

Anti-Bribery Policy

Summary

It is essential that all staff read this policy before giving or accepting gifts or hospitality. The policy is designed to protect the University, its staff, students, and assets from the risks of bribery and corruption, in line with the Bribery Act 2010. It outlines the procedures to follow if bribery or corruption is suspected and defines the responsibilities of both the University and individuals involved.

Staff are required to register any gifts or hospitality valued over £200 using the [Gift and Hospitality Declaration Form](#). Additionally, staff must obtain consent from their line manager and the Group Finance Director before accepting any gifts or hospitality valued over £500.

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Author	Group Finance Director, Finance Services
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Approved by	Audit and Risk Committee
Responsible area	Finance Services
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1. Updates to this policy

1.1. The September 2024 update ensures risks are managed in an appropriate way by:

- a. Clarifying roles and responsibilities on compliance and introducing new central controls and a clear response plan for any incidents reported.
- b. Introducing new limits for the reporting and approval of gifts and hospitality and providing a link to the new reporting tool.

2. Introduction

2.1. The prevention of bribery and corruption is the responsibility of everyone in the University. It is the policy of the University of Bristol to conduct business in an honest way, without the use of corrupt practices or acts of bribery to obtain an unfair advantage.

2.2. This policy has been adopted by the Audit & Risk Committee.

2.3. Any breach of this policy will be regarded as a serious matter and may result in disciplinary action.

2.4. Guidance Notes ([Appendix 1](#)) and Response Plan ([Appendix 2](#)) to accompany this policy are included for reference.

3. Scope

3.1. This policy applies to all of the University's activities. For partners, joint ventures, subsidiaries and suppliers, the University will see to promote the adoption of policies that are, as a minimum, consistent with the principles set out in this policy. This policy applies to all personnel (including all levels and grades, those permanently employed and those temporarily employed, agency staff, contractors, non-executives, agents and members of the Governing Body (including Independent Members) volunteers and consultants). The policy applies to all activities of the University, whether related to its research, teaching, commercial or other activities, and exists for the protection of members of staff and the University.

3.2. The University does not tolerate bribery and corruption by any of our employees or third-party representatives (including students), and is committed to acting professionally, fairly and with integrity in all its business dealings and relationships.

3.3. The University will uphold all laws relevant to countering bribery and corruption in all the jurisdictions in which it conducts business, including, in the UK, the Bribery Act 2010 which applies to conduct both in the UK and abroad.

4. Definitions

4.1. **Bribery:** The act of offering, giving, receiving, or soliciting something of value (e.g., money, gifts, favours) to influence the actions or decisions of an individual in a position of power or authority, often unlawfully.

4.2. **Corruption:** The misuse of authority or resources for personal gain, often violating institutional rules.

4.3. **Acts of bribery:** Actions involving the offering, giving, receiving, or soliciting of something valuable to influence academic, administrative, or institutional decisions or processes improperly.

5. Responsibilities

5.1. **Audit and Risk Committee:** Monitors anti-bribery measures.

5.2. **University Executive Board:** Ensures effective controls.

5.3. **Anti-Bribery Lead (Group Finance Director):** Has many responsibilities including development and implementation of the policy, monitoring risks and the gifts register, and investigating concerns.

5.4. **Faculty and Division Leaders:** Promote policy awareness and compliance.

5.5. **All staff:** Must avoid bribery, report suspicions, and follow the policy.

5.6. Further detail for each area is contained in [What we will do to eliminate / mitigate bribery & corruption.](#)

6. What is bribery and corruption?

6.1. Bribery is the offer, promise, giving, demanding or acceptance of an advantage as an inducement for an action which is illegal, unethical, a breach of trust or the improper performance of a contract.

6.2. Corruption is the misuse of public office or power for private gain, or misuse of private power in relation to business outside the realm of government.

6.3. Acts of bribery or corruption are designed to influence the individual in the performance of their duty and incline them to act dishonestly.

6.4. The person being bribed is generally someone who will be able to obtain, retain or direct business. This may involve initiatives such as buying or selling, or it may involve the handling of administrative tasks such as licenses, customs, visas or taxes. It does not matter whether the act of bribery is committed before or after the activity has been undertaken.

