

# Audit and Risk Committee

14 March 2023

Agenda item number 9

## Finance Strategy and Policy updates

Report by Director of Finance

---

### Summary

This report sets out the revised Counter Fraud, Corruption and Bribery Strategy and Advertising and Sponsorship Policy which were last updated in 2018 and 2019.

### Recommendation

- i. To approve the updated Counter Fraud, Corruption and Bribery Strategy, and
  - ii. provide feedback on the Advertising and Sponsorship Policy prior to the Broads Authority meeting on 17 March 2023.
- 

## 1. Introduction

- 1.1. As indicated at the November committee a number of strategies and policies are scheduled for review during 2022/23. Following the adoption of the Financial Regulations in November this report considers the next two due for review.

## 2. Counter Fraud, Bribery and Corruption Strategy

- 2.1. The strategy was last considered by the Committee in March 2018 and it has been updated into the Authority's accessible format. A version highlighting the amendments can be found in track changes at Appendix 1.
- 2.2. The Monitoring Officer, Internal Audit and Management Team have been consulted on the revised version and their comments and feedback have been incorporated into the revised strategy. The main changes have been to make the definitions clearer, as set out in section 5, and updates to job titles, risk registers and committee names.
- 2.3. The risk of fraud is identified within the Finance and Support Services Directorate risk register and is regularly reviewed before each Audit and Risk meeting to see if it needs to be escalated to the corporate risk register. The score currently remains low in this area. In addition, the annual internal audit plan is risk based and focuses on those areas where there is potential for fraud, corruption and bribery. The findings of the annual key controls audit are reported to this Committee along with any outstanding recommendations and progress.

- 2.4. As with previous versions of the strategy it sets out the Authority's response plan if a fraud is suspected or discovered. The results of such investigations would be reported in summary to the Management Team, followed by a report to this Committee identifying what mitigating actions will need to be taken to avoid or minimise the possibility of a recurrence of the incident. Since 2018 there have been no such investigations.
- 2.5. The [Terms of Reference of Committees](#) sets out in section 4 (Audit and Risk Committee) paragraph 15 the powers to approve such documents.

### 3. Advertising and Sponsorship Policy

- 3.1. The policy was last reviewed by the Authority in February 2019 and it has been updated into the Authority's accessible format. A version highlighting the amendments can be found in track changes at Appendix 2.
- 3.2. The Management Team, the Head of Communications and the UK Director of Communications have been consulted on the revised version and their comments and feedback have been incorporated into the revised strategy. The main changes are around updating success to date (section 8) and amending references from State Aid to Subsidy Control (section 9) following the UK leaving Europe.
- 3.3. As this policy sits outside Audit and Risk Committee's terms of reference, Members' feedback on the amendments is sought prior to its consideration by the Broads Authority on 17 March 2023.

Author: Emma Krelle

Date of report: 28 February 2023

[Broads Plan](#) strategic objectives: All

Appendix 1 – Counter Fraud, Corruption and Bribery Strategy (draft Feb 2023)

Appendix 2 – Advertising and Sponsorship Policy (draft Feb 2023)

# Counter Fraud, Corruption and Bribery Strategy

## Contents

Introduction to the Strategy .....	3
1. Statement of Intent	3
2. Objectives of the Strategy	3
3. Who does this Strategy apply to?	4
4. Why is the Strategy Needed?	4
5. Definitions	4
6. The Corporate Framework to Counter Fraud, Corruption and Bribery	6
The Authority’s Anti-fraud, Corruption and Bribery Culture .....	7
7. The Cultural Framework	7
8. Members	8
9. Employees	<del>9</del> <a href="#">98</a>
10. Partners, Suppliers, Contractors and Other Organisations that interact with the Authority	9
11. Members of the Public	<del>109</del> <a href="#">109</a>
Counter Fraud Prevention and Deterrence .....	<del>109</del> <a href="#">109</a>
12. The Internal Control Environment	<del>109</del> <a href="#">109</a>
13. Recruitment and Induction	10
14. Promotion of the counter fraud culture	<del>114</del> <a href="#">1140</a>
Detecting and Investigating Fraud, Corruption, Money Laundering and Bribery .....	11
15. Detecting Fraud that has Occurred	11
16. Investigation of Fraud that has Occurred	<del>124</del> <a href="#">1244</a>
Sanction and Redress in Respect of Fraud, Corruption, Money Laundering and Bribery .....	12
17. Taking Action where Required	12
18. Review	<del>134</del> <a href="#">1342</a>
Appendix 1 – Supporting Policies, Procedures and Practices.....	<del>141</del> <a href="#">1413</a>
Appendix 2 – Roles and Responsibilities of Officers.....	<del>161</del> <a href="#">1615</a>

Appendix 3 – Fraud, Corruption and Bribery Response Plan .....	<a href="#"><u>2120</u></a>
1. Introduction	<a href="#"><u>2120</u></a>
2. Reporting Concerns of Fraud, Corruption and Bribery	<a href="#"><u>2120</u></a>
3. Reacting to Reports of Fraud, Corruption and Bribery	<a href="#"><u>2120</u></a>
4. Conducting Investigations	<a href="#"><u>2221</u></a>
5. General Processes	<a href="#"><u>2422</u></a>

# Introduction to the Strategy

## 1. Statement of Intent

1.1. The Broads Authority (The Authority) is committed to carrying out its business in a fair, ethical, honest and transparent manner. As such, the Authority has a zero-tolerance approach to those who seek to commit an act of fraud, corruption, money laundering or bribery towards, or against it.

1.1.1.2. The Authority takes its legal responsibilities very seriously. We will uphold all laws relevant to countering bribery and corruption, including the Bribery Act 2010, in respect of our conduct.

1.2.1.3. To safeguard itself against such activities, the Authority has developed a counter fraud culture, supported by a framework designed to encourage the prevention and detection of fraud, corruption and bribery in the event of allegations being received, and to establish appropriate arrangements for their investigation. All such provisions seek to minimise potential losses to the Authority in the event of it being subject to fraudulent or corrupt practices.

1.3.1.4. The Authority is committed to maintain, and to regularly monitor, review and update, appropriate processes and procedures which will minimise the risk of losses from fraud, corruption, money laundering or bribery, and to ensure that all members and members of staff are aware of their responsibilities to comply with these procedures at all times.

## 2. Objectives of the Strategy

2.1. The key objectives of this Strategy are to:

- increase staff and member awareness of the corporate counter fraud culture which the Authority actively supports and encourage individuals to promptly report suspicions of fraudulent and corrupt behaviour;
- communicate to partners, suppliers, contractors and other organisations that interact with the Authority that it expects them to maintain high standards aimed at minimising fraud and corruption in their dealings with the Authority;
- further embed and support the management of fraud risk within the Authority;
- demonstrate the arrangements that the Authority has in place to counter fraud, corruption, money laundering and bribery; and
- minimise the likelihood and extent of losses through fraud and corruption.

