

Chief Executive Statement

Bribery Act 2010 & Trust Anti-Bribery Strategy

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 Foundation Trusts are deemed to be relevant corporate bodies and will become liable unless they put in place 'adequate preventative procedures', for acts of bribery and corruption committed by persons associated with them, in the course of their work. This is a collective, NHS-wide initiative.

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. The Countess of Chester Hospital NHS Foundation Trust does not, and will not, pay bribes or offer improper inducements to anyone for any purpose; nor do we, or will we, accept bribes or improper inducements. This approach applies to everyone who works for us, or with us. To use a third party as a conduit to channel bribes to others is a criminal offence. We do not, and will not, engage indirectly in, or otherwise encourage, bribery.

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

- adverse damage to or criticism of the organisation's reputation and funding;
- the potential diversion and/or loss of resources from NHS care;
- unforeseen and unbudgeted costs of investigations and/or defence of any legal

action; and,

- a negative impact on patient/stakeholder perceptions

Penalties

This organisation, in conjunction with the NHS Counter Fraud Authority, will seek to obtain the strongest penalties

– including criminal prosecution, as well as disciplinary and civil sanctions – against anyone associated with the Countess of Chester Hospital NHS Foundation Trust who is found to be involved in any bribery activities.

Active Counter Measures

We are as committed to the prevention, deterrence and detection of bribery just as we are to combatting fraud in the NHS. As an organisation, we have a zero-tolerance attitude towards bribery and we aim to maintain anti-bribery compliance as “business as usual”, rather than as a one off exercise.

Reporting Concerns

If you have any concerns or suspicions regarding bribery, corruption or fraud, please contact:

- Our Local Counter Fraud Specialist – Claire Smallman -Tel 07769304145
Email Claire.smallman@miaa.nhs.uk
- NHS Fraud & Corruption Reporting Line
Tel – 0800 028 40 60
- NHS Fraud & Corruption Reporting Form (online)
<http://www.reportnhsfraud.nhs.uk/>