

TRUST BOARD

Date of Meeting: 09/10/12	Agenda Item No: 9.3	Enclosure: 10
Intended Outcome:		
For noting	For information ✓	For decision ✓
Title of Report: The Bribery Act 2010 – How it affects the Trust, current compliance and actions required.		
Aims: To ensure Trust achieves and evidences compliance with the requirements of the Bribery Act 2010.		
Executive Summary: The Bribery Act 2010 became effective from July 2011 and reforms the criminal law of bribery making it easier to tackle this offence proactively in both the public and private sectors. It specifically introduces a corporate offence which means that the Trust (as a “relevant commercial organisation” under the Act) could be exposed to criminal liability, punishable by an unlimited fine, for failing to prevent bribery. The Trust must ensure that it is clear about its anti-bribery stance from the Trust Board down and put in place robust procedures proportionate to risk that demonstrate this and further compliance with the Act. Many such policies and procedures already exist. However, risk assessment and compliance work by internal audit note a number of gaps which once addressed will ensure full compliance. Having a programme of actions in place is in itself part of compliance with the requirement to have “adequate procedures” in place. The immediate steps being addressed today are that of: <ul style="list-style-type: none"> • addressing education and awareness at Board level through this paper and a brief presentation that follows. • demonstrating Board level support for and Trust anti-bribery position. • ensuring that adequate procedures are being addressed through the work programme presented for approval. 		
Overview of key areas for consideration or noting: <ul style="list-style-type: none"> • Result of risk assessment amber – main risk area identified is that of procurement and also need to ensure third parties/contractors also covered by adequate and proportionate procedures. Appendix 2 • Need for a Board Statement – see attached Appendix 1 and recommendation 1 • Result of gap analysis – amber – areas addressed by proposed work plan see report attached and recommendation 2 • Ensuring existing relevant policies and procedures are explicit in mentioning the Bribery Act – included in work plan • Ensuring that the Trust, its employees, contractors and agents are aware of the 		

standards expected particularly in known risk areas e.g. procurement – included in work plan

- Need to ensure all steps taken are recorded as this (along with having measures in place) provides the defence against corporate liability under the Act.

Specific implications and links to the Trust’s Strategic Aims:

Ensure we provide high quality, safe and effective care for all our patients including meeting essential standards of safety and quality as set out by the CQC	✓
Develop a viable integrated clinical strategy for secondary care services which is sustainable and affordable	
Develop a new healthcare facility in West Cumbria that is fit for the 21st century	
Achieve sustainable financial balance through the delivery of the Trust's internal Cost Improvement Programme, securing a viable contract income from our GP commissioners and contributing to the system wide cost reductions	
To develop and implement a successful merger or acquisition plan that enables the Trust to become part of an existing NHS Foundation Trust	

Recommendations:

The Board is requested to:

- (i) Approve the Board Statement on Bribery and ensure this is brought to everyone’s attention and published on its website.
- (ii) Approve and ensure implementation (through monitoring updates) the anti-bribery work program (action plan arising from risk assessment and compliance gap analysis).

Prepared by: Cheryl McAdams, Head of Internal Audit & Counter Fraud	Presented by: Alistair Mulvey, Director of Finance and Deputy Chief Executive
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CUMBRIA INTERNAL AUDIT & COUNTER FRAUD CONSORTIUM
NORTH CUMBRIA UNIVERSITY HOSPITALS NHS TRUST
THE BRIBERY ACT 2010 – PRESENTATION AND REPORT TO BOARD

This item will begin with a short presentation aimed at informing and raising awareness amongst board members of the relevant sections of the Bribery Act 2010 and its importance to the Trust, themselves as individuals and collectively as The Board.

Slide hand outs are attached to this paper at Appendix 3

THE BRIBERY ACT 2010

1. The Bribery Act 2010 (effective from July 2011) reforms the criminal law of bribery making it easier to tackle the offence proactively in both private and public sectors. It also introduces a corporate offence which means that relevant commercial organisations (such as NCUHT) will be exposed to criminal liability punishable by an unlimited fine for failing to prevent bribery. An accepted defence against this corporate offence is ensuring that “adequate procedures” are in place in the organisation to mitigate against bribery proportionate to the risks faced.
2. Any senior management or board member who consents or connives in any active or passive bribery offence will, together with the organisation, be liable for the corporate offence under the Act.
3. Any individual associated with an organisation who commits acts or omissions forming part of a bribery offence may be liable for a primary bribery offence under the act or for conspiracy to commit the offence with others – including for example their employer.
4. Action can be taken using a “twin-track” approach against both individual(s) and an organisation under the act.

