

BHASVIC

ANTI-BRIBERY POLICY

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ANTI - BRIBERY POLICY

1. Policy statement

BHASVIC is committed to the prevention of bribery and will not tolerate bribery or other improper conduct, either inside the United Kingdom or abroad, by employees, other individuals or organisations who perform services for or on behalf of the College.

The College is committed to the highest standards of openness, probity and accountability. It seeks to conduct its affairs in a responsible manner taking into account the requirements of the funding bodies.

2. Definition

Under the Bribery Act 2010, a bribe is a “financial or other advantage” offered, promised or given to induce a person to perform a relevant function or activity improperly, or to reward them for not doing so. The Act makes it a criminal offence to:

- Offer, promise or give a bribe (“Active Bribing” as described in the Act)
- Request or agree to receive or accept a bribe (“Passive Bribing”) as described in the Act
- Bribe a foreign public official to obtain or retain business
- (by an organisation) fail to prevent bribery by those acting on its behalf (“associated persons”).

Under the Bribery Act, individuals can be prosecuted for accepting bribes or offering bribes. In addition, the College can be prosecuted for failing to prevent bribery being committed to obtain or retain business or a business advantage for the College by an employee or other individual or organisation performing services for the College.

The guiding principles to be followed at all times by employees must be:

- Their conduct should not create suspicion of any conflict between their official duty and their private interest;
- Their actions must not be influenced by a benefit (e.g. a gift or hospitality) offered or received to show favour or disfavour to any person or organisation, and nor should they give the impression (to any members of the public, or to any organisation with whom they deal, or their colleagues) that they have been (or may have been) influenced by a benefit offered or received to show favour or disfavour to any person or organisation;
- Their actions must not induce or reward someone to perform a role or function improperly.

3. Policy scope

This Policy applies to all Governors, co-opted members of Committees and all staff who work for the College.

4. Policy aims

To clarify the position of everyone in BHASVIC, irrespective of their position, in relation to the risk of bribery within the organisation and its unacceptability.

To assist in promoting a climate of openness and a culture and environment where staff feel able to raise concerns sensibly and responsibly.

To set out the College’s responsibilities in terms of the deterrence, prevention, detection and investigation of bribery and corruption.

To ensure that bribery will normally be considered as a serious disciplinary offence which will be addressed in accordance with the College’s Disciplinary (Misconduct and Capability) Policy and Procedures.

To ensure equality of treatment for all employees.

5. Responsibilities of Governors, co-opted members and staff

Governors, co-opted members and staff should not accept any gifts, rewards or hospitality (or have them given to members of their families) from any organisation or individual with whom they may have contact in the course of their work that would cause them to reach a position whereby they might be, or might be deemed by others to have been, influenced in making a business decision as a consequence of accepting the gift or hospitality.

Governors and co-opted members should seek advice from the Clerk to the Corporation and staff from their line manager if:

- They are asked to offer, promote or give a bribe (“active bribing”); or
- They are requested to, or agree to, receive or accept a bribe (“passive bribing”); or
- They receive a succession of small gifts (exceeding £100 within three months or £250 within one year); or
- Otherwise have any concern that there is an intention to influence them to change their behaviour or act improperly.

In such circumstances, Governors and co-opted members should record the offer and/or acceptance of the gift promptly in the College Register of Interest held by the PA to the Clerk to the Corporation, and staff should record them in the College Gifts and Hospitality Register held by the Principal’s PA.

The tests to be applied are:

- Whether in all circumstances the gift or hospitality is reasonable and justifiable; and
- What is the intention behind the gift.

When it is not easy to decide between what is and what is not acceptable in terms of gifts or hospitality, advice should be sought from the employee’s line manager.

Depending on the circumstances the appropriate action may be to:

- Accept the gift or hospitality;
- Accept the gift but raffle it among colleagues and donate the money to charity;
- Accept the gift but share it with colleagues;
- Politely decline the gift or hospitality;
- Make clear to the donor that the recipient of the gift will not be involved in decision making relating to business relations between the College and the donor.

6. Monitoring and review of policy and procedures

This policy and procedure will be reviewed every three years to ensure currency, or more frequently if required to ensure compliance with legislation.

Related documents

- Anti Fraud and Irregularity Policy
- Business Procedures
- College Register of Interests
- Disciplinary (Misconduct and Capability) Policy and Procedures
- Equality Act 2010
- Instruments and Articles of Governance
- Staff Code of Conduct and Model of Professional Behaviour
- Whistleblowing Policy