6.5. [Appendix 1](#) gives some further guidance notes on this policy, designed to assist staff on the practical application of the policy.

7. What is a bribe?

7.1. Bribes can take many forms, but typically they involve corrupt intent. There will usually be a “quid pro quo” – both parties will benefit. A bribe could be:

- a. The direct or indirect promise, offering or authorisation of anything of value.
- b. The offer or receipt of any kickback, loan, fee, reward, gift or other advantage.
- c. The giving of aid, donation or voting designed to exert improper influence.

8. Who can engage in bribery and corruption?

8.1. In the eyes of the law, bribery and corrupt behaviour can be committed by:

- a. An employee, officer or director.
- b. Any person acting on behalf of the University (agents or third-party representatives which sometimes include students).
- c. Individuals and organisations which authorise someone else to carry out these acts.

8.2. Acts of bribery or corruption could involve public or government officials and this is a specific offence under the Act. For the purpose of this policy, a government official could be:

- a. A public official, whether domestic or foreign.

- b. A political candidate or party official.
- c. A representative of a government owner / majority controlled organization.
- d. An employee of a public international organisation (e.g. World Bank).

9. What does the law say about bribery and corruption?

- 9.1. Bribery is a criminal offence in most countries and penalties can be severe. The Bribery Act 2010 not only makes bribery illegal, but also holds organisations, including the University, liable for failing to prevent such acts by those working for or on its behalf, no matter where the act takes place.
- 9.2. Similar legislation is in force in many other countries. It is therefore in your interests, as well as the University's, that you act with propriety at all times. Corrupt acts committed abroad may well result in a prosecution at home.

10. Facilitation payments

- 10.1. In some countries, it is customary business practice to make payments or gifts of small value to junior government officials in order to speed up or facilitate a routine action or process. Despite this, facilitation payments (sometimes known as kick-backs) are not permitted under this policy.
- 10.2. Current UK legislation makes no distinction between facilitation payments and bribes (regardless of size or local cultural expectations), even if that is "how business is done".
- 10.3. The University does not make, and will not accept, facilitation payments of any kind, such as a small, unofficial payment made to secure or expedite a routine government action by a government official, or payments made in return for a business favour or advantage.

11. Charitable donations and sponsorship

- 11.1. The University makes and receives charitable donations and sponsorship that are legal and ethical under local laws and practices, and which are in accordance with the University's internal policies and procedures. Further guidance is contained in the [University's Donations Policy](#).

12. Gifts and hospitality

- 12.1. Gifts, entertainment, and hospitality include the receipt or offer of gifts, meals or tokens of appreciation or gratitude, or invitations to events, functions or other social gatherings, in matters connected with University business.
- 12.2. The University recognises that the practice of giving business gifts varies between countries and regions and what may be normal and acceptable in one region may not be in another.
- 12.3. This policy does not prohibit normal and appropriate gifts and hospitality (given and received) to or from Third Parties unless otherwise specifically stated. The giving of gifts and hospitality is acceptable providing the following requirements are met:
- a. It is not made with the intention of influencing a third party to obtain or retain business or a business advantage, or to reward the provision or retention of business or a business advantage, or in explicit or implicit exchange for favours or benefits.
 - b. It complies with local law (if given outside the United Kingdom) and it is given in the name of the University of Bristol.
 - c. It does not include cash or a cash equivalent (such as gift certificates or vouchers).
 - d. It is appropriate in the circumstances (for example, in the UK it is customary for small gifts to be given at Christmas time).
 - e. Taking into account the reason for the gift / hospitality, it is of an appropriate type and value and given at an appropriate time. There is a strong presumption that gifts and hospitality will rarely exceed £200 in value.
 - f. It is proportionate, both in its frequency and scale, to the relationship with the beneficiary, taking account of the nature of their relationship with the University and any hospitality previously given by the beneficiary to representatives of the University.
 - g. It is given openly, not secretly.

12.4. The test to be applied is whether in all the circumstances the gift or hospitality is reasonable and justifiable both in the UK and any other relevant country. The intention behind the gift should always be considered.

