Lancaster University Anti-Bribery and Corruption Policy

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Version control

Version	Date	Description of changes and name and job title of person responsible for making changes.	
0.1	May 2019	First draft by Lucy Sanderson, Governance Officer.	
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Aims of the policy

- 1. The Anti-Bribery and Corruption (ABC) Policy is in place to protect individuals associated with Lancaster University and the organisation itself from any accusation of improper conduct. The Policy also aims to provide information on the legal obligations concerning individuals and organisations.
- 2. The ABC Policy articulates the y anti-bribery stance, in compliance with the Bribery Act 2010, and seeks to ensure there is a practical and realistic means of achieving the stated policy objectives across all University activities to create an anti-bribery culture.
- 3. As the University has significant amounts of overseas activities, including research, teaching partners, philanthropic donors and students, the risks around bribery may be higher than other organisations that only operate within the UK. The ABC Policy informs members of the University on specific bribery risks and provides clarity on responsibilities.

Application of the policy

4.

Useful Definitions

Bribery

- 6. Bribery is offering a financial, material or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so, in order to gain an advantage, whether personal or commercial.
- 7. Bribery undermines democracy and the rule of law and poses very serious threats to sustained economic progress in developing and emerging economies and to the proper operation of free markets more generally. The victims of bribery are lawabiding organisations and the wider victims are government and society.
- 8. By rejecting bribery, the University will maintain its reputation and business partner confidence, as well as contributing to collective action against bribery in the sector.

Corruption

9. Giving or obtaining advantage through illegal or dishonest behaviour, or through means which

Facilitation payments

10. Payments to induce officials to perform routine functions they are otherwise obligated to perform.

Conflict of interest

- 11. A situation in which private interests are opposed to that person s responsibilities to other people.
- 12. All staff have a responsibility to consider whether their actions may give ri 318.67 Tm0 g0 G()]TJETQ

Financial regulations

15. This Anti-Bribery and Corruption Policy should be read in conjunction with the Financial Regulations, particularly with regards to section 3.4 of the Regulations which deals with Fraud, Theft, Bribery, Corruption, Money Laundering and other Irregularity and section 3.8 which covers compliance with sanctions rules. Sanctions rules mainly relate to the direct transfer of funds to and from sanctioned countries, entities and individuals, but can also be affected by ownership structures of organisations we transact with overseas.

Oriminal Offence and consequences

16. The Bribery Act 2010 makes it a criminal offence to:

engage with active bribery (the offence of offering to bribe another) give a bribe, or agree to give a bribe in the UK or overseas;

engage with passive bribery (the offence of accepting or requesting a bribe); bribe a foreign public official in order to gain an advantage, which includes anyone in a legislative, administrative or judicial position, elected or appointed, anyone whoperforms a public function and any official or a public international organisation;

fail to prevent bribery (the offence by a commercial organisation, including a university, of failure to prevent bribery by any person associated with it) i.e. failing to prevent an employee, agent or intermediary from paying a bribe for the benefit, even if the organisation is unaware of the bribe being paid.

17. A Bribery conviction could compromise the career of an individual. The maximum prison sentware of the bribe being

19. Bribery takes many forms and is not tolerated by the University. For example, it is unacceptable for you, or someone on your behalf:

to give, agree to give or offer a payment, gift or hospitality in the UK or overseas, where you expect a personal or business advantage, or to reward an advantage that has already been given;

to give, agree to give or offer a payment, gift or hospitality in the UK or overseas to a public official in order to gain an advantage (see above section on criminal offences), or to reward an advantage that has already been given;

establish and disseminate a clear process and appropriate standards for hospitality, gifts and promotional or other similar expenditure; undertake periodic review of processes and policies to ensure appropriateness with the ABC Policy.

23. Employees will be expected to:

all locations both in the UK and overseas where University business is conducted, in order to meet all legal and regulatory requirements; where required, undertake appropriate training; report information in line with the gifts and hospitality and facilitation payments guidance in y 7 k "# h be aware of their personal responsibilities and to adhere to this and other relevant policies, including the Financial Regulations at all times; follow the Ethical Gifts Policy if engaged in fundraising activities on the y concerns as soon as possible, in line with the ABC Policy and the Raising Serious Concerns and Disclosing Public Interest Matters (Whistle blowing) policy.

24. Partners working with the University and third parties acting on behalf of the University will be expected to:

read, understand and comply with the y ABC Policy, in order to enable the University to meet all legal and regulatory requirements, both in its UK and overseas activities.

Staff members at a higher risk of encountering bribery scenarios

25. There are staff groups who are potentially at higher at 3 Tm0 g0 G 0.08872 0 595.4 841.8 reW nl

Partners and third parties at higher risk of encountering bribery scenarios

26. The same principles as set out above apply to partners and third parties, particularly those working in countries who are perceived to have medium to high levels of public sector corruption (see the <u>Corruption Perceptions Index</u> by Transparency International).

Raising a concern

- 27. If you suspect that there is an instance of bribery or corrupt activities occurring in relation to business conducted by the University, you must raise your concerns as soon as possible. If you are unsure if the instance constitutes as bribery, consult this Policy and speak to your line manager if this is appropriate in the first instance, or you may informally discuss with the Director of Strategic Planning and Governance, Simon Jennings (s.jennings2@lancaster.ac.uk). If you have any general questions relating to bribery or you are unsure about whether to give or receive gifts or hospitality, you should speak to your Line Manager.
- 28. For more information on reporting any suspected bribery concern or other serious matter, please consult the Raising Serious Concerns and Disclosing Public Interest Matters (Whistle blowing) Policy.
- 29. Bribery is considered as a serious offence and, should it occur, the University will take firm action accordingly and as previously outlined.