

Planning, Governance and Compliance

- a. Paying bribes;
- b. Receiving bribes;
- c. Bribery of a foreign public official; or
- d. Failing to prevent bribery, when a bribe is paid on an organisation's behalf in order to win or retain business or a business advantage. In relation to this offence, it is important to note that:

This offence applies to bribes paid in both the UK and overseas; and

The organisation does not need to have known about the bribe to be criminally responsible.

- 4.1.4 In addition, if an individual with management responsibility turns a blind eye, consents, or connives in bribery, they can be separately prosecuted.
- 4.1.5 The sanctions for bribery offences are severe. They include up to ten years' imprisonment for individuals and unlimited fines for organisations, as well as significant reputational damage.
- 4.1.6 Adherence to the rules below should avoid any offence being committed under the Bribery Act 2010. The related guidance for this policy also provides some detail on the practical application of these rules:
 - a. Do not make payments to someone (or favour them in any other way) if you know that this will involve someone in the misuse of their position.
 - b. Do not misuse your position in connection with payments (or other favours) for yourself or others.
 - c. Do not deliberately use advantages to try to influence foreign public officials for business reasons. If you need to promote the University's business with a foreign public official, agree in advance how to approach this with your line manager.

4.2 **Gifts and Hospitality**

- 4.2.1 This policy does not prohibit reasonable and proportionate gifts and hospitality being given to or received from third parties.
- 4.2.2 Gifts and hospitality (whether given or received), however, must comply with the following rules:
 - a. They should be appropriate to the circumstances, and limited in the ways set out in d. and e. below. There must be no risk or perception that the giving or receiving of gifts or hospitality might improperly influence the recipient.
 - b. They must not infringe upon any rules applicable to the individual to whom the hospitality or gift is offered (i.e. any policy that another organisation has in place) or contravene any laws applying to that other person (whether in the UK or elsewhere).

- 4.3.2 Facilitation payments should be contrasted with official, lawful payments (typically to an organisation rather than an individual) to expedite certain functions (e.g. where there is a choice of fast track services to obtain a passport).
- 4.3.3 This policy strictly prohibits any kind of facilitation payments made by staff and others delivering services to the University, either remunerated or not. If in doubt about the validity of an official's request for payment, please refer to the related practical guidance for this policy.
- 4.3.4 Any demand for facilitation payments should be reported immediately via the Raising Concerns process.

4.4 **Donations**

- 4.4.1 Donations by the University must at all times adhere to the rules set out in this policy.
- 4.4.2 The University does not make contributions to political parties.
- 4.4.3 The University supports charitable giving and initiatives by colleagues. However, it is only open to the University to make charitable donations at an institutional level in limited prescribed circumstances, and any such requests should first be referred to the Director of Finance.
- 4.4.4 Donations received by the University are covered in more detail by the University's Donations Policy.

4.5 **Consultancy and External Activity**

- 4.5.1 Any consultancy activity undertaken related to a person's employment must at all times adhere to the rules set out in this policy – e.g. must be registered and appropriately authorised, and must be costed using an appropriate day rate and taking into consideration market value. Consultancy and any other external activity is covered in more detail in the University's Policy on External Professional Activities.

5. **LEGISLATION AND GOOD PRACTICE**

- 5.1 The Bribery Act 2010: <http://www.legislation.gov.uk/ukpga/2010/23/contents>
- 5.2 The UK government has also published several pieces of guidance for organisations in relation to the Bribery Act 2010 here: <https://www.gov.uk/government/publications/bribery-act-2010-guidance>
- 5.3 The Committee on Standards in Public Life (<https://www.gov.uk/government/organisations/the-committee-on-standards-in-public-life>) is an advisory non-departmental public body that advises the Prime Minister on ethical standards across public life in England, monitoring and reporting on issues relating to the standards of conduct of all public office holders.
 - 5.3.1 Seven Principles of Public Life (<https://www.gov.uk/government/publications/the-7-principles-of-public-life>) is an overview of the Nolan Principles, applicable to public officer-holders and those working in education and delivering public services.
- 5.4 The HEFCE Memorandum of Assurance and Accountability (<http://www.hefce.ac.uk/reg/MAA/>) sets out the terms and conditions for payment of

HEFCE grants to higher education (HE) institutions and defines the formal relationship between HEFCE, governing bodies, and accountable heads of institutions to provide assurance and clarity.

Review / Contacts / References	
Policy title:	Anti-Bribery Policy
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