12.5. To meet this requirement:

- a. Individuals who give or receive gifts and /or hospitality with an estimated monetary value above £200 per person (per instance and cumulatively from the same source each year) are required to promptly report details to both their line manager and the Group Finance Director who will maintain a central register for the University). This register will be available for internal audit.
- b. Individuals who give or receive gifts and / or hospitality with an estimated monetary value in excess of £500 must have written approval from both their line manager and the Group Finance Director before acceptance (which will be logged on the register).
- c. Individuals who, due to the requirements of this policy reject gifts and hospitality offered (at any value) should report details to both their line manager and the Group Finance Director.
- d. Please use [this form](#) to record details of gifts and hospitality given or received.

13. What we will do to eliminate / mitigate bribery & corruption

13.1. We will take the following steps to assist in the prevention of bribery and corruption:

Prevention responsibilities

13.2. **The Audit and Risk Committee** has general responsibility for monitoring the operation and effectiveness of anti-bribery arrangements and will receive appropriate reports on any bribery activity from the Anti-Bribery Lead (Group Finance Director).

13.3. The **University Executive Board** has a responsibility to ensure that internal control systems and procedures are monitored and also subject to regular review to

provide assurance that they are effective in countering any risks of bribery and corruption.

13.4. The **Anti-Bribery Lead (Group Finance Director)** is the University's Anti-Bribery Lead and is responsible for development and implementation of Policy. They will also:

- a. Engage with teams working in areas of inherent risk on an annual basis to raise awareness of the policy and support with compliance (e.g. Procurement, Governance, Campus, Global Engagement, Research, Enterprise and Innovation).
- b. Work with HR to get this policy embedded into the induction material for new starters across the University.
- c. Manage an annual review of spend in areas recognised to have a significant risk of corruption (e.g. travel costs, expense claims, supplier spend).
- d. Maintain the central register of gifts and hospitality (given and received). Recording details as reported by the requirements of [Gifts and Hospitality](#) and reviewing / challenging for appropriateness and compliance with this policy.
- e. Report to the Audit and Risk Committee on any issues of concern.
- f. Act as Investigating Officer for any identified allegations of bribery or corruption (with appropriate support).

13.5. To mitigate and hopefully eliminate risk on bribery and corruption, each **Director of Faculty Operations, Professional Services Divisional Head, and Subsidiary CEO** will:

- a. Ensure all staff are aware and embracing the requirements of this policy through their induction and thereafter at regular review points as appropriate for their area of work.
- b. Encourage a culture of openness so that concerns can be openly discussed between managers and staff.

- c. Ensure their teams, when dealing with third parties, capture the University's standard anti-bribery contractual terms in contracts.
- 13.6. The prevention of bribery and corruption is the responsibility of everyone in the University. Specifically, all have a responsibility to:
 - a. Avoid bribery and corruption.
 - b. Report any suspected incidents of bribery.
 - c. Be aware of the University Policy and keep up to date with requirements for their area of business.

14. How to raise a concern

- 14.1. As individuals who work on behalf of the University, we all have a responsibility to help detect, prevent, and report instances not only of bribery but also of any other suspicious activity or wrongdoing.
- 14.2. The University of Bristol is absolutely committed to ensuring that all staff have a safe, reliable and confidential way of reporting suspicious activity. The University wants each and every one to know how they can "speak up".
- 14.3. If you are concerned that a corrupt action is being considered or carried out, you should report the matter to your line manager in the first instance. If it is not possible to speak to your line manager for some reason, you should follow the procedures set out in the [University Whistleblowing Policy](#).
- 14.4. The Whistleblowing Policy is designed to allow staff, students and all members of University bodies to raise, at a high level, concerns or information which they believe in good faith provides evidence of malpractice or impropriety.
- 14.5. Individuals discovering apparent evidence of such should feel able to disclose the information appropriately without fear of reprisal. A disclosure made in good faith which is not confirmed by subsequent investigation will not lead to any action against the person making the disclosure. Individuals making disclosures which are found by subsequent investigation to be malicious and/or vexatious may be subject to disciplinary or other appropriate action.

