



Anti-Bribery Policy

Effective from 08 November 2018

1. Anti-Bribery Statement

- 1.1 As an independent regulator, it is our role to protect, promote and maintain the health, safety and wellbeing of patients and of those who use pharmaceutical services. The GPhC is committed to carrying out its regulatory functions and statutory requirements in an honest and ethical way. As such, taking steps to avoid bribery and corruption is essential to conducting our duties.
- 1.2 The GPhC does not tolerate any form of bribery.

2. Procedure statement

- 2.1 The Bribery Act 2010 came into force on 1 July 2011. The offences under the Act can be summarised as:
 - 1) bribing another person;
 - 2) receiving a bribe;
 - 3) bribing a foreign public official; and
 - 4) failing to prevent bribery.
- 2.2 Directors and senior officers may be guilty of offences if they are implicated either actively or passively. For avoidance of doubt, the definitions relating to bribery are as follows:
 - **Bribery:** 'Giving or receiving something of value to influence a transaction'¹. Examples include gifting those in a position to influence decisions through monies, 'free' entertainment, 'free' holidays, or 'free' services.
 - **Fraud:** The Chartered Institute of Public Finance and Accountancy (CIPFA) defines Fraud as the 'intentional distortion of financial statements or other records by persons internal or external to the organisation, which is carried out to conceal the misappropriation of assets or otherwise for gain.'
 - **Corruption:** CIPFA defines corruption as: "The offering, giving or soliciting or acceptance of an inducement or reward, which may influence a person to act against the interests of the

¹ www.sfo.gov.uk

organisation.” Examples of areas where corruption can occur include failing to follow procurement processes and making appointments outside of due process.

3. GPhC Commitment

- 3.1 Anti-bribery procedures are committed to from the top level of the organisation; Council and committee members, the Chief Executive & Registrar and Senior Leadership Group members complete a register of interests and a register of gifts and hospitality worth over £20 which are published and updated regularly.
- 3.2 Our Council applies the 7 Principles of Public Life (Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, and Leadership) to all its work and decision making.
- 3.3 All GPhC Council members, committee members, associates and partners are required to uphold values based upon the *7 principles of public life* and comply with a code of conduct and behavioural standards. Similar arrangements are in place for employees.

4. Gifts, Hospitality, Entertainment and Expenses

- 4.1 All those associated with the GPhC must not engage in any activity that might lead to, or suggest a conflict of interest with our regulatory.
- 4.2 The offering, or giving, of gifts, hospitality and entertainment must:
 - not be given or received with the intention of influencing a third party to obtain or retain business or business advantage, to reward the provision or retention of business or business advantage, or in an explicit or implicit exchange for favours or benefits;
 - not constitute an offence under the Bribery Act 2010;
 - be given at a corporate level, not an individual level;
 - not include cash or a cash equivalent;
 - be appropriate, reasonable, proportionate, given in good faith and at an appropriate time; and
 - be given openly.

5. Your Responsibilities

- 5.1 You must ensure that you have read and understood this policy. You must comply with it and its terms when acting on behalf of the GPhC. You must inform the GPhC of the details of any third

party engaged by you, in line with the authority framework and procurement policy, on behalf of the GPhC and you must ensure that they agree to be bound by, and comply with, the terms of this policy.

6. Record Keeping Provisions – Purchases

- 6.1 You must ensure that you retain purchase documentation identifying and relating to any third party or other person engaged by you on behalf of the GPhC.

7. Risk Management and Due Diligence

- 7.1 As part of its regular risk management processes, the organisation assesses the nature and extent of its exposure to risks of bribery, and the measures taken to mitigate those risks. The strategic risk register is updated every quarter by the Senior Leadership Group and is reviewed at every meeting of the Audit & Risk Committee and subsequent meeting of Council.
- 7.2 The assessment of bribery risk will, in part, be informed by due diligence exercised through GPhC Human Resources, whistleblowing and financial and procurement policies and procedures.

8. Penalties

- 8.1 Violations of the UK Bribery Act 2010 are a serious matter and could result in significant criminal and/or civil penalties. Penalties include imprisonment for up to 10 years for individuals committing the offence, together with unlimited fines.
- 8.2 Fines imposed on individuals will not be paid by the GPhC. A violation will also result in disciplinary action by the GPhC up to, and including, termination of employment or other contract.
- 8.3 While the GPhC is not a commercial organisation, third parties with which it associates must be mindful of their responsibility to prevent bribery on their behalf. Penalties for corporate offences include unlimited fines for the business. Senior Officers who were aware of the bribes may also face penalties.

9. Communication

- 9.1 The anti-bribery policy will be shared with all staff via the policy and procedure library on the intranet. It will also be published on the GPhC's website as part of the organisation's governance and assurance framework. The register of interests is published via the GPhC website as well as the register of gifts and hospitality for Council members, external committee members and members of the Senior Leadership Group.

- 9.2 This policy will be communicated to our suppliers, contractors, and business partners who will be asked to review it and abide by its terms.

10. Guidance and Raising Concerns

- 10.1 If an instance of bribery is suspected or detected internally, it should be raised through the usual line management chain. Where the circumstances mean this is not possible or appropriate the raising concerns policy should be used, which explains that serious concerns can be raised with Chief Executive and Registrar, or other named senior individual, directly so that the matter can be resolved efficiently and effectively.
- 10.2 Suppliers, contractors and other third parties can make contact confidentially with the GPhC by emailing GovernanceTeam@pharmacyregulation.org or by writing to:

Head of Governance
General Pharmaceutical Council
25 Canada Square
Canary Wharf
London E14 5L

- 10.3 Anyone raising a concern in good faith will not be criticised or penalised in any way, even if it is shown, after investigation, that they were mistaken. Any reprisal or victimisation against anyone who has raised a genuinely-held concern will not be tolerated, and itself will be treated as a disciplinary matter.

11. Supporting policies

- 11.1 This policy is supported by a range of other supporting policies and procedures, which can be found on the Governance, HR and Finance pages of the intranet, and in the policies and procedures library. This includes:
- Gifts and hospitality policy
 - Declarations of interest policy
 - Staff and non-staff expenses policies
 - Staff Code of Conduct
 - Values, conduct and behaviours for Council members, associates and partners
 - Disciplinary policy and procedure
 - Raising concerns and whistle-blowing
 - Standing financial instructions

- Procurement Policy
- Scheme of Delegation and Authority Framework

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