### 3. Who does this Strategy apply to?

3.1. This Strategy applies to all persons working for the Authority [or any group company] or on our behalf in any capacity, including employees at all levels, directors, officers, agency workers, seconded workers, volunteers, interns, agents, contractors, external consultants, third-party representatives and business partners, sponsors, or any other person associated with us, wherever located.

### 3.4. Why is the Strategy Needed?

3.1.4.1. The Broads Authority is reliant on its various funding sources in order to carry out its duties and deliver its key aims and objectives in the Broads Plan. As a public body it has a duty to promote effective stewardship and value for money in the use of its funds, to be accountable to its stakeholders in the use of that money and to ensure that procedures are put in place to minimise the risk of losses through fraud, corruption, money laundering or bribery.

3.2.4.2. As well as resulting in lost income, and reducing the funds available to be spent on key service delivery, instances of fraud, corruption, money laundering and bribery are likely to impact on the reputation of the Authority, and result in a loss of confidence that can be placed in the Authority and its procedures.

3.3.4.3. Historically, the Broads Authority has had relatively low levels of detected fraud activity in relation to its business operations. Where such activity has been identified, prompt action has been taken and sanctions imposed, as appropriate. However, even though fraud may not previously have been prevalent, it is important to remain vigilant, and to maintain, and regularly monitor, review and update, appropriate processes and procedures to ensure that any potential opportunities for fraud and corruption are minimised, in order that resources can be used for their intended purpose.

3.4.4.4. The Bribery Act 2010 places an expectation on organisations that they will have appropriate and adequate procedures in place to minimise the risk of bribery taking place. This Strategy seeks to reduce this risk, and to outline the Authority's anti-bribery approach.

### 4.5. Definitions of Fraud, Corruption, Money Laundering and Bribery

5.1. 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.

a) An advantage includes money, gifts, loans, fees, hospitality, services, discounts, the award of a contract or anything else of value.

b) A person acts improperly where they act illegally, unethically, or contrary to an expectation of good faith or impartiality, or where they abuse a position

of trust. The improper acts may be in relation to any business or professional activities, public functions, acts in the course of employment, or other activities by or on behalf of any organisation of any kind.

It is a criminal offence to offer, promise, give, request, or accept a bribe. Individuals found guilty can be punished by up to ten years' imprisonment and/or a fine and employers that fail to prevent bribery can face an unlimited fine, exclusion from tendering for public contracts, and damage to its reputation.

**5.2. Corruption** is the abuse of entrusted power or position for private gain.

Examples:

- a) Offering a bribe: You offer a potential client tickets to a major sporting event, but only if they agree to do business with the Authority. This would be an offence as you are making the offer to gain a commercial and contractual advantage. We may also be found to have committed an offence because the offer has been made to obtain business for us. It may also be an offence for the potential client to accept your offer.
- b) Receiving a bribe: A supplier gives your nephew a job, but makes it clear that in return they expect you to use your influence in the Authority to ensure we continue to do business with them. It is an offence for a supplier to make such an offer. It would be an offence for you to accept the offer as you would be doing so to gain a personal advantage.

**5.3. Fraud** is defined by three classes; false representation, failure to disclose information or by abuse of position.

- a) Fraud by false representation is where a person dishonestly makes a false representation, and intends, by making the representation to make a gain for himself or another, or to cause loss to another or to expose another to a risk of loss.
- b) Fraud by failure to disclose information is where a person dishonestly fails to disclose to another person information which he is under a legal duty to disclose, and intends, by failing to disclose the information to make a gain for himself or another, or to cause loss to another or to expose another to a risk of loss.
- c) Fraud by abuse of position is where a person occupies a position in which he is expected to safeguard, or not to act against, the financial interests of another person, dishonestly abuses that position, and intends, by means of the abuse of that position to make a gain for himself or another, or to cause loss to another or to expose another to a risk of loss.

~~4.1. The Fraud Act 2006 defines fraud by three classes; false representation, failure to disclose information or by abuse of position. In all three classes of fraud, it requires that for an offence to have occurred, the person must have acted dishonestly, and that they had to have acted with the intent of making a gain for themselves or anyone else, or inflicting a loss (or a risk of loss) on another.~~

Examples of fraud committed against the Authority might include the creation and submission of fake invoices for goods or services never received, false or inflated expense claims, under recording of cash receipts, misappropriation of stock assets or an application for a job falsely claiming to hold certain qualifications. As these examples demonstrate, fraud can occur in a number of ways, need not always be related to loss of money, and can involve staff, members or even people outside of the organisation.

~~4.2. Corruption has a number of definitions but can simply be defined as the abuse of entrusted power for private gain. It is often linked to Bribery.~~

5.4. CIPFA describes Money Laundering is described by CIPFA as disguising criminally sourced cash or property in order to give the appearance of legitimacy. This is done by mixing the criminal transactions with the legitimate transactions of businesses and is often linked to terrorism financing. This normally follows three stages:

- Placement: Funds derived from the crime are paid into a bank account or used to purchase an asset, e.g. property.
- Layering: To disguise the source of the funds they are moved through complex and frequent transactions. Money mules are a form of layering. Money muling occur when an individual receives money into their bank account (wittingly or unwittingly from a criminal) and transfers it elsewhere. The individual is often promised that they can keep a portion of the cash for facilitating the transaction.
- Integration: Once the funds are well disguised the funds are transferred into the financial system, thus making the money appear legitimate.

~~4.3. The Bribery Act 2010: Quick start guide defines bribery as ‘giving someone a financial or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so. The Act includes two general offences covering the offering, promising or giving of an advantage, and the requesting, agreeing to receive or accepting of an advantage.~~

## 5.6. The Corporate Framework to Counter Fraud, Corruption and Bribery

5.4-6.1. The Authority has in place a number of policies, procedures and practices that are designed to support this Strategy in countering and preventing fraud occurring. These take account of legislation and expected standards in respect of



public life. A summary of the key arrangements in place is set out at Appendix 1, together with a list of the officers responsible for these arrangements.

5.2-6.2. In addition to these there are a number of officers who have direct and overarching responsibilities and roles in respect of countering fraud, corruption and bribery. These roles and responsibilities are set out at Appendix 2.

6.3. The Authority also has in place a Risk Management Policy, ~~and a Strategic Corporate Register and Directorate Risk Register~~. Overall responsibility for risk management lies with the ~~Management Team Solicitor and Monitoring Officer~~ who ~~is~~ are charged with ensuring that the risk of fraud and corruption is appropriately recognised within the risk framework, and managed accordingly. The Risk Management Policy is reviewed and where appropriate updated ~~at least annually~~ every two years, whilst the ~~Strategic Corporate Risk Register~~ is reviewed ~~bi-annually~~ by the Management ~~Forum Team and the~~ before every Financial Scrutiny and Audit ~~Audit and Risk~~ Committee. Nominated risk owners are responsible for individual risks, and these should be reviewed not less frequently than every ~~six~~ four months, or earlier where there is a significant change in circumstances.

