Anti-Bribery, Corruption and Fraud Prevention Policy

June 2026

This document explains how the University prevents, identifies and responds to bribery and corruption. It outlines legal duties, risks, acceptable conduct, reporting routes and expectations for ethical behaviour. It applies to all staff, students, contractors, volunteers and anyone acting for the University.

Contents

Related documents:

- Conflict of Interests Policy
- Gifts and Hospitality Policy
- Risk Management Policy
- Whistleblowing Policy

Anti-Bribery, Corruption and Fraud Prevention Policy

1 Introduction

1.1 The University and its subsidiary companies ('the University') are committed to the highest standards of integrity, ethical conduct and lawful behaviour in all activities and operations. The University adopts a zero-tolerance approach to bribery, corruption, fraud and other forms of economic crime. The University recognises its responsibilities under the Bribery Act 2010, the Economic Crime and Corporate Transparency Act 2023, the Fraud Act 2006 and other applicable legislation.

1.2 Bribery, corruption and fraud may expose both individuals and the University to criminal liability, financial penalties, regulatory action and significant reputational damage. The University is committed to maintaining proportionate and risk-based procedures designed to prevent bribery, corruption and fraud across all areas of its activities.

1.3 Any individual found to have engaged in bribery, corruption, fraud or related misconduct may be subject to disciplinary, contractual, legal and/or regulatory action, up to and including dismissal or termination of contractual arrangements.

1.4 The University recognises that bribery, corruption and fraud risks may arise across a broad range of activities including procurement, recruitment, admissions, research, international partnerships, commercial arrangements, construction projects and financial administration. The University's responsibilities extend to associated persons acting for or on behalf of the University, both within and outside the United Kingdom.

1.5 The University has a zero-tolerance approach to bribery and serious action will be taken against anyone found to be involved in bribery, up to and including dismissal under the University's disciplinary processes. For associated persons, breach of this policy may result in contractual, legal and/or other sanction(s).

2 Scope

2.1 This policy applies to all University staff and students, consultants, contractors, volunteers, interns, casual workers, agency staff and self-employed workers working for the University and all other persons associated with and acting for the University, whether directly or indirectly. This definition includes external members of University committees, representatives, agents, subsidiaries, individuals appointed as directors of any company, consultants, contractors and partners.

2.2 This policy shall apply in all jurisdictions in which the University operates, to the fullest extent permissible by law.

2.3 The University has a Gifts and Hospitality Policy which outlines its position on the receipt and provision of gifts and hospitality in relation to bribery and corruption.

2.4 In any suspected cases of students offering bribes in return for academic gain (e.g. higher marks or classification) this would normally be referred to the student disciplinary or fitness to practise processes in the first instance.

2.5 It should be stressed that, in common with other Higher Education Institutions (HEIs), the University faces a range of bribery risks throughout its activities, operations and geographies. These risks include, but are not limited to, bribery in relation to admissions, examinations, awards, procurement, construction and field trips.

3 Definitions

3.1 **Corruption** is defined as dishonest or fraudulent conduct, typically involving bribery.

3.2 **Bribery** is defined as the offering, giving, receiving or soliciting of any item of value (money, goods, favours or other forms of recompense) to influence the actions of an official or other person in charge of a public or legal duty.

3.3 **Fraud** is the dishonest abuse of position, false representation, concealment of information or other conduct intended to secure an improper financial or non-financial advantage or cause loss to another party.

3.4 **Economic crime** includes bribery, fraud, false accounting, money laundering, theft, corruption and related dishonest conduct intended to secure unlawful benefit or advantage.

3.5 An **associated person** is any individual or organisation performing services for or on behalf of the University.

3.6 A **senior manager** is an individual who plays a significant role in the making of decisions about how all or a substantial part of the University's activities are managed or organised.

4 What is bribery?

A <u>The Bribery Act 2010</u>

4.1 The Bribery Act 2010 ('the Act') came into force on 1 July 2011. It is a precisely worded and comprehensive piece of legislation which has extensive scope and geographic reach.