WHAT THE TRUST NEEDS TO DO

5. The following table details the actions that need to be taken and current status in each domain- Risk Assessment, Commitment to preventing bribery, proportionate procedures, due diligence and monitoring and review:

NORTH CUMBRIA UNIVERSITY HOSPITALS NHS TRUST – BRIBERY ACT COMPLIANCE WORKPLAN

Risk Assessment

A successful anti-bribery programme requires an adequate risk assessment. They should be well informed, documented and reported to the Trust Board. The objective of a bribery risk assessment is to help the Trust Board and its managers identify what makes the Trust most vulnerable to bribery. This is essential to putting in place responses that are proportional to the level of risk present in achieving compliance with the Bribery Act. It promotes the prioritisation of effort and activity by focusing on the likelihood of bribery taking place.

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
Awareness at Trust Board level.		Some awareness activities have been undertaken in the Trust through the Local Counter Fraud Specialist route.	The Trust Board should receive awareness training in order to be able to demonstrate the ability to oversee risk management in relation to the Bribery Act.	Director of Finance Head of IA and CF.

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
Awareness of key managers and staff.		Generally in the most vulnerable fields of supplies procurement, pharmacy and estates the Trust has experienced staff alert to the risks of fraud and corruption. However, they have not received basic training in relation to Bribery Act and its new offences and requirements.	The key members of staff in the Trust who need to be specifically aware of the Bribery Act should be identified and given training. General training will be included in induction pack, through counter fraud awareness sessions (existing program) targeted sessions in pharmacy, procurement, finance, other risk areas as identified.	Director of Finance, Head of IA and CF, Head of Procurement, Chief Pharmacist, Director of Estates and Facilities Management
Annual risk assessment.		An initial risk assessment has been undertaken – this needs to be carried out annually. Attached at appendix 2.	Risk Assessments should be conducted annually under the leadership of the Director of Finance with the professional support of the Local Counter Fraud Specialist.	Director of Finance, Head of Internal Audit and Counter Fraud.
Adequacy of Trust Policies and Procedures.		The Trust's policies and procedures contain appropriate information on countering fraud and in some cases corruption but need to be updated to make specific	Update the Trust's relevant policies to cover bribery as well as fraud (and corruption)	Director of Finance, Head of Internal Audit and Counter Fraud.

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
		reference to bribery for complete clarity.		
Responding to incidents.		The Trust has in place arrangements through the Counter Fraud and Corruption Strategy to respond to fraud. These need to be updated to make specific reference to bribery for clarity.	Update the Counter Fraud and Corruption Strategy to cover bribery.	Director of Finance, Head of Internal Audit and Counter Fraud.
Procurement, Pharmacy and Estates		The Trust has in place experienced staff likely to be alert to the risks of fraud and corruption including bribery. It is particularly important in these key functions that an annual bribery risk assessment is undertaken and that continuous risk assessment is maintained.	Procurement, Pharmacy and Estates should have a detailed involvement in the annual bribery risk assessment.	Director of Finance Head of Internal Audit and Counter Fraud, Head of Procurement, Chief Pharmacist, Director of Estates and Facilities Management.
Business partners, associates and agents.		The Trust has business partners, associates and agents where it must ensure that they share a zero tolerance of bribery. In some cases the Trust is already	The Trust should adopt the policy of not doing business with any partners, associates and agents who cannot demonstrate their commitment to complying	Director of Finance Head of Internal Audit and Counter Fraud, Head of

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
		able to take such assurance including through working with North West Region, NHS SBS and Health Management (Carlisle). All third parties need to be made aware of anti-bribery requirements and agreements/contracts need to reflect this.	with the Bribery Act and should take steps to obtain such evidence appropriately.	Procurement, Chief Pharmacist, Director of Estates and Facilities Management.
Recruitment and employees.		The Trust has well-established recruitment procedures, but these should be assessed in terms of their adequacy in preventing bribery in the various situations that can arise before and during employment.	<p>Arrangements for identifying high risk employees that may require higher level vetting and close attention to disclosure of interests on appointment should be established in relation to the risk of bribery.</p> <p>Employees involved with key activities where bribery risk is higher should be formally re-assessed annually and with particular regard to declaring interests.</p>	<p>Director of Finance</p> <p>Director of HR</p> <p>Head of Human Resources.</p>
New activities.		All new activities including projects have inherent risk of	All new projects and activities should be reviewed	Director of Finance,