6.4. The Authority also has an Audit and Risk Committee, which has oversight of risk management issues at the Authority. The Committee's remit includes the following duties:

- a) To scrutinise the Authority's accounts and finances to ensure that they are prepared in accordance with accounting policies and good practice.
- b) To take a strategic view on whether the resources allocated to the Authority are used effectively and efficiently in pursuit of its authorised purposes and objectives.
- a)c) To obtain assurances from a range of measures and reports that value for money is obtained in the use of these resources, and that risk and performance are actively managed to achieve best results.

## The Authority's Anti-fraud, Corruption and Bribery Culture

### 6.7. The Cultural Framework

6.1-7.1. The Authority is ~~determined~~ committed to promoting and maintaining a culture of honesty, ~~and~~ integrity, ~~and opposition to where~~ fraud, corruption and bribery are strongly opposed by all. The prevention and detection of fraud, corruption and bribery is the responsibility of all members and members of staff.

7.2. To this end, the Authority has adopted a Code of Conduct for its members and a Code of Conduct for Employees which promote the standards of conduct and behaviour

expected when representing the Authority. Both of these documents are available on the Authority intranet [and are discussed in greater detail at Section 8 and 9 below](#).

[7.3.](#) The Authority has a Whistle Blowing Policy, which encourages employees, members and other parties to raise concerns, in the knowledge that they will not suffer victimisation or harassment as a result. [This is also available on the Authority intranet for employees and on the website for members.](#)

[6.2.7.4.](#) The Authority seeks to be as open and transparent as possible in the way it conducts its business and makes decisions. The Terms of Reference of Committees, and Scheme of Powers Delegated to [Chief Executive and other authorised](#) Officers, set out the decision-making framework within the Authority, and demonstrate where functions may be delegated. The Authority publishes details of all expenditure over £250 on its website, and will endeavour to [satisfy](#) all the [recommendations and requirements set down by the](#) Government in the Code of Recommended Practice for Local Authorities on Data Transparency<sup>1</sup>.

[7.5.](#) [The Authority also has a suite of other governance documents available on our Constitution page on the website.](#)

## [7.8.](#) Members

[7.1.8.1.](#) The Localism Act 2011 places a duty on the Authority to promote and maintain high standards of conduct by its members and co-opted members. Members are required to observe the Authority's Code of Conduct, which is intended to promote and maintain behaviour consistent with the Nolan Principles. They are also required to register and disclose certain interests, including pecuniary interests, both in a Register of Interests and, where appropriate, verbally at the commencement of all meetings.

[7.2.8.2.](#) The Authority has also developed arrangements for dealing with complaints that a member has failed to comply with the Code of Conduct, and has appointed two Independent Members, one of whom will be consulted before any standards complaints are determined.

[7.3.8.3.](#) Details of the Register of Interests, Code of Conduct and arrangements for dealing with standards allegations are all on the Authority's website and available for inspection by members of the public.

[7.4.8.4.](#) The ~~Financial Scrutiny and Audit~~[Audit and Risk](#) Committee is responsible to the Broads Authority for the Counter Fraud, Corruption and Bribery Strategy, including the adequacy and effectiveness of the arrangements for counter-fraud and whistle

---

<sup>1</sup> [Local government transparency code 2015 - GOV.UK \(www.gov.uk\)](#)

blowing, and maintaining an oversight of the systems for corporate governance and internal control.

## **8.9. Employees**

**8.1.9.1.** A successful anti-fraud culture is one where acts of fraud and corruption are widely recognised as unacceptable behaviour and where whistle blowing is perceived as a public-spirited action. The Authority has put in place a number of policies, procedures and other actions to promote an anti-fraud culture to the Authority's officers, as detailed in Appendix 1.

**8.2.9.2.** All officers must abide by the Code of Conduct for Employees, which sets out the standards of behaviour and conduct expected of them. Professionally qualified officers are also expected to follow any Code of Conduct or Ethics as required by their professional institute.

**8.3.9.3.** The Authority has disciplinary procedures which are designed to ensure consistent and fair treatment of all staff in dealing with any breaches of conduct. Any breach of conduct will be dealt with under these procedures and may result in dismissal.

**9.4.** The Code of Conduct for Employees includes guidelines for the receipt of gifts and hospitality, and requires senior officers to declare certain personal interests which could be perceived to conflict with their professional impartiality.

**9.5.** The Authority's Monitoring Officer, Deputy Monitoring Officer and Senior Governance Officer have particular responsibility for oversight of standards and probity. The Head of HR is responsible for maintaining the officers' register of gifts and hospitality and the register of officers' interests.

## **9.10. Partners, Suppliers, Contractors and Other Organisations that interact with the Authority**

**9.1.10.1.** The Authority expects the highest standards of conduct from all organisations that have dealings with it. Any partners, suppliers, contractors and other third parties funded by or in receipt of payments from the Authority are ~~required~~ to adopt or abide by the Authority's policies, procedures, protocols and codes of practice, where appropriate, in order to prevent and detect fraud, corruption, money laundering and bribery.

**10.2.** All transactions with suppliers and other organisations will be entered into in line with the Authority's Standing Orders Relating to Contracts Broads Authority Standing Orders Relating to Contracts February 2022 (broads-authority.gov.uk). These make appropriate provisions for declaring interests and the circumstances where such regulations may not apply, and set out rules regarding entering into contracts and

varying contract conditions. In addition, prior to entering into significant, ongoing transactions, due diligence checks are undertaken to ensure that suppliers have an appropriate financial and risk profile before transactions are entered into by the Authority.

## 11. Members of the Public

9.2.11.1. Members of the public have an important role to alert the Authority to any concerns about the potential for fraud, corruption or bribery that they may become aware of. They are encouraged to report their concerns, either through the Authority's complaint procedure or by contacting the relevant officers in Appendix 2.

## Counter Fraud Prevention and Deterrence

### 10.12. The Internal Control Environment

10.1.12.1. The Authority's internal control environment plays a key role in ensuring that fraud can be prevented. Soundly designed systems, with adequate checks built into them, minimise the opportunities for untoward activities. This can be through automated controls, or through management oversight of transaction activity.

12.2. Managing the risk of fraud, corruption and bribery is the responsibility of Directors and Section Heads within individual Directorates and service areas, working within the overall framework developed by the Authority and the Management Team.

12.3. -Whilst managers retain responsibility for the oversight of the internal control environment within their specific service areas, internal and external inspections play an important role in ensuring that operational arrangements are working effectively.

12.4. -An Annual Audit Plan is developed by the Head of Internal Audit each year, in consultation with the Management Team and is approved by the Audit and Risk Committee. The Audit Plan is based founded on a risk-based approach and has swing regard to those areas where there is the greatest potential for fraud, corruption and bribery. It therefore, which provides a check on those services and systems (financial and non-financial) that are subject to the highest level of inherent risk.

10.2.12.5. -Furthermore, in the course of completing audit assignments, recommendations will be put forward aimed at strengthening systems of internal control which are designed to remove potential opportunities for fraud and corruption in the future.

