

Ethical Conduct Procedure: Bribery, Fraud, Gifts, Hospitality and Conflicts of Interest

Enabling Policy Statement; Executive Owner; Approval Route:	Our Colleagues – Chief Operating Officer – Operations Committee
Associated Policy Statements:	n/a
Authorised Owner:	University Secretary and General Counsel
Authorised Co-ordinator:	Associate Director (People Services)
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Approval History

Version	Reason for review	Approval Route	Date
1.0.2	Update implementing points from 2021 Fraud Risk Management Audit	Operations Committee	12 May 2022
1.0.3	Addition of NIH FCOI Policy as Sub document	Executive Owner	27 Jun 2022
2.0	Updates to gift level processes, inclusion of paid for travel and removal of forms in appendices	Operations Committee	18 April 2024
3.	Added procedure around gifts given by the University to third parties	Operations Committee	15 October 2024

1. Purpose

- 1.1. This Procedure supports Objective 2.1 of the Our Colleagues Policy Statement in terms of ensuring compliance with relevant laws.
- 1.2. The University values and seeks to uphold the highest standards of ethical behavior and financial probity and accordingly seeks to conduct its affairs in a manner which limits the risk of exposure to **bribery, fraud** and corruption. As **gifts** or hospitality may, in some circumstances, constitute or potentially be perceived as constituting a form of **bribery** or a corrupt practice, University staff and other **associated persons** shall not give or receive **gifts** or hospitality otherwise than in accordance with this Procedure and the Philanthropic Gift Policy.
- 1.3. Staff should never use their office or employment for personal gain and must at all times act in good faith with regard to the University's interests. The University is therefore committed to preventing **bribery** and **fraud** by its staff and any third party acting for or on behalf of the University and in doing so avoiding corrupt practices.

2. Scope and Exceptions to the Procedure

- 2.1. This Procedure is binding on all staff, including but not limited to the University's employees, workers, consultants, contractors, agents, Members of Council and its Committees and also the University's students. Refusal to observe it will be grounds for disciplinary action in accordance with the University's Disciplinary Procedures or the University's Student Disciplinary Regulations (in each case where applicable).
- 2.2. The requirements set out in this Procedure for disclosure of **gifts, corporate hospitality** and **Conflict of Interest** apply to employees of the University of Surrey. However, all other staff and other **associated persons** are expected to comply in all other ways with this Procedure and to draw to the University's attention any reasonable suspicion of **bribery, fraud**, corrupt practices and **Conflicts of Interest** affecting the University.
- 2.3. We also expect those third parties with whom we do business to act in a manner consistent with this Procedure and the standards it seeks to uphold.
- 2.4. Genuine hospitality or similar business expenditure that is reasonable and proportionate is not a concern to the University.

3. Definitions and Terminology

Associated person

A person, company or other legal entity that performs services for or on behalf of or does business with the University. This may include, for example, agents, subsidiaries, contractors and subcontractors, recipients of grants, joint venture partners, collaborators of any kind and sources of funding and professional or other services to the University.

Bribery

- a) offering, promising, giving, requesting or accepting a financial or other advantage in circumstances occurring inside or outside the UK which are intended to induce or reward improper performance of a function or activity that:
- is of a public nature, performed in the course of a person's employment, connected with a business or trade, or performed on behalf of a body of people; and
 - a reasonable person in the UK would expect to be performed in good faith, impartially or in accordance with a position of trust.
- b) offering, promising or giving a financial or other advantage to a public official outside the UK (or somebody else nominated by that official) intending to influence the official in the performance of their official functions in order to obtain or retain business or a business advantage.

Facilitation payments can fall within a) and b) above

The term "advantage" includes money, gifts, loans, fees, hospitality, services, discounts, the award of a contract or anything else of value.

Conflict of Interest

A situation or circumstances in which an individual's interests and/or loyalties outside of their work for the University conflict with the interests of the University. This would include interests of the individual and interests of family members, partners and close friends or associates.

Corporate hospitality

An entertainment event given by an organisation and aimed at its clients in general. Such events are aimed at PR and gaining introductions to relevant client staff.

Individual hospitality

Entertainment directed principally at one or more persons from the University.

