

Chief Executive's Statement on Bribery and Corruption

The Bribery Act 2010 came into force on 1st July 2011. This aims to tackle bribery and corruption in both the public and private sector. All NHS organisations needed to consider the impact of the Bribery Act carefully and ensure that they have 'adequate procedures' in place to prevent bribery or corruption in their organisation.

Staff should report any suspicions or allegations of fraud, corruption or bribery by one of the following methods:

1. **Via the Trust Director of Finance**
2. **Via your Local Anti - Fraud Specialist.** The Anti – Fraud Specialist for East Lancashire Hospitals NHS Trust is Jacqui Procter and her contact number is 0151 285 4500 or email Jacqui.procter@miaa.nhs.uk
3. **Via the NHS Fraud and Corruption Reporting Line** on 0800 028 40 60
4. **Via the online NHS confidential reporting online form** www.cfa.nhs.uk/reportfraud

Bribery is generally defined as giving someone a financial incentive, or any other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so. For example, this could include seeking to influence a decision by giving a beneficial incentive to that decision maker. Reasonable and proportionate hospitality is not prohibited by the Act.

The Act introduced new bribery offences, which are detailed as follows:

It is a criminal offence

- to give, promise or offer a bribe;
- to request, agree to receive or accept a bribe, either in the UK or overseas;
- corporate offence of failure to prevent bribery by persons working on behalf of a commercial organisation. Organisations that are found guilty under the Act could face a large fine and imprisonment of the individuals involved. However, an organisation can avoid conviction if it can show that it has "adequate procedures" in place to prevent bribery.

What counts as "adequate" will depend on the bribery risks that the organisation faces and the nature, size and complexity of the organisation. Six principles have been outlined in order to assist

organisations determine if it has “adequate procedures” in place:

- Procedures are proportionate to the bribery risk;
- There is top-level management commitment;
- Risk assessment is undertaken to determine the extent of potential risks;
- Due diligence is applied;
- Bribery prevention policies and procedures are effectively communicated, including training;
- Procedures are monitored and reviewed, with improvements made where necessary.

East Lancashire Hospitals NHS Trust has a duty to ensure that all staff are aware of the risks associated with accepting a bribe. As the Bribery Act became law on the 1st of July 2011 all staff are reminded of the Standards of Business Conduct Policy and the need to declare all gifts, sponsorships and hospitality. All employees need to declare any conflict of interest onto a centrally held register.

For further advice, or clarification, please contact ELHT’s Associate Director of Corporate Governance/Company Secretary, Angela Bosnjak-Szekeres on 01254 735998.

All staff are strongly encouraged to consult the Trusts policies:

- Anti-Fraud, Bribery and Corruption Policy
- Raising Concerns Policy/Raising Concerns Guardian
- Conflicts of Interest Policy



Kevin McGee
Chief Executive