### 11.13. Recruitment and Induction

11.1.13.1. A key preventative measure against the possibility of fraud, corruption and bribery is to have in place a robust recruitment process which establishes, as far as reasonably possible, the propriety and integrity of potential employees. This includes

extends to temporary and contract staff. Agencies providing temporary staff should be required to confirm that satisfactory references have been obtained and validated.

13.2. All recruitment should be in accordance with the Authority's standard recruitment procedures. Written references should be obtained for all potential employees and any relevant qualifications should be confirmed prior to appointment.

13.3. The Authority commits to promoting an anti-fraud culture through encouraging staff and members, as part of their induction programmes, to familiarise themselves with the relevant Code of Conduct, the Whistle Blowing Policy and this Strategy, to make them aware that the Authority will not tolerate improper behaviour.

## 12.14. Promotion of the counter fraud culture

12.1.14.1. The Authority undertakes to promote successful outcomes from counter fraud activities, particularly where this may deter others from undertaking dishonest activities.

~~12.2.14.2. In addition the Authority commits to promoting an anti-fraud culture through encouraging staff and members, as part of their induction programmes, to familiarise themselves with the relevant Code of Conduct, the Whistle Blowing Policy and this Strategy, to make them aware that the Authority will not tolerate improper behaviour.~~ The Authority requires staff to annually undertake refresher training through its online training platform.

## Detecting and Investigating Fraud, Corruption, Money Laundering and Bribery

### 13.15. Detecting Fraud that has Occurred

13.1.15.1. The Authority has in place a number of measures designed to detect fraudulent activity. This is mainly through the segregation of duties and dual approval of payments.

13.2.15.2. The Authority therefore expects its senior managers to be vigilant regarding the possibility of fraud, corruption, money laundering or bribery and to report any suspicious activities to the Director of Finance.

13.3.15.3. Despite best efforts, fraudulent or corrupt activity can sometimes be discovered by chance or through a 'tip off' or whistle blowing incident. The Authority has developed appropriate arrangements to enable such matters to be handled through the Whistle Blowing Policy.

~~13.4.~~15.4. The Code of Conduct for Employees also requires employees to report to their immediate line manager, Head of Section or other Senior officer, any suspicions of impropriety, dishonesty or failure to follow legislation or policies and procedures by another employee.

~~13.5.~~15.5. In addition, the work of Internal Audit and the Authority's External Auditors may lead to the detection of fraud.

## 14.16. Investigation of Fraud that has Occurred

~~14.1.~~16.1. The Head of Internal Audit has overall responsibility for the progression of all fraud investigations, in consultation with the ~~Chief Financial Officer~~Director of Finance. There are provisions in the Internal Audit Services contract to engage Counter Fraud trained auditors from TIAA Ltd, to work under the direction of the Head of Internal Audit, and in consultation with the ~~Chief Financial Officer~~Director of Finance.

~~14.2.~~16.2. Appendix 3 sets out a Fraud, Corruption and Bribery Response Plan, detailing how the Authority will respond when a concern or an event has been raised, which ~~lead~~sing to a suspicion of fraud or corruption and to whom it will be reported to. ~~In all cases the~~The Head of Internal Audit should be consulted regarding all cases of potential ~~cases of~~ fraud and /or corruption, in order to maintain a corporate overview of incidents arising and to ensure that investigations are carried out by the appropriate personnel (e.g. TIAA Auditors, the Head of Internal Audit, the relevant Director, Head of Human Resources, depending on the nature of the case reported).

~~14.3.~~16.3. The ~~Solicitor and Monitoring Officer~~Chief Executive is responsible for monitoring and ensuring the investigation of whistle blowing concerns received. Where such cases involve an instance of fraud and corruption, these will be jointly overseen by the ~~Solicitor and~~ Monitoring Officer and the Head of Internal Audit.

~~14.4.~~16.4. The Head of Internal Audit will notify External Audit promptly of all frauds occurring at the Authority which exceed £5,000, and any cases of corruption and any fraud cases of particular interest or complexity. Any such instances of fraud or suspected fraud will be discussed with external Audit at the annual Audit Planning Meeting.

## Sanction and Redress in Respect of Fraud, Corruption, Money Laundering and Bribery

### 15.17. Taking Action where Required

~~15.1.~~17.1. Where it has been identified that fraud or corruption has occurred, the Authority is committed to ensuring that all appropriate ~~sanctions and~~ courses of redress are undertaken and sanctions are imposed where required.

~~15.2.17.2.~~ Although the Authority's primary means of sanction of employees is through its Disciplinary Procedures, this does not preclude the Authority from taking additional legal action should it consider this to be necessary.

~~15.3.17.3.~~ The Authority will seek to work closely with other parties, in particular the Police, where appropriate. It also has a public duty to seek financial redress, where feasible.

## ~~16.18.~~ Review

~~16.1.18.1.~~ This Strategy has been approved by the Management Team and by the ~~Financial Scrutiny and Audit~~ Audit and Risk Committee. It will be reviewed and if necessary updated on a regular basis, at least ~~annually~~ every three years, or more frequently where there are significant changes to legislation within which the Authority operates. ~~and a~~ Any significant changes will be brought to the attention of the Management Team for their approval. Responsibility for ensuring that regular reviews are carried out lies with the ~~Chief Financial Officer~~ Director of Finance.

Date of issue: March ~~2023~~ 2018

Next Review: March 2026

Appendix 1 – Supporting Policies, Procedures and Practices

Appendix 2 – Roles and Responsibilities of Officers

Appendix 3 – Fraud, Corruption and Bribery Response Plan

## Appendix 1 – Supporting Policies, Procedures and Practices

Policy/Strategy	Purpose	Responsibility
Code of Conduct for Members	Under the provisions of the Localism Act 2011, the Broads Authority is required to adopt a code of conduct setting out the standards of behaviour expected of its members. The Authority has adopted the model code prepared by the Department for <u>Levelling Up, Housing and Communities</u> <del>and Local Government</del> (DLUHCLG). All new members to the Authority receive guidance and training on the implementation of the Code.	<del>Solicitor and</del> Monitoring Officer
Registration and Declaration of Interests	Members of the Authority are required to enter onto a Register of Interests any pecuniary or non-pecuniary interests which might relate to their public duty.  <del>Members are, and</del> to declare these interests at all meetings of the Authority and its committees <u>where a matter relates to one of their registered interests</u> . The Register of Interests may be viewed by members of the public on request.	<del>Solicitor and</del> Monitoring Officer
Terms of Reference of Committees	These set out the powers reserved to the Broads Authority and to its various committees.	<del>Solicitor and</del> Monitoring Officer
Scheme of <u>Powers Delegated to Chief Executive and other authorised officers</u> <del>Powers</del>	These set out the powers which are delegated to the Chief Executive <u>and other authorised officers</u> , and the conditions under which these powers can be discharged. <del>They are supplemented by Arrangements for the Exercise of Powers by Other Officers, setting out those officers who are authorised to exercise powers in the absence of the Chief Executive.</del>	<del>Solicitor and</del> Monitoring Officer



