

Anti-Bribery Policy

Chief Financial Officer

Anti-Bribery Policy

Introduction

The University of Chester values its reputation for ethical behaviour, and for transparent conduct, probity and due diligence in its financial, commercial and other affairs. It therefore recognises that any explicit or implicit involvement or participation in bribery, or its condemnation, severely damages its good name and reputation. In addition bribery is a criminal offence under the Bribery Act 2010, the penalties for which are imprisonment for up to ten years and an unlimited fine. The University therefore seeks to limit the possibility of bribery and associated acts occurring by:

- setting out a clear anti-bribery policy;
- informing and training relevant people to whom this policy applies so that they can recognise and avoid the use of bribery by themselves or others;
- encouraging its employees to be vigilant and to report any suspicions of bribery, providing them with suitable channels of communication and ensuring sensitive information is treated appropriately;
- rigorously investigating any instance of alleged bribery and assisting the police and other appropriate authorities in any resultant prosecution;
- assessing areas which are identified as possible risks;
- taking firm and vigorous action against any individual(s) involved in bribery.

Government guidance defines 'bribery' very generally, as giving a financial or other advantage to any person (this may, for example, include donation to charity) to encourage that person to perform functions or activities improperly or to reward that person for having already done so.

Scope and Policy

This Policy applies to all employees, Council members, contractors and agents of the University ('staff' or 'you' for ease of reference). Those responsibilities potentially extend to any associated person, representatives, agent, subsidiary, partnership or body engaged on University business, including those within and outside of the UK.

Staff should at all times conduct themselves with integrity, impartiality and honesty and maintain high standards of propriety and professionalism appropriate to public service. You must not therefore, directly or indirectly, gain or seek any commercial, contractual or regulatory advantage for the University in a way which is unethical.

In particular, the University does not tolerate, condone or endorse any act of bribery, including facilitating or facilitation payments, by any person associated with it. Under no circumstances should you therefore for any reason offer, promise, give, seek, request, solicit, accept, receive, or agree to receive any bribe, whether in the form of cash or any financial or other inducement or advantage, to or from any person or organisation, wherever they may be located and whether they are a public official or body or a private person or company.

Areas where there is a higher risk of bribery occurring in Universities include (but are not limited to):

- Procurement and tender exercises
- Negotiating contracts and commissions
- Failing to exercise adequate oversight of the operation of joint ventures and subsidiaries
- Dealing with agents, associates, consultants, intermediaries and partners
- Interacting with public officials and Politically Exposed Persons (PEPs)
- Making and receiving donations or sponsorships
- Recruiting staff, interns, volunteers and work experience candidates
- Admitting undergraduate, postgraduate and visiting students
- Selecting recipients for scholarships, bursaries and awards
- Marking and assessment
- Obtaining visas, permits and licences
- Travelling overseas, especially to countries with perceived higher levels of public sector corruption (see Transparency International Corruption Index: www.transparency.org/en)
- Giving and receiving gifts and hospitality
- Providing references and peer reviews
- Handling confidential personal and research data

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Gifts and Hospitality

The University's financial regulations contain provisions relating to acceptance of gifts and hospitality which are set out in Appendix A to this policy and which you are required to follow.

Communication

It is the responsibility of all Heads of Department to ensure that this policy is fully and regularly communicated to those involved with University business within their area. Crucially, this will include communication not only to staff but other external agencies e.g agents, representatives and contractors. The University will continue to provide regular training to identified high risk areas, particularly procurement and where overseas activities are involved.

Further Clarification

If you have any doubt about the acceptability of a potential act under this policy, or any other matter to which it relates, you should seek advice from the University Secretary.

Non-compliance and blowing the whistle

If you become aware of, or suspect, any action which contravenes this policy, you should report it by using the procedure in the University's public interest disclosure policy:

<https://portal1.chester.ac.uk/finance/Documents/Public%20Interest%20Disclosure-Whistleblowing%202020%20-%202023%20-%20Approved.pdf>

Any actual breach of the letter or spirit of this policy by an employee may be treated as gross misconduct leading to disciplinary action and dismissal without notice. The police or other appropriate authority may be informed. Business dealings with third parties may be terminated immediately, and appropriate authorities informed, where they are found to have bribed, attempted to bribe a University employee or Council member or to have engaged in other unethical behaviour.

