

Probity & Bribery Policy

Policy Statement & Purpose

Probity

This policy is in place to ensure that principles of accountability, probity and openness inform everything we do. Our colleagues and Board members should conduct themselves with integrity, trust and fairness and must not gain inappropriate benefit from their connection with Bromford.

Colleagues should avoid situations which could create a conflict of interest between their personal interests or their close relatives and friends and the work they do for Bromford. If a conflict of interest arises it should be reported and managed in accordance with the Declaration of Interest process.

Bribery

Bromford will not tolerate bribery or corruption in any form.

Bromford aims to conduct business in an honest way and without the use of corrupt practices or acts of bribery to obtain unfair advantage. This Policy sets out how we seek to maintain the highest ethical standards and protect our reputation against any allegations of bribery.

Bromford Board and Committee members, employees, volunteers, agents and others acting on Bromford's behalf must not offer, solicit or accept any bribe.

The purpose of this Bribery Policy is to provide a framework which helps to ensure that Bromford:

- Takes appropriate measures to deter Bribery;
- Maintains necessary procedures to detect Bribery;
- Investigates all instances of suspected Bribery; and
- Encourages colleagues to report any suspicion of Bribery

Bribes may take different forms but they usually involve a corrupt intent and are of benefit to both parties involved. Examples are:

- A direct or indirect promise of something of value;
- The offer or receipt of a fee, reward or other advantage; and
- The giving of a donation with the aim of influencing a decision or action.

Some parts of Bromford, such as those dealing with assets and development, have a higher risk exposure to bribery in relation to negotiations with suppliers and contractors. Colleagues working within this business area must be cautious when dealing with third parties and representatives.

Where Bromford discovers bribery has taken place, it will make a full disclosure of this to the Serious Fraud Office and co-operate fully in any investigation carried out by the Serious Fraud Office.

Scope

The principles and terms within this document apply to all colleagues within Bromford.

Bribery

This policy relates to actual or attempted acts of bribery. Under the Bribery Act 2010 it is a criminal offence for a person to

- offer, promise or give a bribe;
- request, agree to receive or accept a bribe.

It is also an offence for an organisation to fail to prevent bribery.

Reference Documents

This policy is published on our group intranet ('Mint/OurSpace') website.

Additional guidance, related policies and procedures:

Bromford	Merlin
Anti-Fraud Policy	
Whistleblowing Policy	
Anti-Money Laundering Policy	
Financial Standing Orders	Employees Code of Conduct
Governance Framework	Procurement Toolkit
Group Delegation Framework	Gifts and Hospitality Policy
Lettings Policy	
Gifts & Hospitality - How To Guide	
Procurement Policy	
Recruitment Policy	
Executive Remuneration Policy	
Rules (of BHG and subsidiaries) UK	
Corporate Governance Code	
Code of conduct for Employees	

Legislative Requirements

By following this policy, colleagues make sure that Bromford:

- Complies with legislation (s.122 of the Housing & Regeneration Act 2008 & the Bribery Act 2010)
 - [Bribery Act 2010](#)
 - [Housing & Regeneration Act 2008](#)
 - [Public Interest Disclosure Act 1998](#)
- Complies with regulatory requirements

- Meets best practice and, where applicable, charity law principles

The NHF Code of Conduct 2012 provides a guide to the sector and is designed to provide a framework of good practice for associations to adopt, but allows for associations to reach their own view about what is and is not acceptable.

Responsibilities

For queries about this policy please contact the Governance, Risk and Assurance Team.

The Board and Executive has overall responsibility for this policy and are responsible for setting a rigorous and visible example of probity and conduct for colleagues.

Board members have a duty to make sure that Bromford's assets are kept safe and used appropriately.

The Directors, the Chief Executive, the Audit and Risk Committee and the Board can authorise exceptions as per the Policy Principles section.

Leaders are responsible for engaging with their team to:

- Implement and maintain the processes and procedures;
- Ensure that their people are aware of their responsibilities and receive appropriate training.

All colleagues are responsible for:

- Carrying out their work in line with this policy and associated procedures;
 - Applying our values and behaviours in everything they do;
 - Informing your line manager or the Governance, Risk and Assurance Team of all gifts and hospitality offerings.
-

Policy Principles

Probity

Colleagues should follow the principles of accountability, probity and openness in all they do, and must be done in ways which reflect the highest professional standards. Colleagues must demonstrate honesty and integrity and adopt the highest ethical standards of personal and professional conduct in all we do. We want to set an example for our sector and we follow the UK Corporate Governance Code.

Our decisions must be fair and open. We shouldn't treat, or appear to treat, colleagues, Board members, their close relatives, customers, suppliers or anyone more favourably than anyone else.

Accountability

We must be able to explain what we do and why we do it and be accountable for our actions. We should do the right thing and be mindful of professional codes of conduct.

Openness

We must be clear and honest about our activities so our customers, partners and stakeholders can have confidence in us. Bromford is committed to acting in an open, transparent and accountable way. We make sure that:

- our public statements and reports are clear, comprehensive, balanced and fully represent the facts;
- we show a willingness to be open with our customers and stakeholders;
- we carry out appropriate consultation before major changes are decided;
- we keep personal information confidential at all times.

