

Anti-Corruption and Bribery Policy

1. Introduction and Purpose

- 1.1 We are committed to ensuring high standards of ethics and values. The same high values applied to research and teaching activities are explicitly extended to governance and financial transactions.
- 1.2 It is our policy to conduct all our business in an honest and ethical manner. We take a zero-tolerance approach to bribery and corruption and are committed to acting professionally, fairly and with integrity in all our business dealings and relationships wherever we operate and implementing and enforcing effective systems to counter bribery and corruption.
- 1.3 We will uphold all laws relevant to countering bribery and corruption in all the jurisdictions in which we operate. However, we remain bound by the laws of the UK, including the Bribery Act 2010, in respect of our conduct both at home and abroad.
- 1.4 The purpose of this policy is to:
- (a) set out our responsibilities, and of those working for us, in observing and upholding our position on bribery and corruption; and
 - (b) provide information and guidance to those working for us on how to recognise and deal with bribery and corruption issues.

2. Scope and definitions

2.1 This policy applies to all individuals working at all levels and grades, including both academic and Professional Services staff, senior managers, officers, directors, employees (whether permanent, fixed-term or temporary), consultants, contractors, trainees, seconded staff, home staff, casual staff and agency staff, volunteers, interns, agents, sponsors, or any other person associated with us, or any of our wholly-owned subsidiaries or their employees (except where any such wholly-owned subsidiary has its own anti-corruption and bribery policy), wherever located (collectively referred to as **staff** in this policy).

What is bribery?

2.2 A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory, personal, business and/or political advantage (**advantage**).

Gifts and hospitality

2.3 This policy does not prohibit gifts and/or hospitality (given and received) to or from third parties provided that the conditions laid down in this policy are adhered to.

2.4 Subject to Section 4 below, the giving or receipt of gifts and/or hospitality is not prohibited, if the following requirements are met:

- a. it is not given or received with the intention of influencing to obtain or retain business or an advantage, or to reward the provision or retention of business or an advantage, or in explicit or implicit exchange for favours or benefits;
- b. it complies with local law; and
- c. taking into account the reason for the gift and/or hospitality, it is of an appropriate type and value and given at an appropriate time.

2.5 We appreciate that the practice of giving business gifts and hospitality varies between countries and regions and what may be normal and acceptable in one region may not be in another. The test to be applied is whether in all the circumstances the gift and/or hospitality is reasonable and justifiable. The intention behind the gift and/or hospitality should always be considered.

2.6 In the UK, bribery and corruption are punishable for individuals by up to ten years' imprisonment and, if we are found to have taken part in bribery and/or corruption, we could face an unlimited fine, be excluded from tendering for public contracts and face damage to our reputation. We therefore take our legal responsibilities very seriously.

2.7 We have undertaken a risk assessment of our activities considered to be of greatest risk and this will be reviewed by the University's Anti-Bribery Officer on a regular basis.

2.8 In this policy, **third party** means any individual or organisation staff come into contact with during the course of their work for us, and includes actual and potential clients, customers, suppliers, distributors, business contacts, agents, advisers and government and public bodies, including their advisors, representatives and officials, politicians and political parties.

3. Roles and Responsibilities

3.1 It is the responsibility of the Board of Governors to ensure this policy complies with our legal and ethical obligations, and that all staff comply with it.

3.2 It is the responsibility of the Anti-Bribery Officer (currently the Executive Director of Compliance & Risk) to implement this Policy, and to monitor its use and effectiveness.

3.3 It is the responsibility of Line Managers to:

- 3.3.1 Ensure that those reporting to them are made aware of and understand this policy.
- 3.3.2 Ensure that their reports receive a level of training determined by risk.

3.2 It is the responsibility of staff to:

- 3.2.1 Ensure that they read, understand and comply with this policy.
- 3.2.2 Prevent, detect and report bribery and corruption.

3.2.3 Notify their line manager **OR** the University's Anti-Bribery Officer as soon as possible if they believe or suspect that a breach of this policy has occurred, or may occur in the future. "Red flags" that may indicate bribery or corruption are set out in the appended Schedule.

3.2.4 Any employee who breaches this policy will face disciplinary action, which could result in dismissal for gross misconduct. We reserve our right to terminate our contractual relationship with other staff if they breach this policy.

3.2.5 Keep financial records and have appropriate internal controls in place which will evidence the business reason for making payments to third parties.

3.2.6 Ensure that all expenses claims relating to gifts, hospitality and/or expenses incurred to third parties are submitted in accordance with our expenses policy and specifically record the reason for the expenditure.

3.2.7 Ensure that all accounts, invoices, memoranda and other documents and records relating to dealings with third parties, such as clients, suppliers and business contacts, are prepared and maintained with strict accuracy and completeness. No accounts must be kept "off-book" to facilitate or conceal improper payments.

3.2.8 Ensure that our zero-tolerance approach to bribery and corruption is communicated to all suppliers, contractors and business partners at the outset of our business relationship with them and as appropriate thereafter.

3.2.9 Staff are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. If staff are unsure whether a particular act constitutes bribery or corruption, or if they have any other queries, these should be raised with their line manager or the University's Anti-Bribery Officer. Concerns may also be reported by following the procedure set out in our Whistleblowing Policy. A copy of our Whistleblowing Policy can be found on the University intranet's Policy and Procedures section:

<https://documents.manchester.ac.uk/DocuInfo.aspx?DocID=65288>

3.3 What to do if staff are or may be a victim of bribery or corruption

Subject to Paragraph 3.2.9 above, it is important that staff tell the University's Anti-Bribery Officer as soon as possible if they become aware of, or are involved in, any activity which constitutes or involves, or may constitute or involve, bribery or corruption.