4.2 According to the Act, bribery is where someone requires, gives or promises financial (or other) advantage with the intention of inducing or rewarding improper performance. Improper performance is a key concept and generally means where an individual does not act in good faith, impartially and/or properly. The test of what is proper is based upon what a person in the UK would reasonably expect.

4.3 A typical example of improper performance could involve work being continually directed to a particular construction contractor at the expense of other qualified contractors as a result of bribery—work that has invariably been overpriced to allow for the bribery payments required.

4.4 Under the Act, there are two general forms of bribery where individuals are personally criminally liable:

a. **Active bribery:** offering, promising or giving of a bribe (either directly or indirectly) with the intent to induce a person to improperly perform a relevant function; and

b. **Passive bribery:** requesting, agreeing to receive or accepting a bribe (either directly or indirectly) such that a relevant function is, or will be, improperly performed.

4.5 There are two other related offences:

a. bribing a foreign public official in order to obtain or retain business or an advantage to the conduct of business; and

b. corporate liability where a body, such as a University, fails to prevent bribery.

4.6 It is important to note that the timing of bribery payments—before, during and/or after a relevant function—does not affect the offence.

B Economic Crime and Corporate Transparency Act 2023

4.7 The Economic Crime and Corporate Transparency Act 2023 (ECCTA) introduced a new corporate offence of failure to prevent fraud. Under this legislation, large organisations may be held criminally liable where an associated person commits a specified fraud offence for the benefit of the organisation and the organisation cannot demonstrate that reasonable fraud prevention procedures were in place.

4.8 ECCTA also broadens the circumstances in which criminal liability may attach to organisations through the actions of senior managers acting within the actual or apparent scope of their authority.

4.9 The University therefore requires appropriate controls, oversight, training and reporting arrangements to support the prevention, detection and management of fraud and economic crime.

C Facilitation payments

4.10 Facilitation payments—payments typically to government officials to facilitate special treatment, such as prioritisation in an approval process—are also bribes.

4.11 The University does not offer or make—and shall not demand or accept—facilitation payments of any kind.

4.12 Advice should be sought if required in order to distinguish between properly payable fees and disguised requests for facilitation payments.

D Overseas reach

4.13 The Act has extensive global reach and holds UK organisations liable for failing to implement adequate procedures sufficient to prevent such actions by those working for the University or on its behalf, no matter where in the world these actions take place.

4.14 In addition, the Foreign Corrupt Practices Act of 1977 offers similar prohibitions and potential penalties and is enforced robustly by the US authorities, supported by extensive inter-agency co-operation on an international basis.

E Mitigation

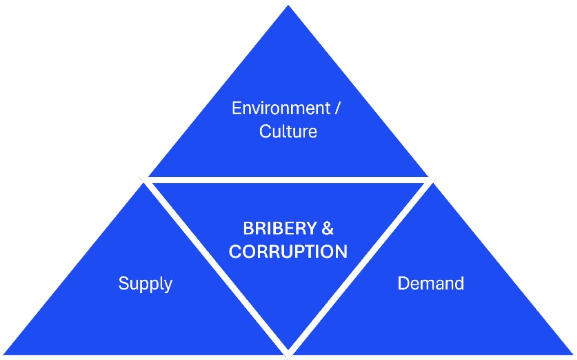
4.15 There is a statutory defence against the Act if the University can demonstrate that it had in place appropriate adequate procedures designed to prevent bribery.

4.16 The 'Bribery Triangle', below, shows the three key drivers of bribery and corruption:

a. environment and culture;

b. supply of money, goods, services and favours as the currency of bribery; and

c. demand for that currency.



4.17 The University's anti-bribery and corruption procedures are intended to directly mitigate its risk of bribery and corruption by removing or reducing the three elements of the bribery triangle.

4.18 Reducing the demand for bribery, although clearly challenging, can be achieved in a number of ways including collaboratively creating a 'level playing field' or 'no bribery' approach in the higher education sector.

5 Identifying the risk of bribery

A <u>Risk management</u>

5.1 Effective risk assessment and risk management are fundamental to the prevention of bribery, corruption, fraud and other forms of economic crime. The University will maintain proportionate and risk-based prevention procedures informed by periodic assessment of bribery, fraud and wider economic crime risks.

