

EXPORT GUARANTEES ADVISORY COUNCIL

MINUTES OF MEETING HELD ON 12 June 2015

Present:

Mr Andrew Wiseman (Chair)
Mr Alastair Clark
Ms Gillian Arthur
Mr John Newgas
Mr Neil Holt

Apologies:

Ms Anna Soulsby
Ms Alexandra Elson

In attendance:

Mr Steve Dodgson
Mr Andy Blacksell
Mr Charles Redfearn
Mr Philip Worley

Secretary:

Mr David Underwood

1 APOLOGIES FOR ABSENCE

1.1 Apologies were received from Ms Alexandra Elson and Ms Anna Soulsby

2 Anti Bribery and Corruption Public Consultation

2.1 The Council met to discuss the submissions from interested parties made in response to the Government's Public Consultation on proposed changes to its anti-bribery policy and procedures. The Consultation had sought views on two proposals:

- (i) simplification of the anti-bribery and corruption declarations and undertakings which applicants for UKEF support are required to make; and
 - (ii) UKEF's future approach to consulting interested parties on changes to its anti-bribery and corruption policy and practices.
- 2.2 The Council noted that ten submissions had been received including from trade bodies and NGOs. The Council noted that the submissions were broadly supportive of the government's aim to simplify and make clearer the declarations and undertakings, including expressing them in plainer English. The Council noted that a number of specific suggestions had been made by respondents which were largely technical in nature. The Council discussed these and advised accordingly, particularly that UKEF should be cautious about adopting suggestions which could lead to particular declarations and undertakings being weakened.
- 2.3 The Council noted there were differing views about how UKEF should address anti-bribery due diligence if and when it introduced new products being contemplated following the changes to UKEF's statutory powers, as enacted in the Small Enterprise and Employment Act. The Council observed that NGOs were particularly concerned about UKEF's possible approach where it provided support, for example, under a working capital facility, that would not be linked to a specific export contract and its proposal that due diligence would not routinely be carried out on Agents. While recognising that in the absence of a specific export contract it would not be possible to undertake due diligence on a particular agent, the Council felt that UKEF should consider alternative approaches, possibly through ensuring companies made specific declarations and undertakings about the use of agents and examining their anti-bribery policies and practices including the arrangements for appointing and employing agents.

2.4 In relation to UKEF's future approach to consulting interested parties, the Council recognised that all government departments operated under Cabinet Office guidelines and UKEF could not uniquely operate a separate arrangement. Nonetheless, the Council advised that given the interest in UKEF's anti-bribery policy and practice, UKEF should consider consulting in circumstances where material changes to policy and principles were being contemplated, but not necessarily those changes of a technical or procedural nature.

2.5 Mr Blacksell told the Council that UKEF expected to put advice to Ministers on the government's response before the start of the Summer Recess. The Council would be briefed on the outcome at its next meeting.

3 ANY OTHER BUSINESS

3.1 The Council will next meet on 14 September 2015.

David Underwood

Secretary