

ANTI-BRIBERY POLICY



University
of Dundee

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1. Overview

- a It is the policy of the University to conduct business in an honest and ethical manner consistent with the University values and the Nine Principles of Public Life in Scotland.
- b As part of this policy, the University takes a zero-tolerance approach to bribery and corruption and is committed to acting professionally, fairly and with integrity in all its business dealings and relationships, wherever it operates, and implementing and enforcing adequate procedures to prevent and counter bribery.

2. Purpose

- a 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 (the Act), which applies to conduct both in the UK and abroad.
- b Where there may be a conflict between laws of a territory outside the UK in which you are conducting University business and this policy, staff must apply whichever of the two sets the highest standards.

3. Who does this policy apply to?

- a This policy applies to all individuals working for, or on behalf of, the University at all levels and grades, whether permanent, fixed term or temporary, and wherever located, including students, consultants, contractors, seconded staff, casual staff, agency staff, volunteers, agents, sponsors and any other person who performs services for or on behalf of the University (collectively referred to as Staff in this policy).
- b In this policy, Third Party means any individual or organisation that Staff come into contact with during the course of their work and the running of the University's business, and includes actual and potential students, intermediaries, referrers of students, staff, work, grants, suppliers, distributors, contractors, business contacts, agents, advisers, government funding councils, regulators and public bodies (including their advisers, representatives and officials), politicians and political parties.

4. What is bribery?

- a A bribe is an inducement or reward offered, promised or provided in order to improperly gain any commercial, contractual, regulatory or personal advantage, which may constitute an offence under the Act, namely:
 - giving or offering a bribe
 - receiving or requesting a bribe; or
 - bribing a foreign public official
- b The University may also be liable under the Act if it fails to prevent bribery by an associated person (including, but not limited to Staff) for the University's benefit.

5. Gifts and hospitality

- a This policy does not prohibit normal and appropriate gifts and hospitality (given and received) to or from Third Parties unless otherwise specifically stated.
- b However, we have specific internal policies and procedures which provide guidance to Staff as to what are to be regarded as normal and appropriate gifts and hospitality in terms of financial limits, subject to the principles set out below, namely that any gift or

hospitality:

- must not be made with the intention of improperly influencing a Third Party or member of Staff 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
 - must comply with local law in all relevant countries
 - must be given in the name of the organisation, not in an individual's name
 - must not include cash or a cash equivalent
 - must be appropriate in the circumstances
 - must be of an appropriate type and value and given at an appropriate time taking into account the reason for the gift
 - must be given openly, not secretly
 - in the case of gifts, they must not be offered to, or accepted from, government officials or representatives, politicians or political parties, without the prior approval of either (i) the University Secretary; (ii) Director of Finance; (iii) Director of Academic and Corporate Governance; and/or (iv) the Director of Legal; and
 - must be declared, in line with the terms of the internal policies and procedures referred to above, if it is not of an appropriate type and value and/or is given at an inappropriate time
- c The University appreciates 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.
- d 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.
- e Further guidance is contained in the University's Gifts and Hospitality Policy.

6. What is not acceptable?

- a It is not acceptable for any member of Staff (or someone on their behalf) to:
- give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that they or the University will improperly be given a business advantage, or as a reward for a business advantage already improperly given
 - give, promise to give, or offer, a payment, gift or hospitality to a government official, agent or representative to facilitate or expedite a routine procedure
 - accept payment from a Third Party where it is known or suspected that it is offered or given with the expectation that the Third Party will improperly obtain a business advantage
 - accept a gift or hospitality from a Third Party where it is known or suspected that it is offered or provided with an expectation that a business advantage will be improperly provided by the University in return
 - threaten or retaliate against another member of Staff who has refused to commit a bribery offence or who has raised concerns under this policy; or
 - engage in any activity that might lead to a breach of this policy or bring the University into disrepute.

7. Facilitation payments

- a The University does not make, and will not accept, facilitation payments of any kind, such as small, unofficial payments made to secure or expedite a routine government action by a government official, or payments made in return for a business favour or advantage.

8. Charitable donations and sponsorship

- a The University only 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.
- b Further guidance is contained in the University's Donations Policy.

9. Record keeping

- a The University shall keep appropriate financial records and have appropriate internal controls in place which evidence the business reason for gifts, hospitality and payments made and received.

10. Responsibilities

- a The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working within the University community or under our control.
- b All Staff are required to avoid any activity that might lead to, or suggest, a breach of this policy.