Training

All staff are required to undertake compulsory Anti-bribery in the workplace training. This training is valid for 3 years at which point the training must be undertaken again.

EXTRACT FROM FINANCIAL REGULATIONS – GIFTS AND HOSPITALITY

GIFTS AND HOSPITALITY

- 9.25 The University expects that staff at all levels will observe the University's code of conduct contained in the Public Interest Disclosure Policy. This reflects the three fundamental principles of openness, integrity and accountability, and covers:
- probity and propriety;
 - selflessness, objectivity and honesty;
 - relationships.
- 9.26 Staff should not accept any gift, reward or hospitality from any organisation or individual with whom they have contact in the course of their work as an inducement either for doing something or not doing something in their official capacity.
- 9.27 Particular care should be taken about any gift from a person or organisation, which has, or is hoping to have, a contract with the University. Although it is conventional in some parts of the private sector for businesses to exchange seasonal gifts, this is not an acceptable practice in the University. Gifts of a trivial or inexpensive nature may be accepted, but more substantial or expensive offerings should be declined. If unsolicited gifts of a substantial nature arrive from contractors they should be returned with a polite explanation that the University's rules do not allow their acceptance. Under no circumstances must any gift of money be made or received by an employee or official of the University.
- 9.28 If staff have any doubts about whether an offer of a gift should be refused (it is accepted that refusal of a gift may sometimes cause offence) they should consult the Chief Financial Officer, who in turn may discuss the matter with the Vice-Chancellor if it is considered that the gift should be accepted.
- 9.29 The Vice-Chancellor is the final arbiter on the advisability of accepting or refusing gifts. If the Vice-Chancellor considers that a gift cannot be used to support the University's business, authorisation may be given for the retention of the gift by the individual. Alternatively, if the individual does not wish to retain the gift, arrangements may be made for the gift to be stored until disposal, for example through a local charity.
- 9.30 Staff must record any gifts accepted in the central register by email to the Chief Financial Officer. Gifts and hospitality offered and refused should also be recorded. Any queries about the contents of the register should be directed to the Chief Financial Officer.
- 9.31 Additionally, members of the University Council are required to disclose interests in the institution's register of interests.
- 9.32 Staff entertaining guests from outside bodies should normally use the University's catering facilities. Where this is not the case reasons must be given to the appropriate member of the Senior Management Team and approval received in advance of the entertainment. Such approval should accompany any claim for reimbursement or purchasing card log sheet where the purchasing card has been used to pay for hospitality.
- 9.33 Hospitality provided should be seen as being reasonable but not excessive and being an average for the facility and location. If exceptional circumstances apply approval of the Vice-Chancellor or the Chief Financial Officer is required before any hospitality is given.
- 9.34 It is accepted that staff sometimes receive conventional hospitality. They may attend, as part of their official function, an event organised by another body for promotional or influential purpose.
- 9.35 Offers of hospitality that exceed this norm should in general be refused. The following items should be avoided:
- hospitality offered in substitution for fees for broadcasts, speeches, lectures or other work done;
 - inducements which could lead to a contractual position between the University and a supplier, contractor or consultant;
 - substantial offers of social functions, travel or accommodation;
 - acceptance of meals, tickets and invitations to sporting, cultural or social events, particularly from the same source.

EXTRACT FROM FINANCIAL REGULATIONS – GIFTS AND HOSPITALITY

- 9.36 Particular care should be taken when offered any form of hospitality or gift from a person or organisation which has, or is hoping to have, a contractual relationship with the University. If staff have any doubt about whether to accept hospitality offered they should refer the matter to the Chief Financial Officer, who in turn may discuss it with the Vice-Chancellor.
- 9.37 If, exceptionally, the Vice-Chancellor agrees that there are circumstances that justify the normal level of hospitality being exceeded, this will be recorded in the central register.