Policy/Strategy	Purpose	Responsibility
Code of Conduct for Employees	All members of staff are required to comply with the Code of Conduct for Employees, and Planning Officers with the Code of Conduct for Planning Committee Members and Officers. The Code of Conduct includes guidelines for the receipt of gifts and hospitality, and requires senior officers to declare certain personal interests which could be perceived to conflict with their professional impartiality.	Head of Human Resources
Whistle Blowing Policy	The Whistle Blowing Policy sets out how employees <u>and members</u> can raise concerns within the organisation without fear of victimisation or harassment.	<del>Solicitor and Monitoring Officer</del> <u>Director of Finance</u>
Financial Regulations	Financial Regulations set the framework for the administration of the Authority's financial affairs, including all systems and transactions.	<del>Chief Financial Officer</del> <u>Director of Finance</u>
Standing Orders Relating to Contracts	These Standing Orders set out the rules and procedures which must be complied with when letting contracts for goods and services on behalf of the Authority. They endeavour to ensure fair competition between competing organisations.	<del>Chief Financial Officer</del> <u>Director of Finance</u>
Internal Financial Controls	Internal control systems are in place to ensure that the Authority's finances are managed in a safe and efficient manner. These include physical controls to ensure security of assets and restrict access, clear lines of accountability, supervisory controls, segregation of duties and authorisation/approval controls.	<del>Chief Financial Officer</del> <u>Director of Finance</u>
Internal Audit	The Authority is a member of a consortium of local authorities who jointly procure an internal audit service. The service is administered by the Head of	<del>Chief Financial Officer</del> <u>Director of Finance</u>

<b>Policy/Strategy</b>	<b>Purpose</b>	<b>Responsibility</b>
	Internal Audit, who is based at the offices of South Norfolk Council, and is currently contracted out to TIAA. An annual programme of audits is drawn up in conjunction with the Head of Internal Audit using a risk-based approach.	
Recruitment and Selection of Staff	A number of controls are in place relating to the recruitment and selection of staff, including completion of an application form, interviews, references and obtaining a 'defined document' to confirm that the employee is eligible to be employed in this country. Under certain circumstances other checks are made, for example relating to the prospective employee's medical condition and suitability to work with children and vulnerable adults.	Head of Human Resources

## Appendix 2 – Roles and Responsibilities of Officers

<b>Stakeholder</b>	<b>Roles and Responsibilities</b>
Broads Authority	The Authority is ultimately responsible for the Authority's Counter Fraud, Corruption, Money Laundering and Bribery Strategy and other arrangements.
Individual Members	Members support and help to promote a strong counter fraud culture through: <ul style="list-style-type: none"> <li>• promoting the Authority's lack of tolerance towards acts of fraud and corruption;</li> </ul>

Stakeholder	Roles and Responsibilities
	<ul style="list-style-type: none"> <li>ensuring that they comply with the Authority's Code of Conduct for Members, thus setting a strong public example; and</li> <li>raising matters of concern that they may have through the appropriate means.</li> </ul>
<del>Financial Scrutiny and Audit</del> <u>Audit and Risk Committee</u>	Responsible to the Authority for the Counter Fraud, Corruption and Bribery Strategy, including the adequacy and effectiveness of the counter fraud and whistle blowing arrangements.
Chief Executive <u>- John Packman</u>  <u>01603 756019</u>  <u>John.packman@broads-authority.gov.uk</u>	The Chief Executive is ultimately responsible for the day to day arrangements to counter fraud, corruption and bribery.
<del>Solicitor and</del> <u>Monitoring Officer – Jonathan Goolden</u>  <u>Monitoring.officer@broads-authority.gov.uk</u>	<del>Responsible for the Authority's arrangements to manage risk, including the Risk Management Policy and Strategic Risk Register.</del>  The Monitoring Officer <del>also</del> provides support to members as required on matters of ethical and governance issues, and may receive concerns raised from members, the public and other stakeholders
<u>Management Team</u>	<u>Responsible for the Authority's arrangements to manage risk, including the Risk Management Policy and Strategic Risk Register.</u>

Stakeholder	Roles and Responsibilities
<p><del>Chief Financial Officer</del><u>Director of Finance</u>/ Section 17 Officer</p>	<p>The Section 17 Officer is responsible for ensuring that the Authority has in place arrangements for the proper administration of its financial affairs.</p>
<p>External Audit - <u>Ernst &amp; Young LLP</u> <u>One Cambridge Business Park,</u> <u>Cowley Road, Cambridge CB4 0WZ, 01223 394400</u></p>	<p>The external auditors have a statutory duty to ensure that the Authority has in place adequate arrangements for the prevention and detection of fraud, corruption and theft.</p>
<p>Internal Audit</p>	<p>Internal auditors will be alert in all their work to risks and exposures that could allow fraud or corruption to occur. <del>The auditors also and</del> seek to strengthen systems of internal control to safeguard the Authority against such activities and <u>to</u> minimise losses arising from such actions.</p>
<p>Head of Internal Audit – <u>Faye Haywood</u> <u>01508 533873</u> <u>Faye.Haywood@southnorfolkandbroadland.gov.uk</u></p>	<p>The Head of Internal Audit is responsible for managing the Internal Audit service, including developing an Annual Audit Plan which includes counter fraud and corruption work. There is also a requirement to assist with special investigations (where cases of fraud and/or corruption are suspected) and provide reports to management, the <del>Financial Scrutiny and Audit</del><u>Audit and Risk</u> Committee and External Audit regarding work carried out in this area.</p>
<p>Directors and Heads of Service</p>	<p>These officers are responsible for the management and prevention of theft, fraud, corruption and other irregularities within their area of responsibility. Each officer is expected to:</p>

Stakeholder	Roles and Responsibilities
	<ul style="list-style-type: none"> <li>• identify, be familiar with and assess the types and risks of fraud or corruption that might occur within their area of responsibility;</li> <li>• promote and monitor sound working practices which minimise the likelihood of fraud and corruption occurring;</li> <li>• promote the Strategy where appropriate with any external organisations they may do business with;</li> <li>• be alert for any indication of fraud or corruption; and</li> <li>• be ready to take appropriate action in a timely way, should there be any suspicion of theft, fraud or corruption.</li> </ul>
Members of Staff	<p>Staff should undertake their duties at all times in line with the Authority’s Code of Conduct for Employees. <u>Staff must also comply with all policies under their contracts of employment.</u> They have a responsibility to raise any concerns, should they become aware of any potential fraud, corruption or other wrongdoing, with an appropriate officer (who could be their line manager, Head of Section or Director, the Monitoring Officer, the Head of Internal Audit or any other senior officer).</p>
Partners, Contractors, Suppliers and other organisations that interact with the Authority	<p>These organisations should be aware of the need to uphold anti-fraud principles and be aware of the possibility of malpractice against the Authority, reporting any genuine concerns or suspicions promptly.</p>

<b>Stakeholder</b>	<b>Roles and Responsibilities</b>
Members of the Public	To notify the Authority of any genuine concerns or suspicions involving fraudulent or corrupt activities being committed against the Authority.

