Regent's Park College

Bribery and Fraud Policy

A. Introduction

1. The College is committed to conducting its business fairly, honestly and openly; to the highest standards of integrity; and in accordance with relevant legislation.

2. Bribery[1] and fraud[2] are criminal offences. The College prohibits any form of **bribery** and **fraud**, and believes that action against bribery and fraud is in the broader interests of society. As a charity deriving a significant proportion of its income from public funds, benefactions and charitable organisations, the College is concerned to protect its operations and reputation and its funders, donors, staff and students from the detriment associated with bribery and other corrupt activity. It is therefore committed to preventing bribery and fraud by its Trustees, staff, students (together referred to hereinafter as "Members of the College") and any third party acting for or on behalf of the College.[3]

3. This Policy applies to all Members of the College and associated persons[4] of the College.

4. Every Member of the College and associated person who acts on behalf of or provides services to the College is responsible for ensuring that they comply at all times with this policy.

5. The Principal is responsible for the implementation of this policy, for co-ordinating the College's response to any investigation or charge under anti-bribery or fraud legislation, ensuring that relevant procedures are in place and communicated, and that appropriate records are kept.

B. Prevention of Bribery and Fraud

1.The College will take appropriate action to prevent bribery and has no tolerance of fraud within its operations.

2. The College will seek to understand the risk of bribery and fraud in various contexts; implement policies and procedures to support these standards in view of our understanding of this risk; advise, inform and/or train staff appropriately concerning relevant standards, policies and procedures.

3. The College has implemented proportionate procedures to prevent bribery and fraud in respect of its activities, including:

- transparent policies and training;

[1] The offering, promising, giving, requesting, or accepting of a financial or other advantage with the intention to induce or reward improper performance.
[2] An act or omission, made with the intent of making a financial gain, or causing a financial loss, or exposing another to the risk of a financial loss.
[3] Gifts and hospitality are dealt with under a separate policy.
[4] A person, company or other legal entity that performs services for or on behalf of the College and which may include for example agents, subsidiaries and sub-contractors of the College, recipients of grants from the College, partners in joint ventures or collaborative working arrangements of any kind and suppliers of fundraising, professional or other services.

- risk management procedures;
- effective financial checks and record-keeping;
- due diligence in procurement;
- monitoring and review.

4.No Member of the College or **associated person** shall seek a financial or other advantage for the College through bribery, nor shall they offer, promise, give, request, agree to receive or accept a bribe for any purpose.

5.The payment or acceptance of **facilitation payments**[5] is unacceptable and will not be tolerated.

6. Any suspicion of bribery or fraud should be reported immediately as per the procedure outlined in this policy. Reports may be treated as a disclosure under the Whistleblowing Policy in the Employee Handbook.

7.Bribery and fraud by College employees will be treated as a serious disciplinary offence resulting, potentially, in dismissal and legal action.

8. The College takes measures to prevent bribery and fraud by agents or other third parties performing services for or on behalf of the College; and will take appropriate action should it discover that they are engaging in bribery and fraud on behalf of the College.

9.The College does not make political donations. 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.

C. Investigation

1. Members of the College who reasonably suspect bribery or fraud in the College should report their concerns as soon as possible to the Principal, providing a brief description of the alleged irregularity, the loss or potential loss involved, and any evidence supporting the allegations or irregularity or identifying the individual or individuals responsible.

2. Where concerns are to be taken forward under this policy, they will be considered by the Principal, who may seek further support and advice as they consider necessary and may delegate their responsibilities to named individuals. An alternate will be appointed should the Principal be the subject of complaint.

3. Bribery and fraud may include behaviour which would also be an offence under the provisions of the Proceeds of Crime Act 2002, or the Terrorism Act 2006 and related anti-terror legislation.

[5] Payments intended to secure or expedite routine or necessary Government action by a public official. A facilitation payment includes a payment to a public official to do their job properly as well as payment to do their job improperly.

If at any point there is a suspicion that the conduct complained of includes unlawful conduct of this nature, the Principal (or delegate) will take immediate steps to secure appropriate professional advice as to the steps required to fulfil the College's obligations under the relevant legislation before proceeding further.

4. In cases which may involve students, the Dean and Senior Tutor/Tutor for Graduates (as appropriate) will be informed by the Principal (or delegate) at the outset of the investigations. If a student is the subject of an allegation of bribery or fraud, this will be dealt with the Dean under the Non-Academic Disciplinary Procedures. If necessary, matters involving students may also be referred to the University Proctors.

5. The Principal (or delegate) will decide on such further steps as are necessary, including: investigating the concerns; establishing and securing evidence as necessary for criminal and disciplinary proceedings; ensuring that appropriate action is taken against those responsible, taking steps to minimise further loss and/or recover losses; and communicating internally and with external organisations with a need to know.

6. Any individual who is suspected of bribery or fraud may be suspended immediately (without deduction of pay) pending a full investigation. In some cases it may also be necessary to suspend other College Members in order to conduct a proper investigation. The suspension of a member of staff does not constitute a finding of misconduct against the College Member. Any person suspended as a result of suspected bribery or fraud will be informed of the reason for the suspension.

7. Individuals suspended for suspected of bribery or fraud, and individuals suspended to enable a proper investigation to be carried out, will normally be required to leave College premises immediately and/or will be denied access to the College's IT facilities. During the period of any suspension they will not be permitted to return to the premises, to make contact with Members of the College or witnesses, or to act on behalf of the College, unless given express permission to do so by the relevant College authorities. Any infringement of this requirement may be treated as a disciplinary offence.

8. All persons concerned with the investigation must treat the information in strict confidence. Where necessary, information will be transmitted in confidence to relevant regulatory bodies. An unwarranted breach of confidence may be the subject of disciplinary action.

9. In all cases where the police are involved, the College reserves the right, where it would be reasonable to do so, to proceed with its own disciplinary procedures or with civil proceedings.

D. Reporting and Record-Keeping

1. The Principal (or delegate) will notify the Governing Body that a matter has been reported under this policy and will provide such further and confidential interim reports as to the

progress of the investigation as are deemed necessary. Such reports may be oral or written as appropriate.

2. The Office of the Principal, on the instruction of the Principal, will notify the Charity Commission under the College's Serious Incident Reporting Policy where there is evidence that any theft, fraud, loss of charity assets or other irregularity meets the threshold for reporting set out in that policy.

3. The Principal (or delegate) will prepare a final report, which will be provided in strict confidence to the Governing Body and include:

a) a description of the allegations and the steps taken to investigate them;

b) a conclusion as to whether the allegations made had substance and if so the extent of any loss and any other adverse impact on the College;

c) a description of any steps taken in relation to the individual or individuals concerned together with recommendations as to any disciplinary action;

d) the steps taken to mitigate any losses to the College;

e) the measures taken to minimise a recurrence; and

f) any action needed to strengthen future responses bribery or fraud, which may include provision for a follow up report within a specified time frame.

E. Communication with parties involved

1. Subject to the findings of the final report and agreement of recommended actions, the individual(s) involved will be informed of the outcome of the investigation as soon as possible.

2. The complainant will be informed in broad terms of the outcome of the investigation, having due regard to the confidentiality of information relating to the individual(s) accused and