Facilitation payments

Payments intended to secure or expedite routine or necessary government action by a public official. A facilitation payment includes a payment to a public official to do their job properly as well as payment to do their job improperly.

Fraud

An act or omission made with the intent of making a financial gain or causing a financial loss, or exposing another to the risk of a financial loss, in which a person:

- dishonestly makes a false representation; or
- dishonestly fails to disclose information which he or she is under a legal duty to disclose; or
- occupies a position in which he or she is expected to safeguard or not act against the interests of another person; and
 - dishonestly abuses that position; and
 - intends, by means of that abuse of that position, to make a gain for him or herself or another, or to cause loss to another or to expose another to the risk of loss.

Gift

- a gift or loan of money, goods or services or combination of these
- the receipt of beneficial terms that are not generally available regarding the procurement of goods or services
- Paid-for Travel

Paid-for Travel

Travel and expenses paid by third parties will constitute a gift where it is not paid as part of remuneration for services provided or part of a grant or other formal documented arrangement.

Hospitality

See 'Corporate Hospitality' and 'Individual Hospitality' definitions above

Improper

- a) A failure to perform a function or activity in good faith, impartially or in accordance with a position of trust; or
- b) not performing the function at all.

In deciding whether a function or activity has been performed improperly outside the UK, any local custom or practice must be disregarded unless it is permitted or required by the written law of the country in which it is performed.

Public official

Someone who holds a legislative, administrative or judicial position of any kind, whether appointed or elected; someone who exercises a public function for any country or territory (or any subdivision or such a country or territory); or an official of, or agent of, a public international organisation.

4. Procedural Principles

Principles

- 4.1. The University has no tolerance of **bribery, fraud** or other corrupt practices (including domestic or international **tax evasion**) within its operations, and University staff and **associated persons** must not engage in any form of **bribery, fraud** or other corrupt practices in any activity carried out on behalf of the University or which would be liable to be associated with the University. The University will take appropriate action to prevent **bribery, fraud** and other corrupt practices in dealings with the University. No University staff member or **associated person** shall seek a financial or other advantage for the University through **bribery**. No University staff member or **associated person** shall offer, promise, give, request, agree to receive or accept a bribe for any purpose.
- 4.2. The payment or acceptance of **facilitation payments** by University staff and other **associated persons** is unacceptable. The only exceptions are where the individual is in a vulnerable position (for example, where they are travelling and at immediate risk of harm if they do not make such a facilitation payment). In such cases, the payment should be reported in advance or as soon as is reasonably practicable in accordance with the procedures in Section 4.10 (The Reporting and Investigation Procedures) below.
- 4.3. The University has established systems and procedures which are designed to minimise the incidence of **fraud**, limit its impact and ensure its prompt detection. These systems and processes are embodied in the [Financial Regulations](#).
- 4.4. University staff who reasonably suspect that **bribery, fraud** or other corrupt practices have occurred or are being attempted are required to report their concerns internally, through the channels described below in Section 4.10. The University will investigate, report and record in accordance with these procedures and any other applicable procedures. Managers should familiarise themselves with the types of **fraud**, and dishonesty and other corrupt practices that might occur within their areas of business for example:
 - Approval of fraudulent invoices where no work was done, and the recipient is a friend, family member or acquaintance;
 - Award of qualifications to students that are not engaged with the University;
 - Obtaining new University or external funding in respect of students who obtained their qualification in the past, and had not undertaken further study;
 - Allowing non-students to sit exams or submit work on behalf of students.
- 4.5. Managers should also be aware that certain patterns of behaviour may indicate desire for

concealment, for example:

- Taking few holidays;
- Resistance to delegation;
- Resentment to normal discussions of work issues;
- Frequently working alone late or at weekends.

- 4.6. Managers should consider the risk of **fraud/bribery** or other corrupt practice when these patterns of behaviour are apparent in their staff.
- 4.7. Staff should not accept any **gifts** or **hospitality** which would put them in a position where they might be, or might reasonably be perceived by others, to be or have been, influenced in making a business decision as a consequence of accepting the **gift** or **hospitality**. Any **gifts** or **hospitality** the University and its staff offer or receive must always be reasonable and appropriate in the circumstances.
- 4.8. University employees must disclose any personal, financial or beneficial interest which may represent or lead to a **Conflict of Interest as outlined in 4.10.6, 4.10.7 and 4.11 below** or which might reasonably be perceived by others to represent a **Conflict of Interest**.
- 4.9. **Bribery, fraud** or other corrupt practice by University employees will be treated as a serious disciplinary offence, potentially resulting in dismissal without notice and/or legal action. In addition, there might, depending on the circumstances, be a criminal investigation by the police or other relevant authorities.