11. Reporting

- a Staff
 - i Staff are required to notify:
 - (A) their line manager, in the first instance, who will then escalate in the usual way up to the Nominated University Representatives; or
 - (B) if there are circumstances where Staff feel that is not appropriate, directly to the Nominated University Representatives
as soon as possible if:
 - it is believed or suspected that a conflict with this policy has occurred, or may occur in the future;
 - they are offered a bribe, are asked to make one, suspect that this may happen in the future; or
 - they believe that they are a victim of another form of unlawful activity.
 - ii Any disclosure under this policy may be treated as "whistleblowing" by the University under its existing whistleblowing policy.
- b Third Parties

If any Third Party is aware of any activity by any member of Staff which might lead to, or suggest, a breach of this policy, they should raise their concerns with the Nominated University Representatives.
- c Nominated University Representatives
 - University Secretary and Chief Operating Officer, Dr Jim McGeorge ([//people/jim-mcgeorge](#))
 - Director of Academic and Corporate Governance, Dr Neale Laker ([people/neale-laker](#))
 - Director of Legal, Umran Sarwar ([/people/umran-sarwar](#))

12. Consequences for breach of this policy

- a Any member of Staff who breaches this policy (which includes a failure to notify) may face disciplinary action, which could result in summary dismissal for gross misconduct. We reserve our right to terminate our contractual relationship with non-employee Staff if they breach this policy.
- b In addition to the above, please note the consequences of a breach of the Bribery Act 2010 both for individuals and for the University, include but are not limited to:
 - i For individuals, up to ten years' imprisonment;
 - ii For individuals and the University, an unlimited fine (and reputational damage).

13. Communication

- a Our zero-tolerance approach to bribery and corruption will, where appropriate, be communicated to clients, suppliers, contractors and business partners.

14. Monitoring and review

- a The Audit Committee has general responsibility for monitoring the operation and effectiveness of anti-bribery arrangements and will receive appropriate reports on any bribery activity.
- b The University Executive Group 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.
- c All Staff are aware that they are responsible for the success of this policy and should ensure they use it to disclose any suspected danger or wrongdoing.
- d This policy does not form part of any employee's contract of employment.

Document information

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ANNEX 1 - THE NINE PRINCIPLES OF PUBLIC LIFE IN SCOTLAND

DUTY

Holders of public office have a duty to act in the interests of the public body of which they are a Board member and to act in accordance with the core tasks of the body.

SELFLESSNESS

Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

INTEGRITY

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

OBJECTIVITY

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

ACCOUNTABILITY AND STEWARDSHIP

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

OPENNESS

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

HONESTY

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

LEADERSHIP

Holders of public office should promote and support these principles by leadership and example.

RESPECT

Holders of public office must respect fellow members of their public body and employees of the body and the role they play, treating them with courtesy at all times.

ANNEX 2 - THE UNIVERSITY'S VALUES

Our values

Valuing People, Working Together, Integrity, Making a difference and Excellence.

Communication underpins all our values

- Take personal responsibility for ensuring communication in your sphere is effective.
- Communicate effectively and clearly using appropriate channels.
- A conversation is often better than email.
- Listen well so you can understand before responding.
- Be polite and courteous in all circumstances.
- Praise first before giving constructive feedback.
- Challenge absent or poor communication appropriately and ensure that no one is left out of the loop.

Valuing people

- Treat everyone with equal respect, valuing their contribution to the University.
- Make time to listen to, help and support others.
- Be aware that you might have unconscious biases and try to identify and overcome them.
- Be liberal with thanks and praise.
- Recognise and reward achievement.
- Acknowledge the contribution of others towards individual success.
- Recognise and respect differences, actively promoting inclusion.

Working together

- One Dundee: seek what is best for the wider University community as well as your team.
- Actively seek ways of working together across boundaries to address the University's key challenges.
- Foster partnership working between students and staff.
- Ensure every member of the University community is included and feels part of the bigger picture.
- Share good practice generously.
- Maintain calm and perspective in stressful situations.
- Counter cynicism by encouraging productive discussion and problem solving.
- Positively challenge divisive behaviour.

Integrity

- Behave ethically and professionally, with the best interests of the University at heart.
- Be open, honest and fair.
- Keep your word and be trustworthy.
- Be accountable for actions and decisions.
- Respect confidentiality when appropriate.
- Be open to challenge without defensiveness and willing to challenge without aggression.
- Have the courage to question actions that are inconsistent with University values.

Making a difference

- Remember that our common purpose is to transform lives locally and globally.
- Encourage and support fellow students and colleagues to be transformative.

- Commit to making a real difference through your work, inspiring others with your passion and enthusiasm.
- Focus on working well with others to get results.
- Encourage and enable professional development.
- Embrace change.

Excellence

- Aim to be leading in what you do as we strive to be Scotland's leading University.
- Nurture creativity and innovation.
- Demonstrate consistently strong personal performance so that others can rely on you.
- Benchmark yourself and your team against the best.
- Gather feedback to improve performance and close feedback loops.
- Provide encouragement and seek support to improve.
- Be honest with yourself and others about performance that is less than excellent.
- Challenge mediocrity and be prepared to take, and accept, difficult decisions in pursuit of excellence.