

Christmas is a time for giving – and taking?

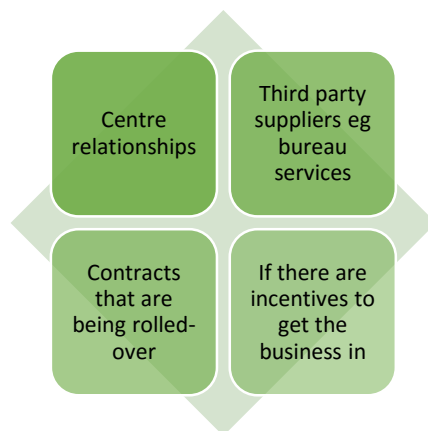
The Bribery Act has been with us for 4+ years now but I still find many AOs are not aware of it.

Bribery is defined as 'giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so'. So this includes where someone seeks to influence a decision-maker by giving some kind of extra benefit; there could also be liability where someone who performs services for the AO – like an employee or agent – pays a bribe specifically to get business, keep business, or gain a business advantage for your organisation.

There are a few things that can be put in place to help prevent bribery, including policies on accepting gifts and hospitality. Christmas can often be a time of giving and receiving - the odd bottle, hamper, Eurostar tickets, or perhaps more? The thing is, is it proportionate and are you aware of what is being given and received?

Processes around negotiating and making contracts – having a robust due diligence process, or making sure the decision maker is independent of the process can make sure of no undue influence can also help prevent bribery occurring.

Operating internationally can increase the risks around bribery, where, facilitation payments might be asked for in some countries, or arrangements are not documented or not so transparent.



Where some risks may be found



You may think there is no risk to your AO of bribery being committed? The key is to have assessed where there may be potential for bribery. For example, could there be a risk of preferential centre or certification arrangements being made? Do you use an agent or bureau for certain tasks which is a long-standing and the service or relationship has not had a proper review in a while - the contract has just rolled-over?

As suggested, defenses are important: a policy on gifts and hospitality – what staff or certain contractors are allowed to accept (or not); making sure contracts are properly reviewed and due process followed; how commissions are being managed for getting business in, can all support anti-bribery.

Whatever you do for anti-bribery it doesn't mean you have to act like Scrooge, but do what's needed in the right way.

There is some basic guidance around anti-bribery from the Justice Department here <https://www.gov.uk/anti-bribery-policy>

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Heather provides a range of help and support for Awarding Organisations on compliance, qualifications, quality assurance and related areas. For external project support, guidance and training I can guarantee you a professional job. With experience of working in and with a range of small and large AOs and having been Responsible Officer I really understand your business and can enable you to move forward.

If you would like to talk about your project or just get a view get in touch, no obligation.

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