

ANTI-BRIBERY POLICY

Originating Department:	Governance, Information and Legal Team
Enquiries to:	University Secretary
Approving Committee/Body:	Board of Governors
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Document Type (delete as appropriate):	POLICY
Mandatory Target Audience:	All university staff
Also of Relevance to:	Students
Brief Summary of Purpose:	To set out LSBU's zero tolerance of bribery and the commitment of the Board of Governors to this approach. To set out a code of conduct for LSBU members of staff as procedures to prevent bribery.

London South Bank University

Anti-bribery policy

1. Anti-bribery policy

- 1.1 London South Bank University is committed to acting in accordance with the highest ethical and legal standards. The integrity of our staff, and those with whom we do business, is critical to our success. The Board of Governors must ensure that LSBU observes high standards of openness and transparency and exercise rigorous stewardship of public money.
- 1.2 LSBU has zero-tolerance to bribery and corruption. LSBU is committed to acting professionally, fairly and with integrity in all its business dealings and relationships wherever it operates.
- 1.3 LSBU's Anti-bribery code of conduct (see below) reflects our commitment to uphold all laws to counter bribery and corruption in all the countries in which we operate. In particular, we are committed to compliance with the Bribery Act 2010, in respect of our conduct both at home and abroad.

2. What is bribery?

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

3. Who the policy applies to

- 3.1 Under the Bribery Act, LSBU may be prosecuted for an offence if a person associated with it bribes another person, intending to obtain or retain business or a business advantage for LSBU. It is a defence for LSBU to show that it has "adequate procedures" in place to prevent persons associated with the university from bribing. A person is associated with LSBU if they perform services for or on behalf of LSBU and includes employees, subsidiaries, agents or sub-contractors.
- 3.2 This policy applies to all people or companies working for LSBU at all levels, including all employees (whether permanent, fixed-term or temporary), consultants, contractors, trainees, seconded staff, casual staff and agency staff, volunteers, interns, agents, sponsors, or any other person associated with us, or any of our subsidiaries or their employees, wherever located (collectively referred to as "staff" in this policy).

Code of Conduct

4. Gifts and hospitality

- 4.1 The LSBU gifts and hospitality policy and gifts acceptance policy should be read in conjunction with this policy as in some circumstances unreasonable or disproportionate gifts or hospitality may be used as bribes.

5. Facilitation payments

- 5.1 Facilitation payments are typically small, unofficial payments made to secure or expedite a routine or necessary government action by a government official, when we have already paid for, or are entitled to, that action. Under Sections 1 and 6 of the Bribery Act 2010, bribes and facilitation payments are illegal and the offer of any of these forms of payments in any of the countries in which we operate is against LSBU policy.
- 5.2 If you are asked to make a payment on LSBU's behalf, you should immediately discuss this with your line manager or the University Solicitor or the Head of Procurement.

6. Donations

- 6.1 LSBU does not make contributions to political parties. LSBU will only make charitable donations if approved by the executive or the board of governors (depending on the amount) and if the donation is in line with LSBU's own charitable objects.

7. Fundraising

- 7.1 Bona fide fundraising is a legitimate and appropriate activity for LSBU. The gifts and hospitality policy must be observed by any staff or volunteers involved in fundraising. The LSBU gifts and hospitality policy should be read in conjunction with this policy.

8. Your responsibilities

- 8.1 You must ensure that you read, understand and comply with this Policy.
- 8.2 The prevention, detection and reporting of bribery and other forms of corruption are the responsibility of all those working for us or under our control. All staff are required to avoid any activity that might lead to, or suggest, a breach of this Policy.
- 8.3 You must notify your line manager, University Solicitor or LSBU Speak up contact as soon as possible if you believe or suspect that a conflict with this Policy has occurred, or may occur in the future.
- 8.4 Any employee who breaches this policy may face disciplinary action, which could result in dismissal for gross misconduct.

7. Record-keeping

- 7.1 In accordance with the Financial Regulations and the Gifts & Hospitality Policy, financial records must be kept and appropriate internal controls must be put in place which will evidence the business reason for making payments to third parties.

8. What to do if you have a specific concern about bribery

- 8.1 All staff are encouraged to raise concerns about any issue or suspicion of malpractice at the earliest possible stage. If you are unsure whether a particular act constitutes bribery, or if you have any other queries, these should be raised

with your line manager OR the University Solicitor. Concerns should be reported by following the procedure set out in LSBU speak up policy.

9. What to do if you discover that bribery has taken place

Under the Financial Regulations, you should report anything that you believe to be a bribe immediately to the Executive Director of Finance.

10. Training and communication

10.1 Anti-Bribery Training on this policy is available via the LSBU staff gateway.

10.2 LSBU's zero-tolerance approach to bribery and corruption must be communicated to all suppliers, contractors and business partners at the outset of our business relationship with them and continuing.

Approved by the Executive on 8th November 2011

Approved by the Policy & Resources Committee on 10th November 2011

Approved by the Board of Governors on 24th November 2011

Potential bribery risk scenarios: "red flags" at London South Bank University

The following is a list of possible red flags that may arise during the course of your work, whether academic or support, and which may raise concerns about compliance with the UK Bribery Act 2010. The list is not intended to be exhaustive.

If you encounter any of these "red flags" while working for LSBU, you must report them promptly to your line manager OR to the University Solicitor OR under the LSBU speak up policy (see staff Gateway):

- (a) a student offers you a payment or gift and requests that you provide some academic advantage to the student;
- (b) a student's family offers you a payment or gift and requests that you provide some academic advantage to the student;
- (c) an LSBU academic is offered an unusually generous gift or offered lavish hospitality by a student or the student's family prior to an important academic assessment;
- (d) you learn that a student recruitment representative 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;
- (e) a student recruitment representative requests that payment is made to a country or geographic location different from where they do business;
- (f) a student recruitment representative requests or requires the use of an agent or intermediary that is not typically used by or known to us;
- (g) a supplier to LSBU 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;
- (h) you become aware that a supplier to LSBU engages in, or has been accused of engaging in, improper business practices; you receive an invoice from a supplier to LSBU that appears to be non-standard or customised;
- (i) a service provider to LSBU requests an unexpected additional fee or commission to "facilitate" a service;
- (j) a potential supplier to LSBU demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services;
- (k) a potential contractor of LSBU insists on receiving a commission or fee payment before committing to sign up to a contract with us;
- (l) a contractor insists on the use of side letters or refuses to put terms agreed in writing;
- (m) an existing contractor requests that a payment is made to "overlook" potential legal violations by them;
- (n) you notice that LSBU is invoiced for a commission or fee payment that appears large given the service stated to have been provided.

"Red flags" updated January 2014