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
		giving rise to opportunities for bribery.	<p>and the scope for bribery to occur reviewed.</p> <p>Procedures should be established to counter bribery and particularly ensuring partners, associates and agents also have a zero tolerance of bribery.</p> <p>Project management procedures to be updated to reflect anti-bribery requirements</p>	<p>Acting Director IM&T</p> <p>Head of Procurement.</p>
Legal and technical issues.		Legal and technical issues will arise as this law matures and criminal and civil cases brought to court are reported.	Legal and technical issues in relation to the Bribery Act should be continuously monitored.	<p>Director of Finance</p> <p>Head of Internal Audit and Counter Fraud.</p>
Reputation.		It is expected that the likelihood of bribery is low but the impact on the Trust's reputation if it occurs is high. The Trust's reputation is also maintained by demonstrating to stakeholders and the public that comprehensive policies are in place. At	<p>The Trust's policies and procedures should be restored to the website.</p> <p>The Trust's Board Level anti-bribery statement once approved should also be displayed on its website.</p>	Director of Finance.

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
		present all the Trust's operational policies have been removed inappropriately for revision from the website.	Bribery Risk needs to be added to the Trust Risk Register at an appropriate level and reviewed as this action plan is completed	

The above areas should not be considered exhaustive and it is appropriate to think about other areas of risk.

Commitment to Preventing Bribery

The Trust Board has a busy agenda and countering bribery is likely to be one of many risks being overseen. Nonetheless setting the right tone at the top is important in establishing and embedding a zero tolerance culture towards bribery, alongside fraud, throughout the Trust and with outside partners, associates and agents.

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
Commitment to zero tolerance.		<p>The Trust Board has approved policies and procedures that incorporate zero tolerance to fraud and the Board supports the Local Counter Fraud Specialist arrangements. However no Board level anti-bribery statement is in place</p> <p>There is a mistake in Standing Orders, Reservation and Delegation of Powers and Standing Financial Instructions where the Director of Finance is said to “not” be responsible in relation to counter fraud management.</p>	<p>A Board level anti-bribery statement needs to be put in place.</p> <p>The Trust Board should ensure that when relevant policies are revised and approved they contain appropriate references to countering bribery.</p> <p>A correction should be made to Standing Orders, Reservation and Delegation of Powers and Standing Financial Instructions so that the correct responsibility of the Director of Finance in relation to fraud /bribery is stated.</p>	<p>Director of Finance, Human Resources, Head of Internal Audit and Counter Fraud.</p>

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
Risk Management.		<p>An annual bribery risk assessment process is needed but not yet in place.</p> <p>Bribery should also be routinely considered as part of wider continuous risk and the basis for this exists with the level of experienced staff the Trust employs.</p>	<p>The Trust Board should be assured annually that the risk of bribery in the Trust is being well-managed.</p> <p>Relevant entries in the Trust Risk register should be made</p>	<p>Director of Finance,</p> <p>Head of Procurement</p> <p>Risk Management</p>
Leadership by personal example.		<p>The Trust Board and Directors lead by example.</p> <p>Director of Finance is lead director for counter fraud and corruption – make explicit reference to bribery in documentation.</p>	<p>Specific reference to bribery to be added to Director of Finance’s current responsibilities re fraud and corruption.</p> <p>A board level anti-bribery statement should be in place</p>	<p>Director of Finance.</p> <p>Trust Board</p>

Proportionate Procedures

It is expected in the guidance to the Act that the procedures the Trust designs and implements will be proportionate to the level of risk faced. The Trust has a lot of relevant robust and mature procedures which contribute to countering fraud and corruption. The main issue is that these need to be updated to address the new requirements relating to bribery.

