



The Langstane Group

Anti Bribery Policy

Date approved by Leadership Team	5 July 2022
Board of Management / Committee	24 August 2022
Implementation date	1 September 2022
Review date	August 2025
Version	V3

Version	Date Approved	Changes
Version 1	2014	First issue
Version 2	15 July 2019	Re-write
Version 3	24 August 2022	<p>Three policy links added</p> <p>Minor additions to section 5.1</p> <p>Update to team names following restructure</p> <p>Roles and Responsibilities section 7 added</p> <p>Reference to notifiable events added to section 6 with supporting information</p> <p>Amend 'staff' to 'employee' for agreed terminology change</p>

1. Introduction

Langstane Housing Association is a Co-operative and Community Benefit Society and a registered social landlord with charitable status.

The Langstane Group (The Group) consists of Langstane Housing Association Limited, and its wholly owned subsidiaries. This policy applies to the Langstane Group.

The Group is committed to the highest standards of ethical conduct and integrity in all its activities. It is committed to the prevention, deterrence and detection of bribery and will not condone giving or taking bribes by any person connected with the organisation or its services.

2. Aims and Objectives of the Policy

The objective of this policy is to ensure compliance with the Bribery Act 2010 across the Langstane Group.

3. Links to other strategic documents and policies

The Group's Anti-Bribery Policy is linked to a number of strategic documents and policies in particular but not solely:

- Employee Handbook
- Declarations of Interest – processes and registers
- Code of Conduct (Employee and Board of Management)
- Entitlements Payments and Benefits Policy
- Whistleblowing Policy
- Privacy Policy
- Risk Management Policy
- Financial Regulations
- Scheme of Delegation
- Standing Orders
- Treasury Management Policy
- Anti Fraud Policy
- Notifiable Events Policy

4. Policy Statement

This policy outlines the Group's position on preventing and prohibiting bribery, in accordance with the Bribery Act 2010 and applies to all employees of the Group, tenants, Board Members or associated persons including agency or temporary workers, contractors, consultants or suppliers.

The policy requires that all employees, board members and associated persons comply with this policy and act honestly, responsibly and with integrity and safeguard and uphold the Group's core values.

5. Policy

5.1. The Group will comply with the principles of the Bribery Act 2010 as a part of everyday business, taking a risk-based, proportionate approach.

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 or knowledge (active bribery); or
- belief that accepting such a reward would constitute the improper performance of such a function or activity (passive bribery).

A 'relevant function or activity' includes business activities or any other activity performed in the course of a person's employment or engagement as a temporary worker, consultant, contractor where the person performing that activity is expected to perform it 'properly', meaning in good faith, impartially, or in accordance with a position of trust.

5.2. This policy prohibits employees or associated persons from offering, promising, giving, soliciting, or accepting any bribe. This includes cash, a gift or other inducement made to gain personal, commercial, regulatory, or contractual advantage.

In particular, it is unacceptable to:

- give, promise to give, or offer a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given;
- give, promise to give, or offer a payment, gift or hospitality to a government official, agent, or representative to 'facilitate' or expedite a routine procedure;
- accept payment from a tenant or prospective tenant that you know or suspect is offered with the expectation that they will receive an allocation of housing or other benefit in return;
- accept payment from a third party that you know or suspect is offered with the expectation that it will obtain a business advantage for them;
- accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided by you in return
- retaliate against or threaten a person who has refused to commit a bribery offence or who has raised concerns under this policy
- engage in any activity in breach of this policy

5.3. Gifts and Hospitality

Employees are aware of the Entitlements, Payments and Benefits Policy and the requirement to record any gifts or hospitality in line with that policy. The Group requires that any gifts or hospitality are managed and recorded very carefully to ensure the highest level of probity.

5.4. Charitable Donations

The Group recognises that charitable donations (both received and given) form part of its wider commitment and responsibility to the communities where it operates. Where a donation is given or received clear authorisation and recording is required.

5.5. Raising a Concern / Reporting Bribery

The Group's Whistleblowing Policy enables employees or Board Members or any associated person to raise concerns relating to conduct which they believe to be improper, illegal, or immoral. All suspicions of bribery should be reported in accordance with the Whistleblowing Policy.

In particular employees and associated persons are required to report:

- requests for cash payments;
- requests for unusual payment arrangements, for example via a third party;
- requests for reimbursements or unsubstantiated or unusual expenses or a lack of standard invoices and proper financial practices

Notwithstanding the reporting requirements of the Whistleblowing Policy any suspected or detected bribery should be reported to the Chief Executive Officer at the earliest opportunity.

Depending on the nature of the bribery or suspected bribery, it may be appropriate or necessary to report the incident to the Group's regulatory bodies.

6. Breach of Policy

Failure to comply with this policy will result in damage to the reputation of the Group and sector as a whole. The Group may face criminal liability, under the Act, for unlawful actions taken by employees, Board Members, or associated persons. If convicted, the Group could receive an unlimited fine and, potentially, be excluded from tendering for public contracts. Individuals could be liable on conviction to imprisonment for up to 10 years.

