



Anti-Fraud and Bribery Policy

Purpose

The Restoration and Renewal Delivery Authority (DA) is established under the Parliamentary Buildings (Restoration and Renewal) Act 2019 for the purposes of restoring the Palace of Westminster ('the Programme'). The DA is committed to preventing and detecting fraud and bribery and to taking swift and effective action if fraud or bribery is suspected or discovered to have occurred.

Fraud involves the use of deception to gain an unfair advantage, avoid an obligation or cause loss to another party. All references in this Policy include attempted fraud, which is an offence and is regarded with the same gravity as accomplished fraud. Fraud can be perpetrated by people inside and outside the organisation and may or may not involve theft.

Bribery is offering, promising, giving or accepting any financial or other advantage, to induce the recipient or any other person to act improperly in the performance of their functions, or to reward them for acting improperly, or where the recipient would act improperly by accepting the advantage. An advantage could include money, gifts, loans, hospitality, discounts or the award of a contract, for example.

The DA has zero tolerance for fraud and bribery and will uphold all UK laws relevant to countering fraud and bribery, including the Bribery Act 2010 and the Fraud Act 2006 (as may be amended from time to time). The DA is committed to conducting all aspects of business in an honest and ethical manner.

To do this the DA will adhere to the Principles set out in this Policy which set out the steps the DA takes to protect against Fraud and Bribery

Who does this policy apply to?

Everyone working for or providing services to the DA including DA employees, secondees, Board Members, consultants, contractors and agency/interim workers (collectively hereafter referred to as 'DA colleagues') must comply with this Policy. Suppliers and partners working for or on behalf of the DA must have a similar policy and procedure within their organisation that meets the requirements of the Fraud Act 2006 and the Bribery Act 2010 to which they will comply.

In addition to enforcement action against the DA, all DA colleagues should be aware that offences under the Fraud and Bribery Acts can be punished by up to ten years imprisonment and/or a fine.

Principles

The DA fulfils its duty to protect against fraud and bribery and ensure integrity in the use of public money by:

- promoting awareness across the Programme of the risks of fraud and bribery and DA colleagues' responsibilities with regard to detection and prevention;
- ensuring DA colleagues complete their respective Register of Interests forms and abide by the Gifts and Hospitality Policy;
- ensuring that the DA's approach to fraud and bribery is communicated to all suppliers, contractors and business partners at the outset of any relationship and where suppliers, contractors and business partners enter into a contractual relationship with the DA, the



appropriate contractual provisions (including, but not limited to, those in clause 55 of the PDA) relating to fraud and bribery are set out in writing;

- establishing and maintaining appropriate controls to prevent and detect fraud and bribery;
- putting in place protection and procedures for reporting of fraud and/or bribery (including via whistleblowing);
- investigating actual and perceived cases, and taking effective and corrective action where fraud or bribery is suspected or discovered; and
- identifying risks to which systems and procedures may be exposed and then managing and mitigating those risks in a controlled manner.

The DA does not make any monetary donations to political or charitable organisations (although it may make payments for services provided by charitable organisations in connection with the Programme).

The DA does not make (and will not accept) any facilitation payments of any kind. Facilitation payments are typically small, unofficial payments made to secure or expedite a routine government action by a government official.

Anti-Bribery Framework

This Policy should be read in conjunction with the following documents, which together with this policy, comprise the DA's Anti-Fraud and Bribery Framework and provide further details on how this policy will be implemented and how instances of suspected fraud or bribery will be investigated:

- Strategy: Counter Fraud
- Anti-Fraud and Bribery Action Plan

The following DA policies and procedures further set out the standards and behaviours expected of everyone working on the Programme:

- Gifts and Hospitality Policy
- Conflicts of Interest Policy
- Code of Conduct
- Whistleblowing Policy

The DA has identified in its Strategy: Counter Fraud those fraud and bribery risks that are particular risks to its operations.

Responsibilities and Record Keeping

Anyone working on the Programme has a duty to immediately report an actual or perceived act of fraud or bribery, without fear of intimidation or retaliation.

DA colleagues should follow the guidance set out in the schedules to this policy:

- Responsibility to report and investigate - please consult Schedule B for more detail on your obligations to report and the DA's investigation processes.
- Responsibilities of management – please consult Schedule C for more detail on the obligations on management.
- Record Keeping and Training obligations – the DA's approach to training and record keeping are set out in Schedule D.



