

# Anti- Bribery Policy for Lepra

## Background

### Working definition of Bribery

'The offering, promising, giving, accepting or soliciting of money, a gift, or other advantage as an inducement to do something that is illegal or a breach of trust in the course of carrying out an organisation's activities'

### Legal context

The UK Bribery Act came into force in July 2011 replacing previous legislation. It is extra-terrestrial in scope in that any British Citizen (or person with a close connection to Britain) giving or receiving a bribe anywhere in the world is liable to prosecution. Similarly any organisation which engages in commercial activity in the UK may be subject to prosecution. Prosecutions can be brought against managers or trustees within such a body, if it can be shown that an offence was committed with their consent or connivance.

The act creates four criminal offences.

- The first two relate to offering a bribe and receiving a bribe - it is sufficient for the bribing party to have intended to improperly influence the recipient, the action does not need to have taken place
- The third offence is new and relates to the bribing of a foreign public official
- The fourth new offence relates to the failure of 'commercial organisations' to prevent bribery. There is a defence if the organisation can demonstrate that it has 'adequate procedures' in place designed to prevent people associated with it undertaking such conduct. The development and implementation of an anti-bribery policy is therefore a key component. Although untested by case law it is considered that Lepra would be considered to undertake commercial activity in the meaning of this act

## Policy

Lepra commits to a policy of zero-tolerance of bribery in any form. Bribery can be in the form of money, gifts, hospitality, facilitation payments, or advantage gained – these examples are not exhaustive or exclusive.

The board of trustees and senior management team recognise that bribery is contrary to the fundamental values of integrity, transparency and accountability and undermines organisational effectiveness.

Lepra undertakes to:

- Assess the bribery risk associated with entering into partnership or contracting arrangements with other entities including checking that partner organisations have policies that are consistent with our zero tolerance approach.
- Make it clear in all partnership and contractual arrangements that Lepra will not tolerate the offering or acceptance of bribes and will terminate relationships if this clause is broken.
- Carry out periodic due diligence checks on partners
- Monitor anti-bribery procedures as part of the risk management and internal control process.
- Treat giving or receiving of a bribe as gross misconduct

- Communicate its zero tolerance policy widely to partners, suppliers, contractors and staff

Lepra will

- Investigate any reported instances of actual or potential bribery
- Require staff and trustees to use the Speak Up procedure to report any potential breaches of this policy
- If confirmed, report the incident to senior officials from the implicated organisation, government department, professional body, and the Charity Commission as deemed appropriate by the board of trustees
- Keep a record of any bribe offered, made, solicited or received. This record will be reviewed annually by the trustees as part of the risk management process.
- Monitor any changes in procedures, as well as on-going training for staff, to assess effectiveness
- Ensure that multiple authorisation continues to be required for significant transactions.

Lepra accepts that

- Staff are sometimes offered small gifts or low levels of hospitality that it would cause offence, or be impractical, to refuse. The value offered should not exceed £30 and if in doubt staff should seek the clarification of their line manager before accepting. The receipt of all such gifts and hospitality will be recorded.