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
Fraud management prescribed by NHS Protect.		The Trust has effective Local Counter Fraud Specialist arrangements.	The Trust should continue to maintain counter fraud arrangements in accordance with the standards prescribed by NHS Protects.	Director of Finance Head of Internal Audit and Counter Fraud.
Policies, procedures and strategies		<p>The Trust has policies and procedures that counter fraud but these need to be updated for bribery.</p> <ul style="list-style-type: none"> • Counter Fraud and Corruption Strategy • Standing Orders, Reservation and Delegation of Powers and Standing Financial Instructions • Standards of Business Conduct 	Revise policy and procedures and ensure appropriate procedures for countering bribery are established and maintained.	Director of Finance, Head of Internal Audit and Counter Fraud. Head of Procurement Director of HR Head of Human Resources

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
		<ul style="list-style-type: none"> • Procurement Policy • Supplier Representative Interface Policy Non Pharmaceutical (Northumbria) • Policy & Procedure on Raising Serious Concerns at Work • Disciplinary Procedure • North Cumbria University Hospitals Corporate Induction Handbook • Induction and Mandatory Training Policy • Incident Management Policy. 		

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
Guidance to all employees on what to do if offered a bribe.		<p>Instructions in circulation relating to fraud at various locations need to be updated to also refer to reporting offences in the Bribery Act. These replace the abolished corruption offences. Some leaflets distributed during fraud awareness week</p> <p>Employment contracts should also reflect anti-bribery requirements</p>	<p>Update all guidance provided to employees including leaflets etc to refer to bribery.</p> <p>Employment contracts are currently being updated and opportunity should be taken to include relevant clauses.</p>	<p>Director of Finance. Head of Internal Audit and Counter Fraud, Director of HR Head of Human Resources.</p>
Guidance to all employees on what to do if asked for a bribe.		<p>Instructions in circulation relating to fraud at various locations need to be updated to also refer to reporting offences in the Bribery Act. These replace the abolished corruption offences.</p>	<p>Update all guidance provided to employees including leaflets etc to refer to bribery.</p> <p>Induction pack to be updated</p>	<p>Director of Finance, Head of Internal Audit and Counter Fraud, Director of HR</p>
Penalties for making or receiving a bribe (e.g. disciplinary action, dismissal, referral to authorities).		<p>The Trust has counter fraud management arrangements through the Local Counter Fraud Specialist to investigate bribery and seek prosecution and civil penalties.</p>	<p>The Trust should continue to maintain counter fraud arrangements in accordance with the standards prescribed by NHS Protects.</p> <p>The Trust should update the</p>	<p>Director of Finance, Head of Internal Audit and Counter Fraud, Human Resources.</p>

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
		The Trust has established employee disciplinary procedures including for breaching standards of business conduct and the code of conduct.	Standards of Business Conduct and Code of Conduct.	
Facilitation payments.		Facilitation payments, sometimes called greasing payments, may be requested or given to entice officer holders to act more quickly etc. These are likely to constitute bribes under the Bribery Act and need to be prohibited.	In updating the Trust's policies and guidance it is important to specifically prohibit facilitation payments. Note risk is currently thought to be low	Director of Finance, head of Procurement, Head of Internal Audit and Counter Fraud, Human Resources.
Gifts and hospitality.		The Trust has well established requirements in this area.	Update guidance on gifts and hospitality (accepting and giving) to cover the new bribery offences and requirements.	Director of Finance, Head of Internal Audit and Counter Fraud, Director of HR
Partners, associates and agents.		The Trust should ensure that in all these forms of relationship it is	The Standards of Business Conduct are already in place and should be updated to	Director of Finance, Head of Procurement.

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
		communicated that the Trust takes a zero tolerance towards bribery and insists its representatives to not offer or receive bribes.	cover bribery. The Standards of Business Conduct standards should be prominently displayed and also sent to all partners, associates and agents.	
Procurement.		<p>The Trust's procurement procedures are mature and contain protection against fraud and corruption. The arrangements in place need to be updated to embrace the bribery offences.</p> <p>Contracts and forms of communication during procurement with suppliers and contractors etc should ensure they support and comply the Trust's zero tolerance approach to bribery.</p>	All contracts and where appropriate other forms of communication should set out requirement to comply with the Bribery Act 2010.	Director of Finance, Head of Procurement.
Conflicts of interest		The Trust has established arrangements involving registers for recording conflicts of interest and allowing people affected to	Continue to review the effectiveness of the arrangements for registering	Human Resources, Director of Finance, Head of Internal Audit and