Enforcement

In addition to enforcement action against the DA, all DA colleagues should be aware that for offences under the Fraud and Bribery Acts individuals can be punished by up to ten years imprisonment and/or a fine

Any employee of the DA who breaches this policy will face disciplinary action, which could result in dismissal for misconduct or gross misconduct. The DA may report any instance of suspected fraud, bribery or corruption to the relevant enforcement agencies, as appropriate. The DA may also terminate its relationship with other individuals and organisations working on its behalf if they do not follow this policy or do not comply with the Fraud or Bribery Acts.

Review

The effectiveness, suitability and implementation of this policy is reviewed every 2 years, or as required if there is a specific legislative, regulatory or service requirement or a change in practice.

David Goldstone
CEO, R&R Delivery Authority
May 2022



Schedule A

Offences under the Bribery Act 2010

There are four key offences under the Act:

- bribery of another person (section 1)
- accepting a bribe (section 2)
- bribing a foreign public official (section 6)
- failing to prevent bribery (section 7)

The Bribery Act 2010 makes it an offence to offer, promise or give a bribe (Section 1).

It also makes it an offence to request, agree to receive, or accept a bribe (Section 2).

Section 6 of the Act creates a separate offence of bribing a foreign public official with the intention of obtaining or retaining business or an advantage in the conduct of business.

There is also a corporate offence under Section 7 of failure by a commercial organisation¹ to prevent bribery that is intended to obtain or retain business, or an advantage in the conduct of business, for the organisation.



Schedule B

Responsibility to Report and Investigate

It is important that any investigation in potential fraud or bribery is carried out in an appropriate manner and therefore anyone who suspects fraud or bribery has occurred or may occur should report it immediately to the General Counsel or Chief Financial Officer.

This includes where there is uncertainty about whether a particular act may constitute fraud or bribery.

If reporting is not possible in the manner set out above, the DA colleague should refer to the Whistleblowing Policy on how to report the incident.

The matter should not be more broadly discussed with other colleagues as this could compromise an investigation or enforcement action, in particular no discussion should take place with the individual who is suspect. Documentary evidence must not be deleted or removed.

The DA aims to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.

All instances of suspected fraud or bribery will be investigated in accordance with Fraud and Bribery Action Plan.

In addition, the Public Interest Disclosure Act (PIDA) prescribes the Comptroller & Auditor General (C&AG) as someone to whom people can make a protected disclosure about “the proper conduct of public business, value for money, fraud and corruption in relation to the provision of public services”. The PIDA does not give the C&AG any additional powers nor does it require the C&AG to investigate every disclosure he receives; the decision whether to investigate is based on the matters raised and the C&AG’s remit and powers.



Schedule C

Responsibilities of Management

Directors

The Board of Directors are responsible for ensuring that this Policy complies with the DA's legal and ethical obligations.

The Board of Directors are responsible for ensuring that all those under the DA's control comply with this policy and that all matters, or perceived matters, of fraud and bribery are properly investigated to ensure appropriate sanctions are implemented including, where necessary, reports to the Police.

All levels of management

Management at all levels are responsible for ensuring that those reporting to them are made aware of and understand this Policy, act in accordance with this Policy and are given suitable and adequate training on fraud and bribery.

Where a suspected instance of fraud or bribery is reported to a line manager that line manager should consult Schedule B of this Policy and the Fraud and Bribery Action Plan and follow the process set out in that document. They must not investigate or discuss any matters reported to them with others or with the persons under suspicion. They must be responsive and act with appropriate sensitivity towards the person making the report, record and document any evidence provided, and promptly refer the matter to the General Counsel or Chief Financial Officer.

The DA is committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or other corruption offence has taken place, or may take place in the future.

Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If any DA employee believes that they have suffered any such treatment, they should inform the DA's HR Director immediately.

If the matter is not remedied, and if the DA colleague is a direct employee, they should raise it formally using the DA's Grievance Procedure. DA colleagues who are not directly employed should seek advice from their line manager with their host employer.



Schedule D

Record Keeping and Training

Record Keeping

The DA shall keep a record of all detected fraud, theft and bribery incidents and attempts. The DA shall provide a summary report of all such records to the Sponsor Body or sponsor function as part of its regular reporting cycle.

The DA must keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties.

Anyone working on behalf of the Programme should declare and record any gifts, hospitality or payments received or given in accordance with the Gifts and Hospitality Policy.

All accounts, invoices, and other records relating to dealings with third parties including suppliers and customers should be prepared with strict accuracy and completeness. Accounts must not be kept "off-book" to facilitate or conceal improper payments.

Details of how this policy will be implemented, monitored and reported, together with the DA's approach to continuous learning based upon lessons learnt can be found in the DA's Strategy: Counter Fraud.

Training

Everyone working on the Programme is required to complete training and, as part of the induction, to confirm their awareness of what constitutes fraud, bribery and theft. Records of training are kept and monitored.