A breach of any provision of this policy will constitute a disciplinary offence and will be dealt with in accordance with Langstane Housing Association's disciplinary procedure. Depending on the gravity of the offence, it may be treated as gross misconduct and could render the employee liable to summary dismissal. As far as associated persons are concerned, a breach of this policy could lead to the suspension or termination of any relevant contract, sub-contract, or other agreement.

6.1. Notifiable Events

A detailed guidance note is available on the Scottish Housing Regulator's website. As a general guideline, notifiable events are those that may:

- seriously affect the interests and safety of tenants, people who are homeless or other service users
- threaten the stability, efficient running, or viability of service delivery arrangements
- put at risk the good governance and financial health of the Association

- bring the Association into disrepute or raise public or stakeholder concern about the Association or the social housing sector.

Taking the above into account, it is possible that a breach of this policy is reportable as a notifiable event. This could be due to reputational damage should the breach become public knowledge, or in relation to dismissal of an employee, or legal proceedings. The Leadership Team will consider breaches on a case-by-case basis and make a decision taking into account the current Scottish Housing Regulator guidance on notifiable events. In most cases the notification is made by the Chief Executive or, in some circumstances, the Chair of the Board or their deputy will submit the notification to the Scottish Housing Regulator.

If allegations of bribery are made via the Whistleblowing Policy, this is automatically a notifiable event.

7. Roles and responsibilities

7.1. Board of Management and Chief Executive

Overall responsibility for this policy lies with the Board of Management with day-to-day implementation and adherence delegated to the Chief Executive.

The Board of Management is responsible for ensuring:

- Effective policy and procedures are in place that deter and detect incidents of bribery;
- A culture that reflects all the Association's values is operated at all times; and
- All reported incidents of suspected bribery are promptly and robustly investigated and where necessary, appropriate sanctions applied

The Board of Management is responsible for ensuring that its actions meet the highest standards and in particular the Scottish Housing Regulator's regulatory standards for governance and the approved Code of Conduct for governing body members.

Where an incident or incidents of bribery is strongly suspected or an allegation received, the Chief Executive will be advised immediately, and will set up an investigation. Employees appointed to the investigation will include the Director of Finance & Corporate Services and another member of the Leadership Team. Where the allegation relates to the Chief Executive, the Chairperson of Langstane Housing Association will be advised and will instruct the actions to be taken.

The Convenor of the Joint Audit & Governance Committee will be advised immediately as will the Chairperson of Langstane Housing Association and the Chairperson of any directly affected subsidiary.

The Chief Executive will notify any required regulatory or official body including but not restricted to the Scottish Housing Regulator.

7.2. Leadership Team (Chief Executive and Departmental Directors)

The Chief Executive and Departmental Directors have responsibility for ensuring they model the Association's values at all times. In addition with regard to this policy they ensure that:

- Governing body members receive a reminder of the content of the Code of Conduct, and annual assurance is provided from them in relation to expected standards of conduct;
- A culture of transparency and honesty is fostered amongst employees, and ensuring employees are aware of the expected standards of professional conduct required;
- Employees have the required level of knowledge and training to understand their responsibilities in terms of the Anti-Bribery Policy; and
- The notification requirements of regulators are met.

Individual members of the Leadership Team have roles in relation to any investigation of suspected or reported breaches of this policy, and the Group's Whistleblowing Policy.

7.3. Employees

Individual employees must adhere to the approved Code of Conduct for employees at all times. They are also tasked with:

- Being alert to possible triggers and higher risk areas where bribery may be attempted;
- Reporting any suspicious activity or suspected / attempted incidents of bribery;
- Acting with integrity and propriety in accordance with the Association's values at all times.

7.4. Auditors

The above responsibilities do not replace the role of the Langstane Group's auditors. Nor does the use of auditors remove responsibility from those connected to the Langstane Group.

Internal auditors are employed to support the detection of any activity that is out of the ordinary through testing the adequacy and effectiveness of relevant policies and procedures.

8. Risk Management

The Group will reduce the risk of bribery by ensuring proper checks and balances are in place including strict adherence to Financial Regulations, authorisation levels and the Scheme of Delegation.

9. Monitoring and review

The policy will be monitored and reviewed on a regular basis by the Director of Finance and Corporate Services who has a responsibility for ensuring compliance. Regular

updates will be provided to the Board of Management who has overall responsibility for ensuring this policy complies with the Group's legal and ethical obligations.

The Group will provide training to all employees to help them understand their duties and responsibilities under this policy.

10. Equality and diversity

The Langstane Group is committed to promoting equality and diversity across all areas of work. Discrimination or harassment of any kind is not tolerated.

Right to complain

In the event you are not satisfied with the service you have received, please contact the Association for a copy of the Complaints Policy. This can also be viewed on Langstane Housing Association's website – www.langstane-ha.co.uk.

If you would like this document sent to you in large print, please contact executiveassistants@langstane-ha.co.uk.