



Gangmasters &
Labour Abuse Authority

Annex A

Anti-bribery Policy and Procedures for Board Members

12 March 2019

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<i>Author:</i>			<i>Director:</i>	<i>Approver:</i>
<i>Date</i>	<i>Version</i>	<i>Changes by:</i>	<i>Reason for change</i>	<i>Status</i>
17/01/13	1.0			Final
20/11/13	2.0	J Clarke	Rebranding. Amendment to acceptance form	
15/12/14	3.0	J Clarke	Rebranding.	
12/3/2015	4.0	N Ray	Paragraph 6.3 amended to include the guidance in the body of the policy Paragraph 8.2 changed to reflect the change of sponsor	
27/12/17	5.0	J Clarke	Rebranding.	
31/1/2019	6.0	N Ray	Paragraph 6.5 amended to include advising HO.	
12/2/2019	7.0	N Ray	Paragraph 5.1 amended to reflect comments at the Board about annual reporting of interests. Going forward declarations will be made annually at the start of the financial year, rather than the calendar year.	
12.03.19	7.0	JR		Approved at EMT on 12.03.19

Anti-bribery Policy & Procedure for Board members

1. Introduction

- 1.1 The GLAA is committed to the highest standards of ethical conduct and integrity in its business activities. This policy for GLAA Board members outlines the GLAA's position on preventing and prohibiting bribery, in accordance with the Bribery Act 2010. The GLAA will not tolerate any form of bribery by, or of its Board members, employees, agents or consultants or any person or body acting on its behalf.

2. Scope of this Policy

- 2.1 This policy applies to all Board Members. A separate policy applies to employees and officers of the GLAA and to its temporary workers, consultants, contractors, agents and subsidiaries acting for, or on behalf of, the GLAA ("associated persons") within the UK and overseas. Every Board member, employed and associated person acting for, or on behalf of, the GLAA is responsible for maintaining the highest standards of business conduct. Any breach of this policy may constitute a serious matter (including a criminal matter) for the individual concerned and may cause serious damage to the reputation and standing of the GLAA.
- 2.2 This policy should be read in conjunction with the *Code of Conduct for Board Members of Public Bodies* published by the Cabinet Office.
- 2.3 The GLAA may also face criminal liability for unlawful actions taken by its Board members, employees or associated persons under the Bribery Act. All such persons are required to familiarise themselves and comply with the relevant policy, including any future updates that may be issued from time to time by the GLAA.
- 2.4 The Bribery Act 2010 came into force on 1 July 2011. This policy covers:
- The main areas of liability under the Bribery Act 2010
 - The responsibilities of employees and associated persons acting for, or on behalf of the GLAA; and
 - The consequences of any breaches of this policy

3. The Bribery Act 2010

- 3.1 Under the Bribery Act 2010, a bribe is a financial or other type of advantage that is offered or requested with the:
- Intention of inducing or rewarding improper performance of a function or activity; and
 - Knowledge or belief that accepting such a reward would constitute the improper performance of such a function or activity.
- 3.2 A relevant function or activity includes public, state or business activities or any activity performed in the course of a person's employment, or on behalf of, another company or individual, where the person performing that activity is expected to perform it in good faith, impartially or in accordance with a position of trust.

3.3 A criminal offence will be committed under the Bribery Act 2010 if:

- An employee or associated person acting for, or on behalf of, the GLAA offers, promises, gives, requests, receives or agrees to receive bribes; or
- An employee or associated person acting for, or on behalf of, the GLAA offers, promises or gives a bribe to a foreign official with the intention of influencing that official in the performance of his/her duties (where local law does not permit or require such influence); and
- The GLAA does not have the defence that it has adequate procedures in place to prevent bribery by its employees or associated persons.

3.4 All Board members, employees and associated persons are required to comply with the relevant Anti-Bribery policy, in accordance with the Bribery Act 2010.