4.10. Reporting and Investigation Procedures

4.10.1 Corporate hospitality

Where **corporate hospitality** provided to a staff member is also being provided to people from other organisations (broadly at the level of the University staff member concerned), and is directed equally to those persons, the potential for this to represent **bribery** or a **Conflict of Interest** is not considered to be high. This is always subject to the level of corporate hospitality being appropriate for the event (e.g. **hospitality** should not include the company providing accommodation or significant travel provisions free of charge).

- a) All **corporate hospitality** proposed to University employees must be notified to Secretariat using the [online form](#). Secretariat will consult the employee's line manager before making a decision.
- b) **Corporate hospitality** from an organisation (or its parent company) which is in receipt of or has recently submitted tender documentation to the University or is otherwise involved in a tender process (or would reasonably be expected to be involved in a contemplated tender process) with the University should not be accepted by employees who are decision makers, or who can influence the outcome of a tender process.
- c) Discretion should always be exercised when accepting **corporate hospitality** as the organisation offering the hospitality (including other divisions or the parent company thereof) may be tendering to another part of the University.

4.10.2 Individual Hospitality

- a) **Individual hospitality** is acceptable if it simply reflects the reasonable and ordinary course of the "job in hand", which would therefore not be considered inappropriate,

extravagant or unusual by a reasonable person (e.g. a business meal when University staff are visiting a company). In such cases, no pre-authorisation or declaration is required. In considering whether **hospitality** is inappropriate, extravagant or unusual, reference should be had to the seniority of the employee and whether their role is externally facing and/or ambassadorial in nature.

b) **Individual hospitality** on a larger scale **should not be accepted without approval**, as it could represent an attempt by the company to secure or reward favourable treatment by the University. This is all the more of a concern than for **corporate hospitality** of the type described in Section 4.10.1 above, as in the case of **individual hospitality**, the staff member concerned would appear to be singled out for special treatment by the prospective provider of the **hospitality**. Where such **hospitality** is offered, employees should complete the [online form](#). Secretariat will consult the employee's line manager before making a decision.

4.10.3 Acceptance of Gifts

a) No member of staff in the course of their engagement by the University may accept any **gift** of money. This does not include formally approved schemes run by the University to reward employee performance or conduct.

b) Gifts may be accepted up to the limits below subject to the required processes being followed and provided they do not give rise to the risk of: influencing the business or academic judgement of the intended recipient of the **gift**; placing the intended recipient under any obligation; or a reasonable perception of the **gift** representing **bribery** or other corrupt practice, or giving rise to a **Conflict of Interest** on the part of the intended recipient. If there is any doubt, the **gift** must be refused.

- Reasonable small tokens (e.g. inexpensive promotional items or seasonal **gifts**), from an organisation or individual (including students) may be accepted without any approval or notification required. Such small tokens are defined as being up to £25 in value for an individual item, below £50 cumulative value per annum.
- Gifts above £25 and less than £75 that are offered may be accepted. All such gifts should be notified to Secretariat using the [online form](#), even where the gift is not accepted or is returned.
- Gifts of between £75 and £100 may be accepted. All such gifts should be notified to Secretariat using the <https://surreynet.surrey.ac.uk/form/record-of-gifts-form> [online form](#) even where the gift is not accepted or is returned, and will require the approval of the employee's line manager.
- Any **gifts** received above £100 should normally be returned to the donor concerned. Where, exceptionally, it is considered that this might cause offence, or might be impossible or otherwise present a material difficulty, the matter should be referred to the University Secretary and General Counsel (USGC) at the earliest opportunity by completing the [online form](#). The USGC, liaising where appropriate with other members of the Senior Management Team, will determine what further appropriate action should be taken, for example whether the **gift** can be accepted as University property, or could be donated to charity or could be accepted by the employee subject to a donation of the equivalent value from the employee to the University hardship fund.

