

Policy	Anti-Corruption and Bribery Policy – HR 30
Manager responsible	Director Business & Finance
Date first implemented	January 2016
Date last reviewed	January 2021
Date of next review	January 2023
Date Governor approved	January 2016
Associated documents	HR21 – Gift Log Document Anti-Bribery Risk Assessment and Action Plan Expenses Policy Public Interest Disclosure Policy
Initial reviewing body	Senior Leadership Team
Final approval body	Audit & Risk Assurance Committee
Published on website	Yes

Purpose	The purpose of this policy is to: (a) set out the College’s responsibilities and of those working for it, in observing and upholding its position on bribery and corruption; and (b) provide information and guidance to those working for the College on how to recognise and deal with bribery and corruption issues.
Scope	This policy applies to all individuals working at all levels and grades, including senior leaders, governors and managers, whether permanent, fixed-term or temporary, consultants, contractors, seconded staff, casual workers and agency staff, volunteers, or any other person associated with the College, or any of its subsidiaries or their employees, wherever located.
Equality, Diversity & Inclusivity	<p><i>“[Derwen] College is committed to promoting equality, good relations and to challenging discrimination. This is reflected in all College policies, procedures, processes and practices.”</i> <i>Derwen College Equal Opportunities Policy</i></p> <p>Derwen College’s ethos is to embrace diversity, to offer equality of opportunity, and to treat every individual fairly and with respect. Equality, diversity and inclusivity are embedded throughout the organisation. This policy should be applied in accordance with this ethos.</p> <p>If you would like a copy of this document in a different format, such as large print, please contact the Human Resources Department who will provide help with alternative formats.</p>

It is College policy to conduct all of its business in an honest and ethical manner. The College takes a zero-tolerance approach to bribery and corruption and is committed to acting professionally, fairly and with integrity in all its relationships and business dealings wherever it operates and to implementing and enforcing effective systems to counter bribery. The College will uphold all laws relevant to countering bribery and corruption. The College remains bound by the laws of the UK, including the Bribery Act 2010, in respect of its conduct both at home and abroad.

Bribery and corruption are punishable for individuals by up to ten years' imprisonment and if the College is found to have taken part in corruption, it could face an unlimited fine and face damage to its reputation. The College takes its legal responsibilities very seriously.

The College has identified that certain of its activities could create particular risks for the organisation, in particular: (a) joint ventures and partnerships (whether formal or informal); (b) recruitment of students; (c) receipt of gifts and donations; (d) Grant funding; and (e) procurement and tendering, particularly where the activities relate to construction.

To address these risks the College has taken the following steps:

- (a) Implemented an anti-bribery and corruption policy
- (b) Introduced an annual anti-bribery and corruption risk assessment, which will be subject to ongoing review
- (c) Appointed the Director of HR & Estates to ensure compliance with Bribery Act issues
- (d) Reviewed and amended policies related to this Anti-Corruption and Bribery Policy, including the Public Interest Disclosure Policy.

In this policy, third party means any individual or organisation that any person within the scope of this policy, e.g. staff, governors, comes into contact with during the course of their work for the College. This includes actual and potential clients, customers, suppliers, distributors, business contacts, agents, advisers, parents / carers, students / trainees and government and public bodies, including their advisers, representatives and officials, politicians and political parties.

What is bribery?

A bribe is an inducement or reward offered, promised or provided in order to gain any commercial, contractual, regulatory or personal advantage.

Hospitality & Gifts

This policy does not prohibit normal and appropriate hospitality (given and received) to or from third parties and the giving or receipt of gifts.

Normal and appropriate hospitality and gifts would include where the hospitality or gift 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 explicit or implicit exchange for favours or benefits. Any gifts should be recorded on HR21 – Gift Log (see **Appendix 1**) and gifts over £50 should be declared to HR.

Facilitation Payment and Kickbacks

The College does 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. If any person within scope of this policy is asked to make a payment on behalf of the College, they should always be mindful of what the payment is for and whether the amount requested is proportionate to the goods or services provided. They should always ask for a receipt, which details the reason for the payment. If any person within this scope has any suspicions, concerns or queries regarding a payment, they should raise these with the Leadership Team.

Donations

The College does not make charitable donations or contributions to political parties.

Staff Responsibilities

Staff must ensure that they read, understand and comply with this policy. The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for the College or those under its control. All staff are required to avoid any activity that might lead to, or suggest, a breach of this policy. They must notify your manager and/or the HR department as soon as possible, if they believe or suspect that a conflict with this policy has occurred, or may occur in the future.

Record Keeping

The College must keep financial records and have appropriate internal controls in place, which will evidence the business reason for making payments to third parties. Any gifts should be recorded on HR21 – Gift Log (see **Appendix 1**) and gifts over £50 should be declared to HR.

Staff, volunteers, governors and all within scope must ensure all expenses claims relating to hospitality, gifts or expenses incurred to third parties are submitted in accordance with the College's expenses guidelines and specifically record the reason for the expenditure.

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

How to raise a concern?

Staff are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage, in accordance with the College's Public Interest Disclosure Policy. If they are unsure whether a particular act constitutes bribery or corruption, these should be raised with their line manager and/or the Director of HR & Estates.

What to do if you are a victim of corruption?

It is important that staff tell the Director of HR & Estates as soon as possible if they are offered a bribe by a third party, are asked to make one, suspect that this may happen in the future, or believe that they may be a victim of another form of unlawful activity.

Training & Communication

A copy of the policy will be published on SharePoint and all staff are expected to familiarise themselves with it.

Changes to the policy and procedures will be communicated to staff in an appropriate manner.

Responsible Persons

The Director of Business & Finance (Anti-Bribery Officer) is responsible for conducting an annual anti-bribery risk assessment to identify areas at risk and to recommend countermeasures.

Derwen College treats breaches of this policy with maximum seriousness and will investigate any potential breach in accordance with the disciplinary policy. The ultimate sanction for a breach of the policy will be summary dismissal for gross misconduct.

Appendix 1

HR 21 – Gift Log

DEPARTMENT: _____

DESCRIPTION OF GIFT:	DATE:	RECEIVED FROM:	GIVEN TO:	REASON FOR PROVISION OF GIFT:	APPROX. VALUE £	DECLARED TO HR? YES/NO
				SIGNATURE: <i>(Manager)</i>		
				SIGNATURE: <i>(Manager)</i>		
				SIGNATURE: <i>(Manager)</i>		
				SIGNATURE: <i>(Manager)</i>		
				SIGNATURE: <i>(Manager)</i>		
				SIGNATURE: <i>(Manager)</i>		

**if gift value exceeds £50, this should be declared to Anti-Bribery*