15. Breach of policy implications

- 15.1. Any employee who breaches this policy will face disciplinary action under the relevant [University Conduct Framework \(Ordinance 10\)](#).
- 15.2. Any student who breaches this policy will be considered under the [Student Disciplinary Regulations](#).

Appendix 1: Anti-Bribery Policy – Further Guidance

These Guidance Notes supplement the University's Anti-Bribery Policy. They are designed to assist staff on the practical application of the policy and tackle some frequently asked questions.

1. Frequently Asked Questions about the Bribery Act

1.1. **Question:** *It is customary to provide gifts in some countries outside of the UK when visiting or meeting with public officials. Can University staff offer gifts to their counterparts at an overseas university?*

1.2. **Answer:** The fact that something is a local custom is not a defence under the Bribery Act, so a cautious approach is required to ensure any gift or other advantage that is offered overseas is not construed as a bribe based on UK standards of conduct. Secondly, in this scenario it is possible that a member of an overseas university will be classed as a "foreign public official" under the Bribery Act. If so, it is very easy to fall foul of the law. Any financial or other advantage offered to them will be seen as a bribe if the offeror intends to influence the official and intends to obtain or retain any business advantage. This guidance does not however preclude the University or its staff from giving small, low value gifts seen as a 'mark of respect' to other public officials.

1.3. **Question:** *Can gifts and hospitality be accepted from private sector companies with whom the University has a business relationship or may do in future? What about sponsorship?*

1.4. **Answer:** Care has to be exercised that no gift or hospitality could be considered excessive or lavish. Normal business meals and modest entertainment is normally acceptable where there is a legitimate purpose for the hospitality - such as to foster cordial relations or for reasonable public relations. No hospitality should be accepted if it could be construed as intended to induce a member of staff to perform their functions improperly.

- 1.5. The University has introduced clear rules on gifts and hospitality by setting threshold amounts and requiring individuals to report items in excess of £200 and seek permission for items in excess of £500.
- 1.6. In relation to sponsorship, similar principles apply. Care should be exercised that the sponsorship does not improperly induce members of the University to perform their functions improperly. This could include where it compromises academic integrity or influences the outcome of a research project.
- 1.7. **Question:** *Can we engage agents to recruit international students to the University?*
- 1.8. **Answer:** Yes, but a number of compliance steps must be taken. The use of overseas agents involves high risks to an organisation, whether for recruitment or other purposes. The University will be liable for any corrupt acts by anyone performing services on its behalf. The risks of engaging an agent in a particular case must be assessed and enhanced due diligence undertaken about the suitability of the agent and the nature of the services they are providing to the University. Further guidance on these steps is set out below.
- 1.9. **Question:** *A School within the University undertakes an annual research project in a jurisdiction outside of the UK with a poor reputation for corruption. The School needs to transport equipment to the overseas location for the project, which will be checked by local customs officials. What steps should the School consider?*
- 1.10. **Answer:** The school should consider in advance the risk that members of staff or others acting on behalf of the University will be vulnerable to demands for corrupt payments, such as facilitation payments. Staff will need guidance in advance on strategies to resist any such demands. The School should also consider any preventative measures that can be taken in advance, such as allowing adequate time for delays in the delivery of equipment whilst any demand for a facilitation payment is resisted.
- 1.11. **Question:** *The family of a student who is applying to the University offers to provide the University with a substantial donation to its development fund in return for a place at the University being offered to the student. Is this caught by the Bribery Act?*

1.12. **Answer:** Yes. This situation clearly involves a financial advantage being offered to the University, which is intended by the family to induce the admissions department to perform their functions improperly. It does not matter what decision is in fact reached over offering the student a place or not. The donation should be refused because of the basis on which it was offered. Donations can be bribes in other less obvious circumstances. The University's due diligence procedures should always be followed to ensure a donation does not involve someone misusing their position or being induced to do so (see [Donations Policy](#)).

