

4.1 HR POLICY

Staverton Parish Council accepts its ethical responsibilities and recognises its obligation to conduct its activities in full knowledge of, and compliance with, the requirements of relevant legislation and approved Codes of Practice. The Council achieves this by adopting a policy of best practice in staff recruitment, training and management. The principal objectives of the Council's suite of HR-related policies, protocols and systems are to ensure that:

- All employees are selected and recruited based upon their attitude, skill, and competency
- The philosophy and management style of the Council are such as to promote and encourage motivation and retention
- Professional relationships between staff members and Councillors are based on mutual trust, fairness and equality of opportunity for all
- The dignity of all employees is respected by the Council
- No employee is subjected to discrimination or bullying of any kind
- All employees are trained to carry out their role competently, in compliance with relevant legislation, guidance and regulatory bodies, including promoting and adopting best practice, and are supported to advance their continued professional development

4.2 BRIBERY & CORRUPTION POLICY

The Council are committed to providing an outstanding public service and always strive to portray the Council as exemplary in all its dealings with residents and other external organisations.

Residents and other external organisations rightly expect that all staff at the Council will, at all times, conduct themselves with integrity, impartiality and honesty.

Staff should always maintain the highest standards of propriety and professionalism, and must avoid leaving themselves exposed to opportunity or suspicion of improper acts or compromised situations of a financial nature, or receipt of extravagant hospitality.

Above all, staff should never put themselves in a position of conflict between their official duties and private interest.

Staff should be aware that gifts offered might place an employee in a position of compromise. Even when offered, and accepted in innocence; others may misconstrue the intention behind such gifts.

In addition to the receipt of gifts or hospitality, staff members must never leave themselves in a position that they could have the opportunity of, or be suspected of, offering bribes or inducements to other individuals or organisations, for the request and / or receipt of special services.

The Council will follow the principles and guidance of the Bribery Act 2011 when considering its conduct in relation to the above situations (see below for the main features of the Bribery Act 2011 which are most relevant to General Practices).

The purpose of this policy is to guide staff members on the appropriate way to conduct themselves, and to assist senior management to implement this policy, so that neither staff members nor the Council itself are left exposed to, or suspected of, acts of impropriety.

The Bribery Act 2011

This new Act, which came into force on 1st July 2011, has been created to reform the law of bribery to provide for a new consolidated scheme of bribery offences.

The Council and its staff must comply with the law in relation to this Act when offering or accepting a gift or hospitality from patients, contractors, suppliers, service providers and others.

There are a number of offences that have been created under the new Act, but for Local Authority there are three that have particular relevance:

- Offering, promising or giving a bribe to another person – Section 1;
- Requesting or agreeing to receive or accepting a bribe – Section 2;

- Failure of a commercial organisation to prevent bribery – Section 7 (Corporate Offence).

The last of the above three points presents an additional consideration – that of liability of the Council as an organisation.

Unless a Council has adequate procedures in place to deter acts of bribery, its Councillors could be liable to be prosecuted, as well as the individual(s) concerned.

Under the Act, a person found guilty can receive a maximum sentence of 10 years and / or an unlimited fine.

Assessing Risk

The Council should not, under normal circumstances, be as greatly exposed to the risk of bribery as other, more commercial organisations which operate multi-nationally.

The following six principles should be used in determining what needs to be in place (if not already) at the Council to mitigate the risk of bribery:

- **Proportionality** – action taken should be relative – the Council should not have to take extensive action, considering their small size;
- **Top-level commitment** – the clerk should be active in making sure all working for or with the Council understand that the Council does not tolerate bribery in any form;
- **Risk assessment** – research the risks the Council might face and make a list;
- **Due diligence** – make sure the correct checks are done on staff employed. Ensure all business associates are correctly vetted and financially checked before the commencement of business;
- **Communication** – ensure all staff and business associates are aware of the Council's bribery policy, and the position of senior management and the Council as an organisation in relation to this.
- **Monitoring and review** – regularly address the Council's anti-bribery policy and actions to ensure they are still comprehensive and fit-for-purpose; taking into account any changes in law.

Receiving Gifts

Definition of a gift: A 'gift' is any item of cash or goods which is provided for personal benefit at less than its commercial value.

- Staff should not accept any gift, reward or hospitality from any organisation or individual with whom they have contact in the course of their work as an inducement for either doing something or not doing something in their official capacity (it is particularly important to take care about any gift received from a person or organisation that has, or is hoping to have, a contract with the Council);
- Staff members may accept modest gifts, either themselves or on behalf of the Council, (e.g. chocolates or flowers) without reference to the Chairman or Councillors, as refusal could cause offence.

However, it may be prudent to decline more substantial or expensive offerings.

The recipient of unsolicited gifts of a substantial nature should consult the Chairman on the matter

- Staff must record any gifts accepted in the minutes.