c) **Paid-for Travel** - Travel and expenses paid by third parties will constitute a gift where it is not paid as part of remuneration for services provided or part of a grant or other formal documented arrangement. Where the payment of travel by a third party is offered outside of these arrangements, it should be notified as a potential gift to Secretariat using the [online form](#). Secretariat will judge each case on its merits, consulting colleagues and the employee's line manager as required.

d) A record of all **gifts** over £25 will be kept by Governance and Risk Assurance to help to identify trends that may give rise to concerns.

e) **Reciprocation:** Should staff be offered **hospitality** or **gifts**, it should be borne in mind that it is fairly common practice for such gifts to be reciprocated, or for reciprocation to be expected by the party making the gift. Therefore, any **hospitality** or **gifts**, above the thresholds set out at 4.10.3b) above, that cannot or would not be reciprocated should not be accepted. See also sections 4.10.4 and 4.10.5 below with regard to making gifts.

A summary of the above thresholds and requirements is:

Amount	Notification requirements	Acceptance
Up to £25	None required	Yes, subject to conditions
Over £25 and less than £75	Yes, via online form	Yes, subject to conditions
£75 to £100	Yes, via online form	Yes, with line manager approval and subject to conditions
£100+	Yes, via online form	No, either decline, donate to Uni or keep and pay equivalent value to Uni hardship fund
Paid-for travel	Yes, via online form (unless as part of remunerating for services provided, part of a grant or other formal document arrangements)	Each case will be considered on its merits.

4.10.4 Making Gifts – Students

Students are advised that, should they wish to make a personal **gift** to a member of staff (as defined in 2.1 above), they should do so after their programme of study has been completed and the results have been announced. Students should be aware of the relevant guidelines to staff on the acceptance of **gifts** as set out at section 4.10.3 above.

4.10.5 Making Gifts – Staff

Staff are advised that, should they wish to make a gift as part of a business arrangement between the University and a third party, the following procedures should be followed. Where notification is required, an email should be sent to Secretariat@surrey.ac.uk including the following information:

- The proposed recipient of the gift
- The gift and its value
- The purpose of the gift

a) No member of staff in the course of their engagement by the University may give any **gift** of money. This does not include formally approved schemes run by the University to reward employee performance or conduct.

b) Gifts may be given up to the limits below subject to the required processes being followed and provided they do not give rise to the risk of: influencing the business judgement of the intended recipient of the **gift**; placing the intended recipient under any obligation; or a reasonable perception of the **gift** representing **bribery** or other corrupt practice, or giving rise to a **Conflict of Interest** on the part of the intended recipient. If there is any doubt, the **gift** must not be offered.

- Reasonable small tokens (e.g. inexpensive promotional items or seasonal **gifts**) may be given without any approval or notification required. Such small tokens are defined as being up to £25 in value for an individual item, below £50 cumulative value per annum.
- University branded items such as sweatshirts, tote bags, tie pins up to a nominal value of £100 may be given without any approval or notification required.
- Other gifts above £25 and less than £75 may be given but must be notified to Secretariat in advance as described above.
- Gifts of between £75 and £100 may be given but must be notified to Secretariat in advance as described above and will require the approval of the employee's line manager.
- Gifts above £100 should not normally be given. Where, exceptionally, it is considered that this is required, the matter should be referred to the University Secretary and General Counsel (USGC) at the earliest opportunity by emailing as described above. The USGC, liaising where appropriate with other members of the Senior Management Team, will determine if the gift is permissible.

c) **Paid-for Travel** – The University paying travel and expenses for a third party will constitute a gift where it is not paid as part of remuneration for services provided or part of a grant or other formal documented arrangement. For the avoidance of doubt, payment of legitimate travel expenses to lay members of Council and other University bodies, does not need notification. Where staff wish to arrange for the payment of travel for a third party outside of these arrangements, it should be notified as a potential gift to Secretariat by emailing as described above. Secretariat will judge each case on its merits, consulting colleagues and the employee's line manager as required.

d) A record of all outgoing **gifts** over £25 will be kept by Governance and Risk Assurance to help to identify trends that may give rise to concerns.

