

# **Anti-Bribery Policy**

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Version: 4.00  
Status: Final  
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Date: 06/07/2023

## Anti-Bribery Policy

# Approval History

| Version | Date       | Name  | Approved By       |
|---------|------------|---|-------------------|
| 00.02   | 05/07/12   | Prepared for approval and sign off at the Board of Trustees meeting                       |                   |
| 00.03   | 27/02/13   | Prepared for approval by the CEM Directors Group following feedback received from lawyers |                   |
| 00.04   | 13/03/13   | Approved by CEM Directors Group   | Directors         |
| 1.00    | 21/03/13   | Approved by CEM Board of Trustees   | Board of Trustees |
| 1.01    | 17/09/17   | UCEM Senior Leadership Team Review  |                   |
| 1.01    | 27/09/17   | UCEM Board of Trustees  |                   |
| 2.00    | 06/10/17   | UCEM Board of Trustees  | Board of Trustees |
| 2.00    | 27/06/19   | Annual re-approval, no amendments   | Board of Trustees |
| 3.00    | 09/07/2021 | Re-approval, minor amendments   | Board of Trustees |
| 4.00    | 06/07/2023 | Re-approval, minor amendments   | Board of Trustees |
|         |            |   |                   |

# Document History

| Version | Date       | Reason   | Person                |
|---------|------------|--|-----------------------|
| V00.01  | 22/03/12   | Draft to the Directors Group meeting   | G Smith               |
| V00.02  | 20/06/12   | Amended after the Directors Group meeting  | G Smith               |
| V00.03  | 27/02/13   | Amended following discussions with Taylor Wessing (solicitors)                                 | G. Smith              |
| V00.04  | 13/03/13   | Final amendments made after the Directors Group meeting  | J. Sawyer             |
| 1.01    | 11/05/17   | Amended to UCEM style and formatting and updated   | L Hughes for J Fawkes |
| 1.02    | 11/09/17   | Policy reviewed and amended  | J Fawkes              |
| 1.03    | 06/10/17   | Policy amended based on request from Board of Trustees during their review at meeting 06/10/17 | L Hughes              |
| 2.01    | 08/06/2021 | Biennial review and minor amendments   | J Fawkes              |
| 3.01    | 26/06/2023 | Biennial review (minor amendments)   | J Fawkes              |

# Anti-Bribery Policy

## Table of Contents

|  |          |
|--|----------|
| <b>1. Introduction .....</b>               | <b>1</b> |
| <b>2. Policy Aim.....</b>                  | <b>1</b> |
| <b>3. The Law.....</b>                     | <b>1</b> |
| <b>3.1 Bribe Definition.....</b>           | <b>1</b> |
| <b>4. Policy Statement .....</b>           | <b>2</b> |
| <b>5. Employee Responsibility.....</b>     | <b>2</b> |
| <b>5.1 Record keeping .....</b>            | <b>3</b> |
| <b>5.2 Due Diligence.....</b>              | <b>3</b> |
| <b>5.3 Corporate Hospitality.....</b>      | <b>3</b> |
| <b>6. Working overseas .....</b>           | <b>3</b> |
| <b>7. Gifts and Hospitality .....</b>      | <b>3</b> |
| <b>8. Reporting suspected bribery.....</b> | <b>5</b> |
| <b>9. Non Compliance.....</b>              | <b>5</b> |
| <b>10. Monitoring Policy .....</b>         | <b>5</b> |
| <b>11. Review and Approval.....</b>        | <b>5</b> |
| <b>12. Policy Implementation .....</b>     | <b>5</b> |

# Anti-Bribery Policy

## 1. Introduction

UCEM is committed to implementing and enforcing effective systems to counter bribery. Therefore, it is UCEM's policy to conduct all aspects of its business in an honest ethical and sustainable manner at all times.

This policy applies to all employees and to temporary workers, consultants, contractors, agents, agency workers, and subsidiaries acting for, or on behalf of, the Institution ("associated persons") within the UK and overseas. Every employee and associated person acting for, or on behalf of, the Institution is responsible for maintaining the highest standards of business conduct. All employees and associated persons are required to comply with this policy, in accordance with the Bribery Act 2010.