3.4 Protection

Staff who refuse to accept or offer a bribe, or those who raise concerns or report another's wrongdoing, are sometimes worried about possible repercussions. We aim to encourage openness and will support anyone who raises genuine concerns in good faith under this policy, even if they turn out to be mistaken.

3.4.1 We are committed to ensuring no one suffers any detrimental treatment as a result of refusing to take part in bribery or corruption, or because of reporting in good faith their suspicion that an actual or potential bribery or corruption offence has taken place or may take place in the future.

3.4.2 Detrimental treatment includes dismissal, disciplinary action, threats or other unfavourable treatment connected with raising a concern. If staff believe that they have

suffered any such treatment, they should inform the University's Anti-Bribery Officer or People colleagues (in the case of employees) immediately. In the case of employees, if the matter is not remedied, they may raise it formally using our Grievance Procedure, which can be found on the University intranet's Policies and Procedures section: <https://documents.manchester.ac.uk/display.aspx?DocID=840>

4. General Principles

4.1 What is not acceptable?

It is not acceptable for staff (or someone on their behalf) to:

- a. give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that an advantage will be received, or to reward an advantage already given;
- b. give, promise to give, or offer, a payment, gift or hospitality to a government official, agent or representative, whether to "facilitate" or expedite a routine procedure or otherwise;
- c. accept payment from a third party that staff know or suspect is offered with the expectation that it will obtain an advantage for them;
- d. accept a gift or hospitality from a third party if staff know or suspect that it is offered or provided with an expectation that an advantage will be provided by us in return;
- e. threaten or retaliate against another member of staff who has refused to commit a bribery and corruption offence or who has raised concerns under this policy; and/or
- f. engage in any activity that breaches, or may breach, this policy.

4.2 Register of Interests

- a. In any event, any gift or hospitality either received or given by employees which has a monetary value of £25 or more should be declared in the local register of gifts and hospitality.
- b. See the Financial Regulations and Financial Procedures for further details: <https://documents.manchester.ac.uk/DocuInfo.aspx?DocID=1741>

4.3 Facilitation payments and kickbacks

- a. We do not make, and will not accept, facilitation payments or "kickbacks" of any kind. Facilitation payments are typically small, unofficial payments made to secure or expedite a routine government action by a government official. They are not commonly paid in the UK, but are common in some other jurisdictions. Kickbacks are typically payments made in return for a business favour or advantage.
- b. If staff are asked to make a payment on our behalf, they should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. Staff should always ask for a receipt which details the reason for the payment. If staff have any suspicions, concerns or queries regarding a payment, they should raise these with the University's Anti-Bribery Officer.

- c. All staff must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by us.

4.4 Donations

No donation must be offered or made on our behalf without the prior approval of the University's Anti-Bribery Officer. We do not make contributions to political parties.

5. Monitoring Compliance

5.1 The Anti-Bribery Officer will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in countering bribery and corruption.

5.2 Staff are invited to comment on this policy and suggest ways in which it might be improved. Comments, suggestions and queries should be addressed to the University's Anti-Bribery Officer.

5.3 This policy may be amended at any time.

6. Policy Content

Document Control Box	
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Related guidance	Financial Regulations Financial Procedures
Document owner:	Dr David Barker, Exec. Director of Compliance & Risk (Anti-Bribery Officer)
Lead Contact:	Dr David Barker, Exec. Director of Compliance & Risk

Schedule 1: Potential risk scenarios: "red flags"

The following is a list of possible red flags that may arise during the course of staff working for us and which may raise concerns under various anti-bribery and anti-corruption laws. The list is not intended to be exhaustive and is for illustrative purposes only.

If staff encounter any of these red flags while working for us, they must report them promptly to their line manager or to the University's Anti-Bribery Officer or to People, or using the procedure set out in the Whistleblowing Policy:

- a. staff become aware that a third party engages in, or has been accused of engaging in, improper business practices;
- b. staff learn that a third party has a reputation for paying bribes, or requiring that bribes are paid to them, or has a reputation for having a "special relationship" with foreign government officials;
- c. a third party insists on receiving a commission or fee payment before committing to sign up to a contract with us, or carrying out a government function or process for us;
- d. a third party requests payment in cash and/or refuses to sign a formal commission or fee agreement, or to provide an invoice or receipt for a payment made;
- e. a third party requests that payment is made to a country or geographic location different from where the third party resides or conducts business;
- f. a third party requests an unexpected additional fee or commission to "facilitate" a service;
- g. a third party demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services;
- h. a third party requests that a payment is made to "overlook" potential legal violations;
- i. a third party requests that staff provide employment or some other advantage to a friend or relative;
- j. staff receive an invoice from a third party that appears to be non-standard or customised;
- k. a third party insists on the use of side letters or refuses to put terms agreed in writing;
- l. staff notice that we have been invoiced for a commission or fee payment that appears large given the goods and/or services stated to have been provided;

- m. a third party requests or requires the use of an agent, intermediary, consultant, distributor or supplier that is not typically used by or known to us; and/or
- n. staff are offered an unusually generous gift or offered lavish hospitality by a third party.