A summary of the above thresholds and requirements is:

Amount	Notification requirements *	Approval
Up to £25	None required	None required, subject to conditions
Branded gifts	None required	None required, subject to conditions
Over £25 and less than £75	Yes, via email	None required, subject to conditions
£75 to £100	Yes, via email	Yes, with line manager approval and subject to conditions
£100+	Yes, via email	Yes, from University Secretary and Legal Counsel
Paid-for travel	Yes, via email (unless as part of remunerating for services provided, part of a grant or other formal document arrangements)	Each case will be considered on its merits.

* Where notification is required, an email should be sent to Secretariat@surrey.ac.uk including the following information:

- The proposed recipient of the gift
- The gift and its value
- The purpose of the gift

e) **Offering hospitality** – Please see the [Staff Travel and Expenses Procedure](#) for guidance on offering hospitality to guests. Hospitality may be offered, in accordance with the above Procedure, subject to the required processes being followed and provided they

do not give rise to the risk of: influencing the business judgement of the intended recipient; placing the intended recipient under any obligation; or a reasonable perception of the **hospitality** representing **bribery** or other corrupt practice, or giving rise to a **Conflict of Interest** on the part of the intended recipient. If there is any doubt, the **hospitality** must not be offered.

4.10.6 Outside business Interests

- a) All staff must avoid situations which may lead to a **Conflict of Interest** or a reasonable perception of such a conflict having arisen. This would include a commercial or business interest outside of the University of (directly) the staff member or (indirectly) a relative, partner or close friend or associate of the staff member, which interest could conflict with their obligations to the University or the best interests of the University and/or give the outside business an inappropriate competitive advantage as a result of the member of staff's work with the University.
- b) An actual or potential Conflict of Interest must be reported to an employee's line manager as soon as it is identified.
- c) On an ongoing basis, University staff must record all direct and indirect outside interests of which they are aware in other companies or businesses that the University or its related companies do business with, are proposed to do business with or are likely to do business with in the future using the online [Declaration of Interest form](#). Failure to make such a disclosure at the appropriate time may be treated as a disciplinary matter.
- d) Governance and Risk Assurance will keep a register of relevant disclosed interests and, in conjunction with the employee's line manager and other senior staff, give consideration to any appropriate additional measures to mitigate against the risk, perception or effect of a Conflict of Interest. This might, include, for example, additional measures with regard to the procurement process such as the member of staff concerned not being permitted any involvement or influence on any relevant procurement decisions.
- e) Current or former students or employees may be potential suppliers, customers or business partners through interests outside of their role (or previous role) at the University. Whilst it is acknowledged that forming future business contacts through their role at the University is natural and not inappropriate, it is important that, as a result of their involvement with the University, they do not receive or expect to receive special consideration or treatment. If their 'inside knowledge', for instance, appears to give them an unfair competitive advantage or other inappropriate preferential treatment, appropriate measures may be put in place to ensure fair competition and treatment among their competitors.

4.10.7 Conflict of Interests – Personal Conflicts

University staff should avoid dealing with the University's suppliers and customers outside of their work for the University if there is potential for this to make them or the University obliged or to feel obliged, or reasonably create an expectation of such an obligation, to the supplier or customer in the course of their work for the University.

Where such relationships are unavoidable, it is essential that staff do not deal with such third parties outside of work outside of standard market practice (e.g. unusual preferential rates or prices), in a manner which could be perceived to be a reward for actions or omissions in the course of their work on behalf of the University.

4.10.8 Bribery and Fraud

Duty to Report Suspicions:

All staff members and students are required to notify immediately the USGC (s.litchfield@surrey.ac.uk) of any reasonable suspicion of **bribery, fraud**, or other corrupt practices. Such notifications should be made in writing (in strict confidence) and should include a brief description of the concern, the estimated scale or scope for loss, any evidence supporting the concern, and details of the suspected perpetrator/s.

Reports made to the USGC under the above procedures will be considered for treatment as a disclosure under the University's [Public Interest Disclosure Policy](#), where made by an employee or worker of the University.