2. Some further examples (HE sector) that would be considered as bribery

- 2.1. **Procurement:** A company is desperate to win a major contract with the University and offers to make a car available on a long-term loan to a staff member who can influence the award of the contract.
- 2.2. **Alumni / charitable donations:** A wealthy alumnus arranges for his company to make a substantial donation to the University to ensure that his contract is awarded a place.
- 2.3. **Overseas recruitment:** An agency responsible for recruiting students pays a small bribe to an education department official to be allowed access to students in a highly rated school.
- 2.4. **Overseas development:** The University seeks to expand into the Middle East and the Director exchanges numerous valuable gifts with local leaders on the basis that this is expected practice in the country.
- 2.5. **Field trip / research:** A professor on a field trip with students pays a small sum to customs officials to avoid excessive delay in the import of field equipment.
- 2.6. **Research:** A professor conducting research in a specialist area is asked to give an overly positive peer review in exchange for a similar review of their own work.

3. Further guidance on use of third-party representatives

- 3.1. It is important to identify risks when a third-party conducts activities on the University's behalf. Where risk regarding a third-party arrangement has been identified, staff must:

- a. Evaluate the background, experience, and reputation of the third-party.
- b. Understand the services to be provided, and methods of compensation and payment.
- c. Evaluate the rationale for engaging the third-party.
- d. Take reasonable steps to monitor the transactions of third parties appropriately.
- e. Ensure there is a written agreement in place which acknowledges the third-party's understanding and compliance with this policy.

4. Further guidance on giving and accepting gifts and hospitality

4.1. When evaluating what is acceptable, first take a step back and consider:

- a. What is the intent – is it to build a relationship or is it something else?
- b. How would this look if these details were on the front of a newspaper?

4.2. If you find it difficult to answer either of the above questions, there may be a risk involved which could potentially damage the reputation and business of the University. The action could be unlawful.

4.3. Circumstances which are NEVER permissible include examples that involve:

- a. A “quid pro quo” (offered for something in return)
- b. Gifts in the form of cash or cash equivalent vouchers
- c. Entertainment of a sexual or similarly inappropriate nature.

4.4. As a general rule, employees and third parties should not provide gifts to, or receive them from, those meeting the definition of a government official. However, we understand that in certain countries gift giving and receiving with these individuals is a cultural norm. If you are faced with such a situation, please consult with your line manager and the Group Finance Director.

Appendix 2: Anti-Bribery Policy – Response Plan

1. Response Plan

1.1. This Response Plan sets out the authority levels, responsibilities for action and reporting lines in the event of suspected bribery or corruption.

1.2. Should the allegations concern the Anti-Bribery Lead (Group Finance Director) then the Chief Financial Officer will appoint an alternate to fulfil the roles specified in the policy and procedures.

Identification

- Suspicions or allegations identified and shared with Anti-Bribery Lead.
- Anti-Bribery Lead immediately informs CFO, Chair of A&RC, Internal Audit and updates Bribery Register.

Initiating Action

- Anti-Bribery Lead is Investigating Officer and liaises with other parties as necessary (Internal Audit, HR, Police) to begin review and communicate as necessary (Evidence Gathering, Reporting to OfS, Reporting to other Funding Bodies as appropriate).
- Anti-Bribery Lead to secure professional advice if required. If necessary - Anti-Bribery Lead to trigger Bribery Response Group to support activity and decision making (Legal Services, Communications Director, CFO, University Registrar, CPO)

Investigation

- Anti-Bribery Lead to liaise with Internal Audit who may carry out investigation on their behalf. Investigator has unrestricted right of access to all documents, accounts, computer data and other information considered relevant to the investigations. Anti-Bribery Lead can appoint specialists to support as necessary.
- Student Disciplinary Regulations and Procedures, HR Protocols, and Trustees Code of Conduct will be followed at all times.
- Any investigation involving a third party or contractual arrangements will require support from the Legal Services team.
- Anti-Bribery Lead will establish and maintain contact with the Police as appropriate.

Determination

- Anti-Bribery Lead will provide regular, confidential reports to the VC, Chair of the Board of Trustees and Chair of A&RC and Members of the Bribery Response Group.
- Investigator will provide a written report to the Anti-Bribery Lead who will determine actions to be taken.
- Anti-Bribery Lead will ensure effective and timely communication with parties involved.
- Anti-Bribery Lead will determine need to report to OfS (Reportable Events).
- Learning will be captured and any procedure amendments made.