## Appendix 3 – Fraud, Corruption and Bribery Response Plan

### 1. Introduction

- 1.1. The purpose of this Response Plan is to set out the action to be taken when a fraud is suspected or discovered. This Plan forms part of the Authority's overall approach to countering fraud, corruption and bribery.
- 1.2. Adhering to the Plan will enable the Authority to ensure that all incidents of fraud and corruption are handled in a consistent and responsible manner and that the relevant responsibilities when responding to an incident are clear.

### 2. Reporting Concerns of Fraud, Corruption and Bribery

- 2.1. Anyone who has a concern that a potential incident of fraud, corruption, money laundering or bribery has arisen should always seek to raise these concerns at the earliest opportunity with a Senior Officer. The Authority acknowledges that this can be a difficult and challenging action to take in some cases, and the Whistle Blowing Policy has been established to provide those raising concerns with a safe avenue with which to do so without fear of victimisation or bullying. It also offers sources of advice and guidance that they may turn to.
- 2.2. The Whistle Blowing Policy makes clear that the Authority will always respect the confidentiality of those who raise a concern. Wherever possible, it encourages the whistle blower not to remain anonymous, to ensure that ~~concerns can be set out in writing to ensure~~ that the facts of the situation ~~are~~ can be clarified in writing if the need arises.
- 2.3. Wherever the concern raised or identified relates to a matter of fraud, corruption, money laundering or bribery, the Director of Finance and/or the Head of Internal Audit should be notified in order that they can ensure appropriate investigatory measures are undertaken. Wherever possible, and whilst respecting confidentiality, the ~~Head of Internal Audit~~ investigating officer will work with other officers to ensure that appropriate members of staff and others are kept informed of developments. In particular it may be necessary to notify the ~~Section 17 Officer~~ Director of Finance and Management Team. The Director of Finance, Head of Internal Audit and ~~Solicitor and~~ Monitoring Officer should liaise to ensure that cases raised in respect of whistle blowing are appropriately addressed, and to ensure that the Head of Internal Audit is aware of all issues that may impact upon delivery of the Annual Audit Plan.

### 3. Reacting to Reports of Fraud, Corruption and Bribery

- 3.1. All reported cases will be handled in a fair and consistent manner. The Authority will remain mindful of the legislative framework governing the investigation of concerns, and in particular the :
  - Freedom of Information Act 2000;

- Data Protection Act ~~1998 (to be replaced by General Data Protection Regulations (GDPR) from May 2018)~~;
- Human Rights Act 1998;
- Fraud Act 2006;
- Terrorism Act 2000;
- UK Bribery Act 2010;
- Proceeds of Crime Act 2002 as amended by the Serious Crime Act 2015;
- The Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017; and
- Police and Criminal Evidence Act 1984.

3.2. As the Whistle Blowing Policy identifies, if an individual raises a malicious allegation they know to be untrue, then the Authority will not investigate the case further. The Authority will also endeavour to be sensitive to the alleged wrongdoers, to ensure minimisation of damage if, subsequently, the allegations are found to be incorrect or cannot be substantiated.

#### 4. Conducting Investigations

- 4.1. The Head of Internal Audit is responsible for overseeing the progress of fraud, corruption and bribery investigations to ensure they are undertaken in a consistent and appropriate manner, in accordance with legislative requirements and agreed procedures. If the concern directly affects the Head of Internal Audit, this role will be adopted by the ~~Solicitor and~~ Monitoring Officer.
- 4.2. The Head of Internal Audit will also remain responsible for liaising with the Chief Executive and other senior managers as appropriate regarding the incident raised and the progression of the investigation. In such cases the liaison officer will be the ~~Chief Financial Officer~~ Director of Finance, unless this officer is the subject of or is otherwise linked to the investigation, in which case the Chief Executive will nominate an alternative liaison officer. Should disputes arise during the course of an investigation, these will be referred to the appropriate liaison officer (and, if necessary, the Chief Executive) to assist resolution.
- 4.3. In the event that the Chief Executive is the subject of or otherwise linked to the allegation, the Head of Internal Audit will liaise with the Chair of the Authority.
- 4.4. A number of options will usually be considered when determining who will be responsible for undertaking investigative work, but for the most part the Head of Internal Audit, in conjunction with the ~~Chief Financial Officer~~ Director of Finance will agree the method and terms of reference for the investigation. Although it is



acknowledged that flexibility will be required depending on the nature of the case, it is expected that the following will need to be considered:

- who will conduct the investigation;
- the arrangements for collecting and documenting evidence;
- the estimated time span for the investigation;
- the need for direct referral to/liaison with other authorities (e.g. the Police);
- the mechanism for reporting progress and the final outcomes; and
- liaison with the Head of Human Resources regarding the need for potential suspension / transfer /disciplinary action relating to the alleged wrongdoers.

4.5. Where it is deemed necessary to refer cases to the Police, careful consideration will be given as to whether to proceed with an internal investigation. However it is expected that all staff, members and third parties will comply with both internal and Police investigations as appropriate, and wherever possible Authority and Police enquiries will be co-ordinated to maximise their effectiveness.

4.6. Upon completion of any investigation, a report will be produced highlighting the main findings. The report will be reviewed by the Head of Internal Audit, who will be responsible for identifying any further action which may be needed in consultation with other appropriate officers (e.g. the Head of Human Resources if disciplinary action may be required). Where it has been found that fraud, corruption or bribery has occurred, a summary of the findings will be presented to the Management Team, and in due course a summary report will be prepared for the ~~Financial Scrutiny and Audit~~Audit and Risk Committee, setting out what mitigating actions will be taken to avoid or minimise the possibility of a recurrence of the incident. Where fraud, corruption or bribery could not be proven, the findings will only be shared with those who have a genuine and legitimate need to know.

4.7. The Head of Internal Audit will keep the person raising the concern informed of the progress of the investigation, ~~but will not necessarily be able to share either the report or the conclusions of the investigation with that person or persons.~~ Where this relates to a whistle blowing case, the Head of Internal Audit will continue to work with the ~~Solicitor and~~ Monitoring Officer in this regard.

4.8. It is the responsibility of management to ensure that any losses arising from an investigation are recovered, provided that there are reasonable grounds for doing so. There are various methods of recovery the Authority can utilise, for example directly from the perpetrator, through the Authority's insurers, or through legal proceedings. The appropriate method of recovery will be considered on a case-by-case basis by the

Management Team, where appropriate on the advice of the Head of Internal Audit and/or ~~Solicitor and~~ Monitoring Officer.

## 5. General Processes

- 5.1. This Fraud, Corruption and Bribery Response Plan will be displayed on the Authority's Intranet, in order that it is available to all members of staff. It is acknowledged that circumstances will differ from case to case, and the Authority reserves the right, where it is in the best interests to do so, to carry out investigations in ways which are not entirely in accordance with this Plan. ~~However n~~Notwithstanding ~~that~~, the Authority will seek to ensure that, where possible, all investigations are carried out in a consistent manner.
- 5.2. The Head of Internal Audit will remain responsible for ensuring that records in respect of fraud cases are appropriately maintained, ~~and, in line with guidance issued by The National Archive, r~~Records relating to proven frauds will be maintained for at least six years.