Where a report has been made under this part of this procedure, the USGC will appoint an appropriate investigator. The investigator will make recommendations to the USGC. In most cases these recommendations will include:

- Whether there is a case to answer; and
- Suggested next steps in terms of action or further consideration.

4.11 Intellectual Property conflicts of interest

4.11.1 It is the University's aim to encourage and facilitate the successful exploitation of intellectual property (IP). The University's [Intellectual Property Code](#) sets out the University's rules and expectations regarding IP and provides guidance on the University's policy and procedures on matters of creation, protection, exploitation and remuneration in respect of IP and inventions in which the University has an interest or would expect to have an interest.

4.11.2 The University would normally expect to own IP and inventions created in the course of an employee's employment with the University, and this is the default position under the law and the University's Intellectual Property Code. The University would commonly also expect to own IP and inventions created by other (i.e. non-employed) staff members in the course of agreed work for the University (e.g. as consultant or through a consultancy company), under the terms of their engagement. Particular attention and consideration therefore need to be given to situations involving engagement by the University of third-party businesses in which a staff member has a direct or indirect personal interest. For example, this would most clearly be the case where an employee of the University also does work for the University in a non-employed capacity, such as through a consultancy company in which they have a direct or indirect personal business interest, when the staff member would otherwise be able to undertake the work in the ordinary course of their employment by the University. If the terms of the engagement are proposed to or do vest ownership of IP or inventions in the employee or a third-party business in which they have a direct or indirect personal interest, then the question arises as to why the work is not undertaken by the staff member as a University employee, especially given a proposal is that any IP and inventions created will not belong to the University. This would be an example of a **Conflict of Interest**, as the University's interests and those of the staff member concerned are not aligned.

4.11.3 Accordingly, employees of the University **must not**, save as provided below, agree any arrangement between the University and a business in which they have any direct or indirect personal interest, which purports to vest legal or beneficial ownership of any IP or invention otherwise than in the University.

4.11.4 Where such an arrangement as described above is being considered or proposed, and the IP and invention ownership under the arrangement would deviate from the usual

expectations of the University summarised above, any direct or indirect personal interest in the business of the University employee concerned must be disclosed to their line manager in advance as a Conflict of Interest, together with any specific proposal and business justification as to IP and invention ownership. A decision will then be made by the staff member's line manager, in consultation with the Executive Dean (where applicable) and the USGC. This should be done via the Conflict of Interest declaration procedure referred to above, with additional information regarding IP and invention ownership.

- 4.11.5 Inventions made in the course of a staff member's employment by the University belong to the University. Staff shall at the request and at the cost and with the necessary support and advice of the University take all reasonable steps to enable the University to create, assert and defend its Intellectual Property rights in such Inventions (including without limitation in the application for and prosecution and maintenance of appropriate protection, such as patent cover, for such Inventions). Affected Parties shall at all times at the request and at the cost of the University take all reasonable steps to maintain the confidentiality, registrability and exploitation of any IP. No disclosure of any potentially patentable or confidential information shall be made except on approved terms.

4.12 Responsibilities of the USGC

The USGC has responsibility for implementing this Procedure, monitoring compliance and ensuring that it is regularly reviewed. As such their responsibilities will be:

- a) to ensure that reported incidents of **bribery, fraud** and other corrupt practices are recorded in the Corruption Report log and that incidents are investigated and reported in accordance with Section 4.10 above;
- b) to compile an annual report for Audit & Assurance Committee on the implementation of this Procedure and the outcomes of any risk assessment, due diligence and any incidents of reported **bribery, fraud** and other corrupt practices and to recommend any changes to this Procedure which may become appropriate;
- c) to ensure that University documents and procedures (including those relating to procurement, fundraising and terms and conditions of employment) reflect this Procedure;
- d) to co-ordinate the University's response to any investigation or charge under anti-**bribery**, corruption or **fraud** legislation;
- e) to ensure communication of the University's zero tolerance on **bribery, fraud** and other corrupt practices to all staff and **associated persons** and to deliver training to staff where appropriate;
- f) to oversee the **bribery, fraud** and other corrupt practices risk assessment and the conduct of due diligence into significant transactions;
- g) to maintain and monitor a register of **Gifts** and Hospitality;
- h) to maintain and monitor a register of employees' outside interests; and
- i) to have due regard to the OfS *Terms and conditions of funding for higher education institutions* (<https://www.officeforstudents.org.uk/publications/terms-and-conditions-of-funding-for-higher-education-institutions/>).

