

To: Audit & Governance Committee
Date: 20 October 2021
Report of: Head of Financial Services
Title of Report: Anti-Bribery, Fraud and Corruption Policy

Summary and Recommendations

Purpose of report:

To appraise Members of the reviewed Anti-Bribery, Fraud & Corruption Policy

Key decision No

Cabinet lead member: Councillor Ed Turner

Policy Framework: Corporate Plan Priority – Efficient & Effective Council

Recommendation: The Committee are asked to note the content of the report and agree that the policy attached at Appendix 1 be retained without amendment.

Appendices

Appendix 1 – Oxford City Council Anti-Bribery, Fraud & Corruption Policy

Background

1. It is important that Oxford City Council is committed to preventing and detecting bribery, fraud and corruption and that there is a policy in place to affirm that any instances will be thoroughly investigated with appropriate action taken.
2. The policy, which was first introduced into Council policies in March 2019, comprehensively sets out responsibilities, scope, definitions, legal framework, and preventative measures in place to prevent bribery, fraud and corruption.
3. For the policy to be effective, it is the responsibility of every employee, Member and contractor to be familiar with the policy and its content.
4. Training and awareness platforms will be reviewed in order to effectively communicate the new policy to all Council employees and Members.

5. The 2019 policy replaced and superseded the Avoiding Bribery, Fraud and Corruption Policy, last reviewed in 2013.
6. Although there were some textual amendments to the Bribery Act 2010 during 2020, they were inconsequential for the purposes of Council business and therefore, there are no policy updates required over the previous March 2019 version.

Legal Implications

7. Failure to have an Anti-Bribery, Fraud and Corruption Policy in place would expose the organisation to risk. The Bribery Act 2010 introduced a strict liability offence for companies and partnerships of failing to prevent bribery. The introduction of this corporate criminal offence places a burden of proof on local authorities to show that they have adequate procedures in place to prevent bribery. The Council could be guilty of an offence if an 'associated person' carries out an act of bribery in connection with its business.
8. The Policy has been subject to review by the Legal Services team and meets the required legal standard for compliance with legislation.

Financial Implications

9. The Council must have measure in place to protect itself against financial impropriety, dishonesty and irregularity. The adoption of this policy mitigates the position through solidifying the stance taken by the organisation, as well as increasing awareness and vigilance amongst employees and Members.

Name and contact details of author:-

Scott Warner

Counter-Fraud Manager

Financial Services / Counter-Fraud & Investigation Team

Tel: 01865 252158 e-mail: swarner@oxford.gov.uk
