



Wolfson College Cambridge

WOLFSON COLLEGE CAMBRIDGE

ANTI-BRIBERY POLICY

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1 Introduction

1.1 Background

The College is committed to ensuring that high standards of integrity apply in all of its areas of operation and that all of its business is conducted in an honest and transparent manner. As an educational establishment and a charity deriving a significant proportion of its income from public funds and benefactions, the College is concerned to protect itself and its students, employees, funders and donors from the detriment associated with bribery and other corrupt activity. It is therefore committed to preventing bribery and fraud by any person, representative, agent, subsidiary, partnership or body performing services for or on behalf of the College.

1.2 Scope

This policy applies to all College fellows, staff and students. It also applies to agency and self-employed workers working for the College, and all other persons associated with and acting for the College, whether directly or indirectly. This definition includes external members of College Committees, representatives, agents, subsidiaries, individuals appointed as directors of any company, consultants, contractors and partners. To the fullest extent permissible by law, this policy shall apply in all jurisdictions in which the College operates.

1.3 Bribery Risks

In common with other Higher Education Institutions, the College faces a range of bribery risks throughout its activities and operations. These risks include, but are not limited to, bribery in relation to admissions, examinations, awards, procurement, and construction.

2 The Bribery Act 2010 (the Act)

The Act creates four key offences:

- Active bribery (the offence of offering, promising or giving of a bribe (either directly or indirectly) with the intent to induce a person to improperly perform a relevant function);
- Passive bribery (the offence of agreeing to, accepting or requesting a bribe (either directly or indirectly) such that a relevant function is, or will be, improperly performed);
- Bribery of a foreign public official;
- Failing to prevent bribery (the offence by a commercial organisation, such as the College, of failure to prevent bribery by any person associated with it).

The maximum sentence is 10 years for individuals who commit such offences.

Organisations are liable to an unlimited fine.

According to the Act, bribery is where someone offers, gives, promises, receives or solicits financial or other advantage (e.g. money, goods, favours or other forms of recompense) with the intention of inducing or rewarding improper performance.

Improper performance is a key concept and generally means where an individual does not act in good faith, impartially and/or properly. The test of what is proper is based upon what a person in the UK would reasonably expect.

In addition, it is important to note that:

- So-called 'facilitation payments' - payments typically to officials to facilitate special treatment, such as prioritisation in an approval process - are bribes.
- The timing of bribery payments – whether they are before, during and/or after a relevant function does not affect the offence.

3. Policy statement

- 3.1 The College has a zero tolerance approach to bribery and serious action will be taken against anyone found to be involved in bribery, up to and including dismissal under the College's disciplinary processes and legal action. For third parties, breach of this policy may result in contractual, legal and/or other sanction(s).
- 3.2 The College values its reputation for ethical behaviour and recognises that any involvement in bribery is illegal and will reflect adversely on its hard-earned image and reputation.
- 3.3 The College prohibits the offering, giving, soliciting or the acceptance of any bribe in whatever form to, or from, any person or company (public or private) by anyone associated with the College.
- 3.4 The College expects any person or company (public or private) associated with the College to act with integrity and without any actions that may be considered an offence within the meaning of the Bribery Act 2010.
- 3.5 The College requires any potential breaches of this policy and bribery offers to be reported under the College's reporting processes.
- 3.6 The prevention, detection and reporting of bribery is the responsibility of everyone associated with the College.

4. Communication

It is the responsibility of the Senior Management Team and all Heads of Departments to ensure that this policy is fully and regularly communicated to those involved with College business within their area. This will include communication not only to staff but other external agencies e.g. agents, representatives and contractors.

5. Reporting

All employees and others associated with the College are encouraged to report any concerns that they may have regarding potential breaches of this policy, including incidents relating to external agencies and third parties. This includes any instances where you may be the victim of attempted bribery.

The College is fully committed to ensuring that there is a safe and confidential method of reporting any suspected wrongdoing to the Bursar or other members of the Senior Management Team.

Any allegations of misconduct under this policy will be taken very seriously. If appropriate, action may be taken under the College's disciplinary process. Attempted bribery or acceptance of a bribe may be considered as gross misconduct and, where it is considered that a criminal offence has occurred, the police may be informed.

6. Gifts & Hospitality

6.1 Outline

Gifts, Hospitality and Entertainment is a collective term for the receipt or offer of gifts, meals, travel costs, entertainment, tokens of appreciation and gratitude, or invitations to events, functions, or other social gatherings, in connection with matters related to the College.

6.2 Scope

Normal, reasonable and proportionate hospitality given or received as part of the College's wider student, commercial, promotional and marketing activities which is genuinely aimed at building a good business relationship or improving the profile of the College is allowable, within limits.

Hospitality must not be accepted by employees of the College in circumstances that may allow the employee to appear to be unduly influenced in favour of the provider of that hospitality. The gift or receipt of hospitality which is aimed at securing an improper business or other advantage, or which may affect the recipient's independence is obviously not permissible.

Hospitality can amount to real or perceived bribery, and caution should always be exercised. If there is any doubt about the propriety of hospitality, it should not be accepted or offered. Hospitality should be reasonable and able to be reciprocated.

6.3 Register and Declarations

All Fellows and Staff should report the receipt of any gifts given in relation to a position held at Wolfson College with a value above £50 to the Bursar, who will keep a register of such gifts, and who will report to the Council annually on such gifts. For gifts with a value below £50, the gift will be deemed to be a gift to the individual; for gifts with a value above £50, the gift will be deemed to be a gift to the College. Any potential exceptions to this rule will be considered by the Vice-President and the Bursar and reported to Council.

If a gift or hospitality is not in keeping with circumstances then every effort must be made to refuse the offer, without offending the person or organisation making the offer.

Under no circumstances must any gift of money be made or received by an employee or official of the College.

7. Donations

The College does not make political donations, and only makes and receives charitable donations in accordance with the charitable objectives of the College. Any charitable donations received by the College must be requested and received for exclusively charitable purposes and shall not improperly influence any decisions made by or on behalf of the College.

8. Monitoring & Review

This policy and related procedures will be reviewed annually by the Bursar and the College Council. Risk identification will form a key element of the overall monitoring and review process. Any incidents of bribery and corruption reported to, and recorded by, the Bursar will be incorporated into that review.