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
		avoid them.	conflicts of interest.	Counter Fraud. Company Secretary
Whistle-blowing		The Trust has policy that encourages employees and others to raise serious concerns including fraud.	The Policy & Procedure on Raising Serious Concerns at Work should be updated to include appropriate references to disclosing concerns about bribery.	Director of Finance, Director of HR.
Staff Training and Awareness		<p>The induction training for new employees incorporates discussion of counter fraud measures which needs to be updated to embrace bribery.</p> <p>It is important that key members of staff are given specific training in the requirements of the Bribery Act and this includes the Trust Board which has overall oversight and responsibilities for risk management and counter measures.</p>	<p>Review the Trust's training and awareness of staff and implement appropriate updates to cover bribery.</p> <p>Risk Work book</p> <p>Induction pack</p>	<p>Director of Finance, Director of HR Head of Internal Audit and Counter Fraud, Head of Human Resources.</p>

Due Diligence

The Bribery Act guidance requires due diligence to be applied to persons who perform or will perform services for or on behalf of the Trust in order to mitigate identified bribery risks. It is expected that a proportionate and risk based approach will be applied.

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
Due diligence procedures to ensure bribing does not take place on behalf of the Trust.		<p>The Bribery Act has a greater expectation that the Trust actively stops associates and agents representing the Trust from misconduct and using bribes on behalf of the Trust.</p> <p>The Trust has a number of significant partners including the North West Region, NHS SBS and Health Management (Carlisle) where there is a commitment to compliance with the Bribery Act and from whom the Trust can take assurance.</p>	A review should be undertaken to determine the extent to which additional due diligence processes are needed to ensure bribery is not used on the Trust's behalf.	Director of Finance, Head of Procurement,
Conditions in contracts.		The conditions on which the Trust does business should make clear that compliance with the Bribery Act is mandatory when representing the Trust. In	Ensure that wherever possible contract conditions contain appropriate references to compliance with the Bribery Act.	Director of Finance, Head of Procurement,

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
		many cases the Trust relies on standard NHS contract conditions or other standard conditions and these may not always be up to date in referring to the Bribery Act		Director of Estates

Communication and Engagement

Bribery prevention policies and procedures should be embedded and understood throughout the Trust by internal and external communication including training that is proportionate to the risks faced.

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
Communication includes policies on relevant areas such as decision making, financial control, hospitality and promotional expenditure, facilitation payments, training, donations, penalties for breaches of rules and the articulation of management roles at all levels.		The Trust has in place policies, procedures and strategies that address all the areas of risk but some of these should be updated to specifically refer to the new bribery offences and the counter measures required.	Ensure that all policies, procedures and strategies are reviewed and updated to communicate anti-bribery measures clearly.	Director of Finance, Director of HR Head of Internal Audit and Counter Fraud, Head Human Resources.
Secure, confidential and accessible means for internal and external parties to raise concerns about bribery.		The Trust has whistle-blowing arrangements set out in the Policy & Procedure on Raising Serious Concerns at Work.	The Policy and Procedure on Raising Serious Concerns at Work should be updated to include appropriate references to bribery.	Director of Finance, Head of Internal Audit and Counter Fraud, Company Secretary
Training for employees, business partners, associates and agents.		The Trust has well established training arrangements, particularly for employees (e.g. induction). There is a need to review where the training needs to	Undertake a review of training needs in relation to bribery and implement changes.	Director of Finance Director of HR Head of Internal Audit and Counter Fraud, Head of

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
		be amended or added to, proportionately according to risk, to cover anti-bribery measures.		Human Resources, Head of Procurement.

Monitoring and Review

It is important that procedures to prevent bribery are monitored and improvements made where necessary.

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
The Board receives adequate assurance that the risk of bribery is being controlled		Bribery is not sufficiently embedded within the risk management procedures. However, the Trust otherwise has well established internal control and the NHS requires an annual statement of internal control and assurance process.	Bribery risk should be embedded as an issue considered in the Trust's risk management procedures and the annual statement of internal control should address the adequacy with which bribery risk has been controlled.	Director of Finance, Head of Internal Audit and Counter Fraud, Risk Management.
Various measures are used to assess and monitor how embedded anti-bribery measures are and their level of effectiveness.		There are a wide range of ways in which information about how anti-bribery arrangements are operating in practice can be gathered including surveys, questionnaires, forums etc. The Local Counter Fraud Specialist has an important role reviewing the design and implementing of anti-bribery guidance and controls.	Monitoring of anti-bribery arrangements should be undertaken through all the available opportunities. Will be included in bi-annual survey on counter fraud effectiveness Regular reports to Board should be made – this should start with updates on this workplan by Director of Finance.	Director of Finance, Head of Internal Audit and Counter Fraud,

Risk or Expected Good Practice	Current Status	Audit Comments	Action Needed	Responsibility
External verification.		The external auditor has a responsibility to look out for material fraud and other unlawful acts as part of the audit of accounts.	The external auditor will report any concerns and particularly where they are material to the figures in the statement of accounts.	External Audit.