5.2 Risk assessments will consider

a. the nature and scale of University activities

b. geographical areas of operation

c. third-party relationships and associated persons

d. procurement and financial controls

e. research and commercial activities

f. overseas operations and partnerships

g. areas where there is opportunity for improper personal or institutional benefit

5.3 Identified risks will be subject to appropriate controls, mitigation measures and periodic review through the University's governance and risk management processes.

5.4 Global custom and practice in business can be deeply rooted in the attitudes, cultures and economic prosperity of a particular region. Moreover, UK or European norms may not be applicable in some parts of the world where the University has interests. For example, the definition of 'foreign public official' may be significantly different in countries with different models of public or private services.

B <u>Areas of risk</u>

5.5 Whilst the University's high risks will undoubtedly change over time, the areas of continuing bribery, fraud and economic crime risk will almost certainly include

a. agents and intermediaries, particularly those who operate in jurisdictions where bribery is prevalent or endemic[1]

b. gifts, hospitality and entertainment

c. joint ventures, partnerships, and consultancies, where the university could be held liable for any bribery or corruption committed by a third party with whom the university is associated by means of a joint venture or consultancy agreement

d. contracts, particularly construction contracts where the values involved are likely to be high

e. all aspects of procurement of services (particularly) and goods undertaken by the University

f. research funding, grant administration and commercial partnerships

g. conflicts of interest in recruitment, admissions or decision-making processes

h. payroll and employment-related financial controls

i. student admissions, assessment and award processes

j. regulatory, funding or compliance reporting

k. manipulation, falsification or concealment of financial or operational records

5.6 The University recognises these risks and seeks to ensure that mitigation is in place.

6 Fraud prevention procedures

6.1 The University will maintain reasonable and proportionate procedures designed to prevent fraud and economic crime.

6.2 These procedures may include

a. risk assessments

b. due diligence processes

c. financial controls

d. segregation of duties

e. staff training and awareness

f. procurement controls

g. declarations of interest

h. monitoring and audit activity

i. reporting and investigation arrangements

6.3 Prevention procedures will be reviewed periodically to ensure they remain proportionate to the University's risks and activities.

[1] Transparency International publishes a Corruption Perceptions Index by jurisdiction which ranks 180 countries and territories by their perceived levels of public sector corruption, according to experts and business people.

7 **Gifts, hospitality and entertainment**

A Outline

7.1 Gifts, hospitality and entertainment is a collective term for the receipt or offer of gifts, meals, travel costs, entertainment, tokens of appreciation and gratitude, or invitations to events, functions, or other social gatherings, in connection with matters related to the University. It should be noted, however, that travel costs would not always be borne by a third party, and that the travel authorisation process is a key element of the University's overall corporate governance infrastructure and best practice.

B Scope

7.2 Normal, reasonable and proportionate hospitality given or received as part of the University's wider student, commercial, promotional and marketing activities which is genuinely aimed at building a good business relationship or improving the profile of the University is allowable, within limits (see below).

7.3 Hospitality must not be accepted by employees of the University in circumstances that may allow the employee to appear to be unduly influenced in favour of the provider of that hospitality. Those circumstances might, for example, include the proximity of the hospitality to the award of a contract. The gift or receipt of hospitality which is aimed at securing an improper business or other advantage, or which may affect the recipient's independence is obviously not permissible.

7.4 Clearly, hospitality can amount to real or perceived bribery, and caution should always be exercised. If there is any doubt about the propriety of hospitality, it should not be accepted or offered.

7.5 Unfortunately, policy and real events can be different, and it is not unknown for a purported 'quick bite' with a supplier to be turned into a lavish five-star lunch, with all its potential connotations. In general, the simple 'acid' test for hospitality can be phrased as 'Is it reasonable, and could I reciprocate?'