Where appropriate, one or more of the above responsibilities may be delegated to an appropriate staff member for whom the USGC is directly or indirectly responsible.

5 Governance Requirements

5.1 Governance

- 5.10.1 Overall responsibility for the implementation of this Procedure lies with Executive Board. The commitment to preventing **bribery, fraud** and other corrupt practices shall be clearly communicated to staff and **associated persons** by Executive Board or by its nominees.
- 5.10.2 The nature and extent of risk relating to **bribery, fraud** and other corrupt practices shall be regularly assessed by way of a risk assessment and appropriate procedures to prevent **bribery, fraud** and other corrupt practices, including proportionate preventative and detective internal controls and effective reporting procedures shall be implemented to reflect the outcomes of the risk assessment.
- 5.10.3 Council, through Audit and Assurance Committee has oversight to ensure the University has a satisfactory Procedure on fraud and irregularity in place, including being notified of any significant action taken under that Procedure and to be aware of patterns and trends as they develop.

5.11 Implementation: Communication Plan

5.2.1 All external members of Council and Audit and Assurance Committee undertake regular and relevant bribery and fraud training. Annually the University reviews its Ethical Conduct Risk Assessment which it presents to Audit and Assurance Committee.

5.2.2 The University will seek to ensure that its bribery prevention policies and procedures are embedded and understood throughout the organisation through internal communication and training to staff and employees and external communication to third parties acting on the University's behalf.

5.2.3 Staff are also required to undertake the UK Law module on the Staff Development site. Training records are maintained on employees' HR Self Service records.

5.2.4 There will be a Leaders Alert:

- Informing staff of the changes to this procedure, particularly the new approval process around levels of gifts and paid for travel requirements;
- Reminding staff of:
 - The reporting procedures under this procedure;
 - The duty on all staff members (and students) to report suspicions; and
 - Relevant training.

5.12 Implementation: Training Plan

- 5.12.1 Where risk assessments indicate a significant risk of **bribery, fraud** and/or other corrupt practices, due diligence shall be conducted prior to proceeding with the relevant transaction. Specific training for those deemed most likely to encounter **bribery, fraud** and other corrupt practices is given.
- 5.12.2 As above, the UK Law module will continue to be required.

5.13 Review

5.13.1 This procedure will be reviewed:

- Where a legal or policy change requires; and
- In any event every three years

5.14 Legislative Context and Higher Education Sector Guidance or Requirements

This Procedure is intended to assist the University in:

5.14.1 complying with the Bribery Act 2010;

5.14.2 complying with the Fraud Act 2006;

5.14.3 complying with the Criminal Finances Act 2017, in particular Part 3 of that Act which created two new corporate offences of failure to prevent facilitation of tax evasion;

5.14.4 meeting its obligations to the Office for Students under the Terms and conditions of funding for higher education institutions (which are updated on a yearly basis);

5.14.5 demonstrating compliance with the good practice set out in the CUC Guide for Audit Committee members (2008) and Governing Bodies (2009);

5.14.6 demonstrating compliance with all relevant University Policies and Procedures, applicable laws and regulatory requirements.

5.15 Sustainability

5.15.1 There is no environmental impact of this procedure, save for the usual electrical resources used for its creation and viewing.

5.15.2 The availability of convenient electronic reporting forms means that the use of resources associated with using hard-copy forms will be reduced.

6 Stakeholder Engagement and Equality Impact Assessment

6.10 An Equality Impact Assessment was completed on 9 April 2024 and is held by the Authorised Coordinator.

6.11 Stakeholder Consultation was completed, as follows:

Stakeholder	Nature of Engagement	Request EB Approval (Y/N)	Date	Name of Contact
Governance	Shared draft procedure	N	23/09/2024	Kelley Padley
H&S	Shared draft procedure	N	24/09/2024	Matt Purcell, Director of Health and Safety
Sustainability	Shared draft procedure	N	7/10/2024	Martin Wiles

Academic Freedom of Speech	Shared draft procedure	N	27/9/2024	Abi Bradbeer
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