

**Royal Holloway  
University of London**

**Anti-Bribery Policy**

**1. Introduction**

Royal Holloway, University of London condemns all acts of bribery and is committed to ensuring that its staff and associated persons act with integrity and honesty in all business dealings. The College has a zero tolerance approach to bribery and corruption.

This policy should be read in conjunction with the College' Finance Regulations, the Anti Fraud Policy and the Gifts and Hospitality Policy.

**2. The Bribery Act 2010**

2.1 The Bribery Act 2010 came into force on 1 July 2011. It creates four offences; three relating to individuals and one corporate offence:

- Promising or offering a bribe
- Requesting, agreeing to receive or accepting a bribe
- Bribing a foreign public official
- and the corporate offence of failure to prevent bribery by persons associated with a commercial organisation

2.2 Where it can be proven that an offence was committed with the consent or connivance of a senior officer of the College, that person will be also be guilty of an offence as an individual.

2.3 There is no need for the College to have intended to commit bribery for it to be responsible for the corporate offence of failing to prevent bribery.

2.4 The Act has extra-territorial reach so the offence does not need to take place in the UK.

**3 Responsibilities**

3.1 All members of staff are responsible for ensuring that bribery does not occur within the College, or by persons associated with the College when engaged on College business, and for reporting any suspicions or concerns in line with the requirements of the Anti-Fraud Policy. Any breach of this policy will lead to disciplinary action, which could result in dismissal for gross misconduct.

3.2 The College Executive Committee will oversee matters relating to Bribery and its members will provide senior leadership in ensuring that the College has a zero tolerance approach to bribery.

3.3 The College Executive Committee will also be responsible for identifying areas of high risk for bribery and for ensuring that appropriate measures are in place to manage the risk in those areas. Oversight of high risk areas will be provided through the College's Risk Register.

3.4 The Audit and Compliance Committee will be notified of any incidents of bribery and will provide assurance to Council on matters relating to bribery and corruption.

3.5 Staff Development will provide training for all senior staff and those staff working in areas of high risk. Staff working in these areas will have particular responsibilities to ensure that third parties are aware of the College's zero tolerance approach to bribery.

#### **4 What is Bribery?**

4.1 A bribe is an inducement or reward offered, promised or provided in order to gain an advantage either for the College or for the individual concerned, this includes academic advantage.

4.2 It is an offence to either offer or accept a bribe.

4.3 Examples of bribery could include:

- An official requesting a payment to ignore potential legal violations
- A request for payment in cash and/or refusal to provide a receipt or sign a formal agreement
- The offer of lavish hospitality by a company tendering for a College contract
- The offer of a gift from a student when work is being marked
- The offer a donation followed by a request for a place to study at the College for a family member
- A request for the College to use an agent that does not usually work for the College
- The offer of employment for a member of staff's child with a third party doing business with the College

#### **5 Areas of High Risk**

The following areas of work have been identified as high risk and extra care should be taken by College staff working in these areas:

- Recruitment of overseas students via agents
- Overseas partnerships
- Receipt of financial donations
- Procurement and contracting for goods and services

## **6 Gifts and Hospitality**

- 6.1 Normal and appropriate hospitality can be accepted in accordance with the College's Gifts and Hospitality Policy.
- 6.2 No gift or hospitality should be given or accepted if there is an intention to influence a business decision, or if it is explicitly or implicitly offered in exchange for favours or benefit. Any concerns about the purpose of a gift or hospitality should be reported immediately, in accordance with section 7 of this policy.
- 6.3 Any gift offered secretly to a member of staff must be refused and the matter reported immediately, in accordance with section 7.
- 6.4 All gifts and hospitality accepted must be recorded in accordance with the Gifts and Hospitality Policy.
- 6.5 The College may provide gifts and hospitality where it is reasonable and justifiable, and in accordance with the College's Financial Regulations. The level of gift provided on overseas trips may vary according to local custom but no gift should be given that would cause embarrassment if reported in the press.
- 6.6 No member of staff may offer or accept a donation, gift or hospitality to or from a government official or representative, or a politician or political party, without prior approval from the relevant line manager. This does not preclude members of staff from engaging with politicians and political parties in a private capacity but any potential conflict of interest should be reported on the College's Register of Interests, which is held by the College Secretary.
- 6.7 No member of staff may offer any facilitation payment, or other reward that is not for contracted services and receipted, to an agent or other third party under any circumstances.

## **7 Reporting and Investigation**

- 7.1 All members of staff are responsible for reporting any suspicions or concerns relating to bribery or corruption, both in relation to College staff and third parties. Reports should be made to the Head of Department in the first instance and at the earliest opportunity. Where this is not appropriate, a report can be made to the Director of Finance or Registrar, or if necessary, another member of senior management.
- 7.2 It is essential that members of staff tell their Head of Department as soon as possible if they are offered a bribe by a third party or are asked to make a bribe.
- 7.3 Any person receiving a report of suspected bribery must report it to the Internal Auditor. An investigation will then be conducted in accordance with Part 2 of the Anti Fraud policy which outlines the process in detail.

7.4 It is essential that members of staff feel able to report incidents or concerns without fear of repercussions. Any member of staff making a report under this policy in good faith will be supported by the College, even if the concerns turn out to be unfounded.

## **8 Associated Policies**

Financial Regulations

Anti-Fraud Policy and Response Plan

Gifts and Hospitality Policy

College Tendering and Procurement Regulations and Guidance

Acceptance of Donations Policy

Equality Impact Assessment – no differential impact identified

College Secretary  
July 2011