C Register and declarations

7.6 The University maintains a central gift register, for both inbound and outbound gifts and hospitality, and it is essential that each occurrence is accurately recorded. Gifts with a value of less than £50 or hospitality with a value of less than £100 per person, whether received or declined, need not usually be registered. The offer of all other gifts or hospitality must be declared within 10 days or on return to the UK if the gift or hospitality is offered during an overseas visit. Offers of gifts and hospitality must be approved by the relevant Line Manager.

7.7 All gifts and hospitality must be handled in accordance with the University Gifts and Hospitality Procedure.

7.8 If a gift or hospitality is not in keeping with circumstances then every effort must be made to refuse the offer, without offending the person or organisation making the offer. If the gift cannot be refused, it should be declared on return to the University.

7.9 Under no circumstances must any gift of money be made or received by an employee or official of the University.

7.10 The University recognises that staff may be put in a difficult position and may feel obligated or under pressure to accept gifts or hospitality, or other inducements to act or not act in certain ways. Staff are encouraged to report such instances to their line manager at the earliest opportunity so that appropriate support may be put in place.

8 Policy statement

8.1 The University values its reputation for ethical behaviour and recognises that any involvement in bribery is illegal and will reflect adversely on its hard-earned image and reputation.

8.2 The University prohibits the offering, giving, soliciting or the acceptance of any bribe in whatever form to, or from, any person or company (public or private) by anyone associated with the University.

8.3 The University expects any person or company (public or private) associated with the University to act with integrity and without any actions that may be considered an offence within the meaning of the Act.

8.4 The University requires any potential breaches of this policy and bribery offers to be reported under the University's reporting processes (see section 11).

8.5 The prevention, detection and reporting of bribery is the responsibility of everyone associated with the University.

8.6 Council, the Audit and Risk Committee, the University Leadership Team and senior managers are responsible for promoting and supporting a culture of integrity, transparency and compliance throughout the University.

9 Communication

9.1 It is the responsibility of all Executive Deans, Directors and Heads of Departments to ensure that this policy is fully and regularly communicated to those involved with University business within their area. Crucially, this will include communication not only with staff but other external agencies (e.g. agents, representatives and contractors).

9.2 The University will continue to provide regular training to identified high-risk areas, particularly procurement and where overseas activities are involved.

9.3 The University will provide proportionate training and awareness activity relating to bribery, corruption, fraud and economic crime. Mandatory training may be required for staff working in identified higher-risk areas including procurement, finance, contract management, overseas activity, research administration and senior leadership roles.

9.4 The People and Organisational Development Directorate has in place a number of relevant policies and procedures to clarify individual staff responsibilities and to provide support when needed.

9.5 The University has established briberyprevention@hull.ac.uk as a dedicated email address for seeking advice or guidance around bribery and for reporting any concerns.

10 Monitoring and review

10.1 The University will monitor the effectiveness of its anti-bribery, fraud prevention and economic crime controls through periodic review, risk assessment activity, internal controls, audit activity and incident reporting.

10.2 Material incidents, themes and control weaknesses will be reported through appropriate governance arrangements, including the Audit and Risk Committee where appropriate.

11 Reporting concerns (including whistleblowing)

11.1 All employees and others associated with the University are encouraged to report any concerns that they may have regarding potential breaches of this policy, including incidents relating to external agencies and third parties. This includes any instances where you may be the victim of attempted bribery.

11.2 Concerns may relate to actual, suspected or attempted bribery, fraud, corruption, false accounting, dishonesty or other economic crime. No individual will suffer detrimental treatment for raising concerns in good faith.

11.3 The University has a comprehensive Whistleblowing Policy.

11.4 The University is fully committed to ensuring that there is a safe and confidential method of reporting any suspected wrongdoing to nominated officers. The University's Whistleblowing Policy also permits employees and anyone contractually associated with the University to raise concerns of malpractice in the University and those involving partners or competitors.

11.5 Any allegations of misconduct under this policy within the jurisdiction the University will be taken very seriously. If appropriate, action may be taken under the University's disciplinary process. Attempted bribery or acceptance of a bribe may be considered as gross misconduct.

12 Acknowledgements

12.1 This document is based on information provided in the counter-fraud toolkit provided for HE institutions by the Counter-Fraud Working Group of the British Universities Finance Directors Group.