Conflict of interest

Colleagues should act impartially and shouldn't be influenced by social or business relationships. They shouldn't use their role at Bromford to further their own interests.

Where a colleague's private interests conflict (or could potentially conflict) with the work they do at Bromford the colleague should declare it. Colleagues who are also a resident of Bromford should be aware of the potential conflicts of interest which may arise from this situation. Take extra care not to do anything at work or in your personal life which might look as if your integrity has been compromised.

All colleagues and board members / co-optees will be asked to make an annual declaration of interest but additional declarations of interest can be made at any time to their line manager or the Governance, Risk and Assurance Team.

All board members, committee members, executives and leaders must advise the Governance Risk and Assurance Team about any directorships or other significant positions of responsibility they have outside Bromford, including those of their close relatives or friends. This includes positions held elsewhere in the housing sector or connections they might have with organisations who have contracts with Bromford for example, where you are a board member or committee member of another social housing landlord or voluntary agency.

All conflicts (or potential conflicts) will be treated confidentially and recorded in a register held by the Governance, Risk and Assurance Team. Where a conflict has the potential to materially impact a colleague's day to day role their line manager may be informed so the conflict can be managed at team level and where the line manager feels it appropriate, the CEO or Chair of the Bromford Housing Group Limited Board should sign off on the case and agreed course of actions.

Only in exceptional circumstances will a contract of employment or a contract for the supply of goods or services be given to a Board member, and, depending on the circumstances, an ex-Board member or their close relative.

A contract may only be given with the approval of the Audit & Risk Committee, who will consider the circumstances in light of:

- statutory and regulatory requirements
- principles of charity law and guidance
- Bromford's Rules
- Public perception

Under S122 of the Housing and Regeneration Act 2008, current or recent shareholders of a Bromford Company cannot be paid a gift, dividend or bonus.

Any payments or benefits that are made in accordance with this policy to any colleague, including the Chief Executive, must be approved by the Board and decisions minuted for public inspection.

Gifts and Hospitality

- **Given by Bromford colleagues**

Money spent on gifts and hospitality should be reasonable and justified. The Board will set an example when using Bromford funds. Our “Gifts & Hospitality - How To” sets out when and how we should give gifts and hospitality, including how these should be captured and recorded.

- **Given to Bromford colleagues**

Any offer should be carefully considered before it is accepted. If a gift or hospitality is accepted, it should be reasonable and in proportion to the work that has been done to deserve it. Colleagues must not ask for personal gifts or suggest a gift or hospitality under any circumstances.

The “Gifts & Hospitality - How To” sets out when colleagues can consider accepting an offer of a gift or hospitality or when they should politely decline it. A register is kept by the Governance, Risk and Assurance Team to record gifts and hospitality that colleagues have given and received.

Bribery

Bromford is committed to an effective anti-bribery strategy. As part of this commitment Bromford will be proactive in communicating its anti-bribery stance to colleagues and external organisations.

Our policies and guides make it clear that colleagues should never:

- offer, accept or demand a bribe (including excessive gifts and hospitality) in order to attract or keep business or gain any other inappropriate advantage;
- offer or give in to demands to make illicit or illegal payments to anyone we do business with;
- engage and/or pay for services we don't legitimately need or have received in line with our Procurement Policy;
- make illegal or inappropriate contributions to candidates for public office or to political parties/organisations.

Colleagues should comply with Bromford's financial, auditing and management control systems.

To support this stance, we will:

- annually review the levels of gifts and hospitality that are deemed acceptable or excesses and the appropriate course of actions;
 - carry out periodic, informed and documented risk assessments of potential bribery risks faced by the business;
 - provide training to colleagues and board members on the Bribery Act and counter bribery procedures; and
 - be proactive in communicating its anti-bribery stance to employees and external organisations.
-

Risks

Poor governance arrangements which do not support the achievement of our vision, values objectives and intended outcomes for residents in an effective, transparent and accountable manner.

Fraud, bribery, corruption or lack of probity negatively impacts on our resources and reputation.

Failure to comply with this policy may result in a downgrade of our regulatory judgement by the Homes and Communities Agency.

Our customers and stakeholders expect us to use our financial resources wisely - Bromford's reputation could be damaged if gifts and hospitality are given for reasons that are inappropriate or unnecessary.

The potential consequences of being convicted of a bribery offence, include sanctions for both individuals and organisation. The organisation could receive an unlimited fine, and individuals can face up to 10 years imprisonment.

Assurance Framework

All colleagues are required to confirm they have read and understand this policy;

All colleagues will be required to complete the appropriate training relating to this policy which will test understanding;

Heads of Service will be asked to confirm that colleagues in their teams are complying with the principles of this policy on an annual basis;

We will produce an annual compliance statement and have periodic independent reviews to confirm that we follow the policy principles.

This policy will be reviewed every three years or sooner if changes are made to organisational structure, responsibilities, assurance arrangements or due to changes in the external environment.

Document Details

Owner: Sarah Beal – Head of Governance
Approved By: Board of Bromford Housing Group Limited
Date of Approval: July 2018
Next Review Due: July 2021
Policy Version: 1.0