# Advertising and Sponsorship Policy

## Contents

1.	Introduction.....	2
2.	Purpose.....	2
3.	Definitions .....	3
4.	Responsibilities.....	3
5.	Key principles.....	4
6.	Specific issues when considering sponsorship .....	5
7.	Criteria for identifying suitable advertisers and sponsors .....	6
	General criteria for considering suitability	6
	Positive Partners	6
	Neutral Partners	7
	Negative Partners	7
8.	National initiatives.....	7
9.	State Aid considerations in the provision of sponsorship by the Authority .....	8
10.	Dealing with complaints .....	8
11.	Review .....	9

# 1. Introduction

- 1.1. The Broads Authority recognises the significant potential for income generation through advertising and sponsorship, and will seek opportunities to maximise revenue from these sources where this does not conflict with strategic priorities and National Parks Partnerships LLP activities. This Policy sets out the parameters for advertising and sponsorship, and outlines the considerations the Authority will take into account when offering or assessing advertising and sponsorship opportunities.
- 1.2. The starting point for all advertising is that it conforms within the rules and guidelines laid out by the Advertising Standards Agency (ASA) and complies with the UK Code of Advertising and Direct & Promotional Marketing<sup>1</sup>. The Code of Recommended Practice on Local Authority Publicity<sup>2</sup> contains additional guidance including restrictions on advertising in the run up to elections.
- 1.3. Advertising and sponsorship should be seen as two distinct areas of activity, although they are linked in terms of many of the skills, considerations and approaches required to maximise income for the Authority. Therefore except where explicitly stated, they can be considered to be interchangeable throughout this policy.
- 1.4. The Authority currently carries advertising within many of its general publications, and has [previously](#) accepted sponsorship of events such as the Broads Outdoor Festival. This Policy formalises the Authority's general approach to advertising and sponsorship issues, but is not intended to supersede any specific established arrangements which may already be in place.

## 2. Purpose

- 2.1. The purpose of this Policy is to:
  - establish the parameters of the Authority's advertising and sponsorship activities;
  - define a general framework for decisions about advertising and sponsorship opportunities;
  - explain how the Authority's advertising and sponsorship initiatives are coordinated with activity undertaken by National Parks UK, [National Parks Partnerships and other organisations](#); and

---

<sup>1</sup> <https://www.asa.org.uk/codes-and-rulings/advertising-codes.html>

<sup>2</sup> <https://www.gov.uk/government/publications/recommended-code-of-practice-for-local-authority-publicity>

- set out how the Authority’s activities comply with legislative and regulatory requirements.

### 3. Definitions

- 3.1. Advertising encompasses two elements, firstly how the Authority promotes and markets its own services and brand (and indeed the wider [Broads](#) National Park brand), and secondly the sale of advertising space by the Authority to third parties in order to raise revenue.
- 3.2. Sponsorship in contrast can be defined as the payment of a fee or payment in kind by a company in return for the rights to a public association with a Broads Authority activity, item, person or property for mutual commercial benefit.
- 3.3. Sponsorship generally represents a deeper relationship than the advertiser relationship, where the Authority may simply be acting as a platform for an advertiser. As such, a higher level of scrutiny should be applied to a sponsorship agreement due to the greater potential impact on the Authority’s own brand identity and reputation.

### 4. Responsibilities

- 4.1. Decisions about large scale<sup>3</sup>, or potentially controversial sponsorship will be referred to the Full Authority, for example in the case of potentially controversial partners, or where a significant or sensitive asset is identified for sponsorship.
- 4.2. Decisions about the acceptance of significant<sup>4</sup> advertising and uncontroversial sponsorship opportunities will be taken by the Management Team, taking account of the criteria set out in this Policy. Care needs to be taken about the cumulative value and impact of individual sponsorship arrangements.
- 4.3. Day to day decisions about advertising will be taken by officers (generally within the Communications Team). The sale of advertising space in publications [and other material and/or on websites](#) may be outsourced to third parties, although ultimate editorial control will always be retained by the Authority.

---

<sup>3</sup> For the purposes of this policy, “large scale” sponsorship is considered to include any sponsorship arrangement worth more than £100,000 annually.

<sup>4</sup> For the purposes of this policy, “significant” sponsorship is considered to include any sponsorship arrangement worth more than £5,000 annually.

## 5. Key principles

5.1. The Authority will apply the following principles when making decisions about entering into advertising or sponsorship agreements:

- Advertising and sponsorship support should only be considered where it is expected to deliver a significant net benefit with no detriment to the Authority or wider public interest.
- Advertising and sponsorship opportunities should be offered or sought in an open and transparent manner. In particular, a chosen advertiser or sponsor's competitors should not be given grounds to complain that they were not given a fair chance to identify an opportunity or compete for one identified by the Authority. Consideration should also be given to whether the arrangement would give rise to a contract for supplies, works or services where the Authority's Standing Orders for Contracts would apply.
- The Authority will publicise any major sponsorship / advertising opportunities (net of VAT) that it identifies on its website [and contract finder](#), and bids received will be assessed to establish the proposal which offers the Authority the best value for money. However this is a developing area of activity and it is recognised that to start with, opportunities may arise on an ad-hoc basis. To avoid creating an overly bureaucratic system demanding significant resource input, requests will be considered on their own merits in line with the general principles set out in this Policy.
- The Authority will seek to demonstrably act with impartiality, honesty and integrity when entering into a sponsorship agreement.
- The Authority will seek to ensure that sponsors do not receive returns that are greater than is appropriate and that any sponsorship agreement is able to withstand public scrutiny. Some of the considerations which could be applied in identifying whether a sponsor is deriving "inappropriate" returns are set out in section six below.
- Advertising and sponsorship should not be accepted where it will dilute the Authority's brand, campaign or message or be visually detrimental to the natural or built environment.
- The Authority will not, and must not appear to, endorse the advertiser / sponsor, or their products, beyond the natural level of partnership implied by a sponsorship arrangement.

- 5.2. Any advertising or sponsorship agreement must be in writing, clearly setting out the expectations of both parties. Where a financial consideration is involved, it will be appropriate for the sponsorship agreement to be prepared as a contract.