UCEM recognises that industry practices may vary from country to country or from culture to culture. What is considered unacceptable in one place may be normal or usual practice in another. Nevertheless, the prevention, detection and reporting of bribery as set out in this Policy is expected of all employees and associated persons at all times. If in doubt as to what might amount to bribery or what might constitute a breach of this Policy, refer the matter to your line manager or to the University College Secretary.

## 2. Policy Aim

The aim of this policy is to help UCEM act in accordance with the Bribery Act 2010, maintain the highest possible standards of business practice, and advise individuals of UCEM's 'zero-tolerance' to bribery.

## 3. The Law

Under UK law (UK Bribery Act 2010), bribery and corruption is punishable for individuals by up to ten years' imprisonment. If UCEM is found to have taken part in the corruption or lacks adequate procedures to prevent bribery, it could face an unlimited fine and be excluded from tendering for Government contracts.

### 3.1 Bribe Definition

The Bribery Act 2010 defines a bribe as a financial or other type of advantage that is offered or requested with the:

- intention of inducing or rewarding improper performance of a function or activity; or
- knowledge or belief that accepting such a reward would constitute the improper performance of such a function or activity.
- A relevant function or activity includes public, state or business activities or any activity performed in the course of a person's employment, or on behalf of another organisation or individual, where the person performing that activity is expected to perform it in good faith, impartially, or in accordance with a position of trust

# Anti-Bribery Policy

## 3.2 Criminal Offences

A criminal offence will be committed under the Bribery Act 2010 if:

- an employee or associated person acting for, or on behalf of, UCEM offers, promises, gives, requests, receives or agrees to receive bribes; or
- an employee or associated person acting for, or on behalf of, UCEM offers, promises or gives a bribe to a foreign public official with the intention of influencing that official in the performance of his/her duties (where local law does not permit or require such influence); and
- UCEM does not have the defence that it has adequate procedures in place to prevent bribery by its employees or associated persons.

## 4. Policy Statement

UCEM is committed to the highest standards of ethical conduct and integrity in its business activities in the UK and overseas.

UCEM will not:

- Make contributions of any kind with the purpose of gaining any commercial advantage.
- Provide gifts or hospitality with the intention of persuading anyone to act improperly, or to influence a public official in the performance of their duties.
- Make, or accept, facilitation payments (or “kickbacks<sup>1</sup>”) of any kind.

UCEM will:

- Keep appropriate internal records that will evidence the business reason for making any payments to third parties.
- Encourage employees to raise concerns about any issue or suspicion of malpractice to their Line Manager or the University College Secretary or via the Whistleblowing Policy, available from the HR section of the intranet (A-Z folder), at the earliest possible stage.
- See that anyone raising a concern about bribery will not suffer any detriment as a result, even if they turn out to be mistaken.

## 5. Employee Responsibility

Employees must not:

- Accept any financial or other reward from any person in return for providing some favour.
- Request a financial or other reward from any person in return for providing some favour.
- Offer any financial or other reward to any person in return for providing some favour.

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<sup>1</sup> Kickbacks or facilitation payments are typically small payments made in return for a business favour or advantage.

# Anti-Bribery Policy

## 5.1 Record keeping

Employees and, where applicable, associated persons, are required to take particular care to ensure that records are accurately maintained in relation to any contracts or business activities, including financial invoices and all payment transactions with clients, suppliers and public officials.

## 5.2 Due Diligence

Due diligence should be undertaken by employees and associated persons prior to entering into any contract, arrangement or relationship with a potential supplier of services, agent, consultant or representative.

## 5.3 Corporate Hospitality

Employees and associated persons are required to keep accurate, detailed and up-to-date records of all corporate hospitality, entertainment or gifts accepted or offered.

## 6. Working overseas

Employees and associated persons conducting business on behalf of UCEM outside the UK may be at greater risk of being exposed to bribery or unethical business conduct than UK-based employees. Employees and associated persons owe a duty to UCEM to be extra vigilant when conducting international business.

While any suspicious circumstances should be reported, employees and associated persons are required particularly to report:

- close family, personal or business ties that a prospective agent, representative or joint-venture partner may have with government or corporate officials, directors or employees;
- a history of corruption in the country in which the business is being undertaken;
- requests for cash payments;
- requests for unusual payment arrangements, for example via a third party;
- requests for reimbursements of unsubstantiated or unusual expenses; or
- a lack of standard invoices and proper financial practices.

If an employee or associated person is in any doubt as to whether or not a potential act constitutes bribery, the matter should be referred to their line manager or the University College Secretary.

