likelihood, significance and pervasiveness of fraud risks</li><li>c) The risk of management over-ride of control</li><li>d) Mitigating programmes and controls to each identified fraud risk.</li></ul>
2.7.4	<p>The organisations are committed to raising the awareness of the key fraud risks to all members of Police Personnel.</p>
2.8	<p><b>Fraud Response Plan</b></p>
2.8.1	<p>Suspected fraud or corruption allegations relating to Police Personnel or contractors of Gwent Police should be reported to their Line Manager, Professional Standards Department, or for anonymity as outlined in the Professional Standards Reporting Procedure.</p>
2.8.2	<p>Individuals are encouraged to put their name to the concern and information wherever possible. All information will be treated as confidential. Anonymous concerns will be investigated.</p>
2.8.3	<p>Information must be disclosed in good faith. Malicious, false or vexatious allegations must not be made and appropriate action will be taken against the instigators of such allegations.</p>
2.8.4	<p>The Public Interest Disclosure Act 1998 gives statutory protection to employees who speak out against corruption and malpractice at work.</p>
2.8.5	<p>Fraud Risk Indicators: The following are warning signs that fraud/corrupt practices may be occurring:</p> <ul style="list-style-type: none"><li>a) Employees under stress without a high workload</li><li>b) Always working late or arriving early</li><li>c) Reluctance to take leave</li></ul>

- d) Refusal of promotion
- e) Unexplained wealth
- f) Sudden change in demeanour or lifestyle
- g) Cosy relationship with suppliers/contractors
- h) Suppliers/contractors requesting to deal with one particular member of Police Personnel
- i) Improper use/access of computer records

**2.9 Investigation**

2.9.1 Where allegations of fraud or corruption are made against a member of Police Personnel, the Head of Professional Standards will ensure that an officer is appointed to investigate the allegations.

2.9.2 The member of Police Personnel who is suspected of fraud or corruption may be suspended while an investigation takes place. Disciplinary procedures will be invoked where the outcome of the investigation indicates misconduct by a member of Police Personnel. Proven cases of gross misconduct may result in the summary dismissal of the employee. Misconduct includes fraud committed by a member of Police personnel against another organisation.

**2.10 Standards in public life**

2.10.1 The Committee on Standards in Public Life is an independent public body which advises government on ethical standards across the whole of public life in the UK. The Committee believes that 'Seven Principles of Public Life' should apply to all in the public service. All Police Personnel are required to observe these principles:

2.10.2 *Selflessness* - Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends

2.10.3 *Objectivity* - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

2.10.4 *Accountability* - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

2.10.5 *Openness* - Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

2.10.6	<i>Honesty</i> - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.
2.11	<b>Internal and External Measures</b>
2.11.1	Professional Standards Department will be responsible for ensuring that a risk assessment is undertaken in relation to the threats associated with bribery and corruption for the organisation. Departments will ensure that their policies and procedures incorporate preventative and proportionate measures to ensure bribery and corruption does not take place.
2.11.2	Chief Officers and Heads of Service Area will provide a commitment to zero tolerance in respect to offences relating to bribery and corruption whether internal or external.
2.11.3	When undertaking any service for or on behalf of Gwent Police it will be necessary for those responsible to demonstrate due diligence in the performance of their functions with the objective of preventing bribery and corruption.
2.12	<b>Communication</b>
2.12.1	Gwent Police will ensure that all policies and procedures in relation to the prevention of bribery and corruption are published and communicated to all Police Personnel.
2.12.2	Police Personnel will be encouraged to contact Professional Standards Department in confidence in relation to any information in respect to allegations of bribery and corruption.
2.12.3	All Heads of Service Area will ensure that regular monitoring and evaluation of their service delivery programme includes measures to prevent bribery and corruption.
<b>3.0</b>	<b>LEGISLATIVE FRAMEWORK</b>
3.1	The precise definitions of fraud are set out in the Fraud Act 2006 and cover fraud by false representation, fraud by failing to disclose information and fraud by abuse of position.
3.2	The Bribery Act creates offences of offering or receiving bribes, bribery of foreign public officials and of failure to prevent a bribe being paid on an organisations behalf.
3.3	The act allows for 'reasonable and proportionate' hospitality given in 'good faith' which is permitted under the act. Our force procedure on the acceptance of gifts and hospitalities will continue to be followed to ensure bribery and corruption is prevented.
3.4	The definition of bribery is deliberately broad. It covers anything which seeks to

	influence a decision maker by going beyond legitimate parameters for obtaining or retaining business.
3.5	There are four offences: (1) bribing another person (2) being bribed oneself;(3) bribing a foreign public official; and (4) for commercial organisations, failing to prevent bribery.
3.6	The fourth offence of failing to prevent bribery which includes Gwent Police as an organisation, makes employers liable for acts of bribery by employees, agents, and other representatives, whether here or overseas. The only defence is to show that 'adequate procedures' have been implemented to prevent such offences.
<b>4.0</b>	<b>HUMAN RIGHTS</b>
4.1	The procedure has been checked for compliance with the Human Rights Act; with particular reference to the legal basis of its precepts: the legitimacy of its aims; the justification and proportionality of the actions intended by it; that it is the least intrusive and damaging option necessary to achieve the aims; and that it defines the need to document the relevant decision making process's and outcomes of actions.
4.2	Application of this policy has the potential to engage Articles 3 and 8 of the European Convention of Human Rights/Human Rights Act 1998, i.e. prohibition of degrading treatment and right to respect for private and family life. Such an interference must have a legitimate aim which in this case is:- The prevention of crime and disorder.
4.3	The protection of the rights and freedom of others.
4.4	The courts have demonstrated time and again that ensuring defendants have the right to a fair trial, Article 6 ECHR/Human Rights Act 1998 is of paramount importance and this policy reflects that.
<b>5.0</b>	<b>WELSH LANGUAGE STANDARDS</b>
5.1	This Policy aims to comply with the Welsh Language Standards in terms of dealing with the Welsh speaking public, impact upon the public image of the organisation and the implementation of the Welsh Language Standards.
<b>6.0</b>	<b>HEALTH AND SAFETY</b>
6.1	The Gwent Police Service Dynamic Assessment should be applied as necessary. A training package in the use of risk assessment will be provided to all police personnel if requested or required.
<b>7.0</b>	<b>REVIEW/RESPONSIBILITIES</b>
7.1	The policy business owner maintains outright ownership of the policy and any other associated documents and in-turn delegate responsibility to the department/unit responsible for its continued monitoring.



7.2	The policy should be considered a 'living document' and subject to regular review to reflect upon any Force, Home Office, NPCC, legislative changes, good practice (learning the lessons) both locally and nationally.
<b>8.0</b>	<b>LINKS TO OTHER POLICIES/PROCEDURES/OTHER DOCUMENTS</b>
8.1	<ul style="list-style-type: none"><li>• Acceptance of Gifts and Hospitality</li><li>• <a href="#">Code of Ethics</a></li><li>• Data Protection</li><li>• Disciplinary Procedure for Police Staff</li><li>• Information Security</li><li>• Police (Conduct) Regulations 2012</li><li>• Professional Standards - Reporting Concerns (Whistleblowing)</li><li>• Suspension of Police Officers and Staff</li></ul>
<b>9.0</b>	<b>APPENDICES</b>
	None