## 6. Specific issues when considering sponsorship

- 6.1. Sponsorship represents a deeper relationship between the Authority and the sponsor than the simple carrying of ~~third-party~~third-party advertising. Therefore the level of sponsor involvement in the Authority's activities needs to be treated with a degree of caution. The role sponsors can play in the public sector is to assist in "extending" an organisation's message. Sponsors should not receive ownership rights and their support must always be seen as secondary to the aims of the Authority. Furthermore, sponsors should operate within clearly defined parameters, and behave with propriety at all times.
- 6.2. The recommended parameters for sponsor involvement in the public sector are that:
- sponsorship should be seen as adding significant benefit to an existing Authority service, message or campaign;
  - sponsors should not be permitted to use a communications campaign or Authority event as a direct sales channel for any products or services; and
  - key activities should not be dependent on sponsorship support for their funding (in other words sponsorship may add to, but should not replace, core funding for statutory functions).
- 6.3. The Authority will therefore only accept sponsorship of specific assets, publications, activities or events, and will not accept sponsorship which might place (or appear to place) any individual Members or Officers under an obligation to the sponsor. There must be no suggestion whatsoever that sponsors receive privileged access, or have any influence over the Authority's strategies and policies. Particular care needs to be taken when considering large amounts of individual sponsorship, or in the case of repeated sponsorship.
- 6.4. The Authority will not seek or accept sponsorship from organisations that are involved in significant commercial negotiations with it (whether or not these are linked to the event or activity to be sponsored). However, advertising from such organisations may be considered. Care needs to be exercised when accepting sponsorship from organisations which may be affected by the Authority's role in setting tolls or enforcing legislation to be clear that no influence on these processes is obtained through, or as a result of, the sponsorship arrangement.

## 7. Criteria for identifying suitable advertisers and sponsors

- 7.1. It is not possible to define strict criteria to categorise potential advertisers and sponsors, however the following general principles should be applied to identify partners which would have a positive, negative or neutral impact on the Authority's reputation. In all cases an individual assessment should be undertaken to take account of any specific circumstances surrounding a particular partner organisation.

### General criteria for considering suitability

- Is there any potential for conflicts of interest, or any other perception of inappropriateness?
  - Is there a risk of adverse publicity arising from the relationship?
  - Is the partner financially viable?
  - Does the partner demonstrate appropriate business practices, policies and customer and media profiles?
  - Do the partner's messages demonstrate synergy with those of the Authority? Is there any risk of dilution of the Authority's key messages?
  - Is there any existing commercial relationship or negotiation between the Authority and the partner?
- 7.2. The list below provides an indication of the types of organisations which might be generally expected to fall within each category. This should not be seen as definitive.

### Positive Partners

- Government / other Public Sector bodies;
- UK tourism and leisure promoters;
- Brands associated with "green" and environmentally friendly activities;
- Sustainable travel brands;
- Leisure and outdoor equipment brands, including boating;
- Promoters of cultural activities, festivals and similar;
- Local media; and
- Charities (although care needs to be taken in respect of lobbying / pressure groups and political activism).



## Neutral Partners

- Science and Technology industry;
- Food and Agriculture industry (although local producers and healthy lifestyle, “green”, organic, and environmentally friendly brands are likely to be positive partners);
- National media; and
- General advertisers (cars, travel, retailers, supermarkets, utilities, insurance).

## Negative Partners

- Political parties and campaigning, lobbying or pressure groups;
- Organisations with a reputation for environmentally damaging practices;
- Organisations with a reputation for poor corporate responsibility or unethical practices;
- Tobacco / alcohol;
- Payday loan providers / irresponsible lenders;
- “Adult” entertainment; and
- Gambling

## 8. National initiatives

- 8.1. National Parks are working collectively to develop a more commercial approach to income generation and sponsorship. National Parks Partnerships LLP (NPP) is a limited liability partnership set up by the UK’s 15 National Parks in order to create successful partnerships between the UK Parks and businesses. It has developed a Sponsorship Policy which sets out guidelines for sponsorship at national level and the process by which sponsorship offers will be assessed. ~~Recent s~~Success to date includes Columbia Sportswear, Sykes Holiday Cottages, ~~and~~ Forest Holidays, Estee Lauder (Revere), Palladium, BMW, Harper Collins and EPAM Systems.
- 8.2. NPP will be seeking further sponsorship and partners at national level to provide funding and other in-kind support across the National Park family. Care therefore needs to be taken to ensure that any local agreements do not negatively impact on existing or potential national negotiations. In particular, an assessment of any local sponsorship offer should be undertaken to determine whether the proposed sponsorship relates to an asset or event which could be better “marketed” at the national level, and if so, whether the current sponsorship proposal has the potential to be escalated to NPP. Advice and support in this area can be sought from the NPP.

## 9. ~~State Aid~~ Subsidy Control considerations in the provision of sponsorship by the Authority

- 9.1. Where the Authority is to be the provider of funding or sponsorship to a ~~third party~~third-party organisation, the issue of ~~State Aid~~ Subsidy Control must first be considered. ~~State Aid~~ Subsidy Control may arise where the Authority gives money to a commercial organisation and relates to state resources being used to provide assistance which gives organisations an advantage over others. Within the scope of the Authority's activities, this has the potential to occur in the provision of grant and other project funding, and also if the Authority were to establish any schemes to provide financial support or assistance or which were intended to stimulate growth in a target sector or region.
- 9.2. The initial considerations when determining whether funding represents ~~State Aid~~ Subsidy Control have been defined by the Department for Business, Innovation and Skills<sup>5</sup> as follows:
1. Is the financial assistance ~~granted by the state or given, directly or indirectly, from public through state~~ resources by a public authority?
  2. Does the financial assistance ~~give confer~~ an economic advantage to one or more ~~undertakings over others~~ enterprises?
  3. ~~Is the financial~~ ~~Does the~~ assistance specific? That is, has the economic advantage been provided to one (or more than one) enterprise, but not to others? distort, or have the potential to distort competition?
  4. ~~Does the assistance affect trade between EU Member States~~ Will the financial assistance have, or is it capable of having, an effect on competition or investment within the UK, or trade or investment between the UK and another country or territory??
- 9.3. In the event that sponsorship or funding is considered likely to be ~~State Aid~~ Subsidy Control, guidance should be sought from the Finance Team. The fact that a project constitutes ~~State Aid~~ Subsidy Control does not necessarily mean that it cannot be undertaken, but does mean that care needs to be taken to ensure that activities comply with ~~State Aid~~ Subsidy Control rules, and remain legal.

## 10. Dealing with complaints

- 10.1. In the event of any complaints regarding advertising or sponsorship, the Authority will adopt the following approach:

---

<sup>5</sup> ~~State Aid: The Basics~~, UK subsidy control Department for Business, Innovation and Skills, 20~~22~~15.

- Complaints will be reported to Members as part of existing complaints monitoring processes, with any urgent or significant issues being reported on an ~~exceptions~~exception's basis.
- The Authority will be clear about the general rationale for accepting advertising and sponsorship, and in particular the need for the Authority to adopt a more commercial approach to income generation.
- Any concerns raised about a specific advert, advertiser or sponsor will be considered by the Authority's Management Team. If following review the advertising / sponsorship is considered appropriate, it will be continued with an explanation provided to the complainant. If the advertising / sponsorship is deemed to be harming, or potentially harming, the Authority's brand or reputation, then the advertising / sponsorship should be ended immediately (or as soon as reasonably practicable in the case of a sponsorship arrangement), with communications issued to explain the decision if necessary.

## 11. Review

11.1. This Policy will be reviewed every three years, or more frequently where there are significant changes in the environment within which the Authority operates.

Responsibility for ensuring that regular reviews are carried out lies with the ~~Chief Financial Officer~~Director of Finance.

~~February 2019~~March 2023