DRAFT BOARD STATEMENT**Bribery Act 2010 - North Cumbria University Hospitals NHS Trust - Board Statement and Anti-Bribery Strategy****Background:**

The Bribery Act 2010 came into force on 1st July 2011, reforming the criminal law of bribery and corruption making it easier to tackle these offences proactively. It creates specific criminal offences which carry custodial sentences of up to 10 years and potentially unlimited fines. It also introduces a corporate offence which means that the majority of organisations across the public, private and charitable sectors will be exposed to criminal liability, punishable by an unlimited fine, for failing to prevent bribery. The Department of Health Legal Service has advised that NHS bodies such as NHS Trusts are deemed to be a relevant corporate body.

Bribery may be considered to be: *“an inducement or reward offered, promised or provided to someone to perform their functions or activities improperly in order to gain a personal, commercial, regulatory and/or contractual advantage.”*

Zero Tolerance:

Bribery is a criminal offence. North Cumbria University Hospitals NHS Trust does not, and will not, tolerate any form of bribery, whether direct or indirect, by their staff, agents, consultants or any persons or entities acting on its behalf. The board and senior management are committed to implementing and enforcing effective systems throughout North Cumbria University Hospitals NHS Trust to prevent, monitor and eliminate bribery in accordance with the Bribery Act 2010.

Proactively combatting bribery has clear benefits for this organisation and the wider NHS. It helps prevent:

- adverse damage to or criticism of the organisation’s reputation and funding
- potential diversion and/or loss of resources from NHS care
- unforeseen and unbudgeted costs of investigations and/or defence of any legal action
- a negative impact on patient/stakeholder perceptions

Active Counter Measures

North Cumbria University Hospitals NHS Trust has key policies including, the Counter Fraud and Corruption Policy, Standards of Business Conduct and Whistleblowing outlining our position on preventing and prohibiting bribery. The provisions of these policies apply to all employees, agency workers, consultants and contractors acting for and on behalf of North Cumbria University Hospitals NHS Trust. All employees and other individuals acting for or on behalf of the Trust are required to familiarise themselves and comply with these policies.

Our Strategy includes

- Top-level (Board) commitment to ensuring a zero-tolerance culture towards bribery
- Risk-assessing those areas of the organisation which may be most vulnerable to the threat of bribery
- Ensuring that all departments review their policies, protocols, procedures and core documentation (including contract documentation) to ensure that adequate procedures are in place to prevent and mitigate the bribery risk
- Ensuring that everyone who works for or with NHS North West is aware of the risks and knows what to do if they suspect or discover bribery.
- Ensuring that appropriate training is given to all directors, officers including agency workers and those providing services under management services agreement

To find out more about the Bribery Act and how it might affect your department or area of responsibility, please contact your Local Counter Fraud Specialist (contact details below).

Penalties and assurances

No person will suffer removal from office, penalty or other adverse consequences for refusing to accept / pay a bribe, even if such refusal may result in the Trust losing business.

The Trust, will seek to obtain the strongest penalties – including criminal prosecution, as well as disciplinary and civil sanctions – against *anyone* associated with North Cumbria University Hospitals NHS Trust who is found to be involved in any bribery activities.

Reporting Concerns:

If you have any concerns or suspicions regarding bribery, corruption or fraud, please contact your Local Counter Fraud Specialist – Cheryl McAdams, Tel: 01228 603167, email: cheryl.mcadams@cumbria.nhs.uk , Jane Martin, Tel: 01228 603180, Justin Williams 01539 797881.

NHS Protect Fraud & Corruption Reporting Line, Tel: 0800 028 40 60.

NHS Protect Fraud & Corruption Reporting Form (online)
<http://www.reportnhsfraud.nhs.uk>.