4. What is Prohibited?

4.1 The GLAA prohibits Board members, employees or associated persons from offering, promising, giving, soliciting or accepting any bribe. The bribe might be cash, a gift or other inducement to, or from, any person or company, regardless of whether the employee or associated person is situated in the UK or overseas. The bribe might be made to ensure that a person or company improperly performs duties or functions (for example, by not acting impartially or in good faith or in accordance with their position of trust) to gain any commercial, contractual or regulatory advantage for the GLAA in either obtaining or maintaining GLAA business or to gain any personal advantage, financial or otherwise, for the individual or anyone connected with the individual.

4.2 This prohibition also applies to indirect contributions, payments or gifts made in any manner as an inducement or reward for improper performance, for example, through consultants, contractors, sub-contractors, agents, sub-agents, sponsors or sub-sponsors, joint-venture partners, advisors, customers, suppliers or other third parties.

5. Register of Interests

5.1 Board members are required to ensure they complete the register of interests at the start of each financial year to set out their existing interests and review previous declarations for accuracy in order to coincide with the publication of the Annual Report and Accounts. There will also be an opportunity at each Board meeting to declare specific conflicts of interest

6. Corporate entertainment, gifts, hospitality and promotional expenditure

6.1 Board members, when acting in their capacity as a Board member, must not offer or accept any corporate entertainment, gifts or hospitality.

6.2 Where a Board member, acting in any capacity, has within the previous 12 months, been in receipt of hospitality from a party whose business would be materially affected by a Board decision, they should either advise the Chair in writing in advance of the meeting or make a declaration of interest at the meeting where the

matter is being discussed, and, if requested by the Chair, withdraw from the decision making process.

- 6.3 Clearly, Board members need to be seen to be acting with propriety in all that they do and not compromising the GLAA's role as a regulator. There may be occasions where it would be difficult to refuse basic hospitality and Board members are encouraged to use a common-sense approach.
- 6.4 However the overriding principle should be to refuse any hospitality, (other than that demonstrably appropriate to the proper conduct of GLAA business) or gifts or other inducements that may be offered. A gift or benefit can be of any value and even trivial offers should, in general, be refused.
- 6.5 If you do receive a gift or hospitality as a GLAA Board member, this must **always** be recorded in the Hospitality Register which is held by the PA to the GLAA Chief Executive and notified to the Home Office Sponsor Unit.

7. Risk Management

- 7.1 The GLAA has established detailed risk management procedures to prevent, detect and prohibit bribery. The GLAA will conduct risk assessments for each of its key business activities on a regular basis.

8. Reporting Suspected Bribery

- 8.1 The GLAA depends on its Board members, employees and associated persons to ensure that the highest standards of ethical conduct are maintained in all its business dealings. Board members, employees and associated persons are requested to assist the GLAA and to remain vigilant in preventing, detecting and reporting bribery.
- 8.2 Where a Board member has concerns in relation to bribery, they should raise the matter with the Chair, or, if they believe that is not appropriate, with the Home Office sponsorship team.

9. Action by the GLAA

- 9.1 The GLAA will fully investigate any instances of alleged or suspected bribery.
- 9.2 The GLAA may also report any matter to the relevant authorities, including the Director of Public Prosecutions, Serious Fraud Office, Revenue and Customs Prosecution Office and the police. The GLAA will provide all necessary assistance to the relevant authorities in any subsequent prosecution.

10. Review of Procedures and Training

- 10.1 The GLAA will regularly communicate its anti-bribery measures to Board members, employees and associated persons. Board members, employees and associates will be required to state on an annual basis that they have seen the policy and understand its consequences. The GLAA will set up training sessions where applicable.

- 10.2 The GLAA will monitor and review the implementation of this policy and related procedures on a regular basis, including review of internal financial systems, expenses, corporate hospitality, gifts and entertainment policies.
- 10.3 Board members are encouraged to contact the Chair with any suggestions, comments or feedback that they may have on how these procedures may be improved.
- 10.4 The GLAA reserves the right to amend and update this policy as required.

I acknowledge receipt of and confirm that I will adhere to the GLAA Anti-Bribery Policy and procedure for Board Members:

Signature.....

Dated.....

Printed name.....