## 7. Gifts and Hospitality

This policy does not prohibit giving and receiving promotional gifts of low value, or normal and appropriate hospitality<sup>2</sup>.

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<sup>2</sup>Hospitality is the practice of being hospitable, this includes the reception and entertainment of guests / visitors.

# Anti-Bribery Policy

Any offer of a gift or hospitality and other services (e.g., travel offered in exchange for a service such as a presentation or speech) whether offered verbally, by email or letter, and whether accepted, declined or not received must be recorded on the UCEM Gifts and Hospitality Register, by notifying [deputyprincipal@ucem.ac.uk](mailto:deputyprincipal@ucem.ac.uk)

UCEM permits corporate entertainment, gifts, hospitality and promotional expenditure that is undertaken:

- for the purpose of establishing or maintaining good business relationships;
- to improve the image and reputation of UCEM or
- to present UCEM effectively;

provided that it is:

- arranged in good faith, and
- not offered, promised or accepted to secure an advantage for UCEM or any of its employees or associated persons or to influence the impartiality of the recipient

## 7.1 Gifts

Receiving Business gifts:

- Receiving promotional gifts of low value is normal and appropriate, however, gifts with a value exceeding 30.00 may not be accepted without approval. Any gift offered and then refused because of its value, must be reported to the University College Secretary.

Receiving Student gifts:

- Receiving gifts from students of low value is normal and appropriate, however, gifts with a value exceeding £30.00 may not be accepted without approval. Any gift offered and then refused because of its value, must be reported to the University College Secretary.

Offering Business gifts:

- Business gifts are primarily aimed at thanking customers and suppliers for their custom and loyalty, only gifts authorised by the University College Secretary may be given.

## 7.2 Hospitality

Receiving Hospitality:

- The acceptance of corporate hospitality must be transparent; all invitations must be reported to UCEM before an employee accepts any invitation. If the value of such hospitality is over £100 then specific approval must be sought from your line manager. While attending conferences, seminars and other events, sponsored by third parties you may accept:
  - normal reimbursement of business and travel expenses incurred
  - normal business lunches and meals

Offering gifts and hospitality:

- Company hospitality is primarily aimed at thanking customers and suppliers for their custom and loyalty. All hospitality events must be approved by your Line Manager.

# Anti-Bribery Policy

Donations to organisations:

- No donations should be made to charities, political parties or other organisations without approval of the Principal.

## 8. Reporting suspected bribery

UCEM depends on its employees and associated persons to ensure that the highest standards of ethical conduct are maintained in all its business dealings. Employees and associated persons are requested to assist UCEM and to remain vigilant in preventing, detecting and reporting bribery.

Employees and associated persons are encouraged to report any concerns that they may have to their line manager, the University College Secretary or to HR with reference to the Whistleblowing Policy as soon as possible. Issues that should be reported include:

- any suspected or actual attempts at bribery;
- concerns that other employees or associated persons may be being bribed; or
- concerns that other employees or associated persons may be bribing third parties, such as clients or government officials

UCEM will fully investigate any instances of alleged or suspected bribery.

## 9. Non Compliance

### Sanctions for breach

A breach of any of the provisions of this Policy is likely to constitute a disciplinary offence and will be dealt with in accordance with UCEM's disciplinary procedure. Depending on the gravity of any offence, this may be treated as gross misconduct and could render the employee liable to summary dismissal.

As far as associated persons are concerned, a breach of this Policy could lead to the suspension or termination of any relevant contract, sub-contract or other agreement.

## 10. Monitoring Policy

The policy will be monitored by the UCEM Executive on an on-going basis to ensure that it addresses issues effectively.

The following will be monitored:

- That all individuals working for UCEM are advised of the policy.
- Assessment of any reported incident or related occurrence.

Monitoring of the policy is essential to assess how effective UCEM has been to establish control of its obligations.

## 11. Review and Approval

This policy will be reviewed on a bi-annual cycle by the Executive, for approval by the Board of Trustees. It may be reviewed on a more regular basis due to legislative or organisational changes.

## 12. Policy Implementation

UCEM will regularly communicate its anti-bribery measures to employees and associated persons, and provide training where necessary.



## **Anti-Bribery Policy**

Should any amendments, revisions, or updates be made to this policy it is the responsibility of UCEM's Executive to see that all relevant employees receive notice.