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		Description of changes and name and job title of person responsible for making changes
0.1	May 2019	First draft by Lucy

1. The Anti-Bribery and Corruption (ABC) Policy is in place to protect individuals associated with Lancaster University and the organisation itself from any accusation of improper conduct.

6. Bribery is offering a financial, material or other advantage to encourage that person to perform their functions or activities improperly or to reward that person for having already done so, in order to gain an advantage, whether personal or commercial.
7. Bribery undermines democracy and the rule of law and poses very serious threats to sustained economic progress in developing and emerging economies and to the proper operation of free markets more generally. The victims of bribery are law-abiding organisations and the wider victims are government and society.
8. By rejecting bribery, the University will maintain its reputation and business partner confidence, as well as contributing to collective action against bribery in the sector.
9. Giving or obtaining advantage through illegal or dishonest behaviour, or through means which are inconsistent with one's duty or the rights of others.
10. Payments to induce officials to perform routine functions they are otherwise obligated to perform.
11. A situation in which someone's private interests are opposed to that person's responsibilities to other people.
12. All staff have a responsibility to consider whether their actions may give rise to a potential conflict of interest or the appearance of one and to seek advice accordingly. More detail is included in the Financial Regulations.
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15. This Anti-Bribery and Corruption Policy should be read in conjunction with the Financial Regulations, particularly with regards to section 3.4 of the Regulations which deals with Fraud, Theft, Bribery, Corruption, Money Laundering and other Irregularity and section 3.8 which covers compliance with sanctions rules. Sanctions rules mainly relate to the direct transfer of funds to and from sanctioned countries, entities and individuals, but can also be affected by ownership structures of organisations we transact with overseas.

 16. The Bribery Act 2010 makes it a criminal offence to:
 - engage with active bribery (the offence of offering to bribe another)
 - ;
 - engage with passive bribery (the offence of accepting or requesting a bribe);
 - bribe a foreign public official in order to gain an advantage, which includes anyone in a legislative, administrative or judicial position, elected or appointed, anyone who performs a public function and any official or a public international organisation;
 - fail to prevent bribery (the offence by a commercial organisation, including a university, of failure to prevent bribery by any person associated with it) i.e. failing to prevent an employee, agent or intermediary from paying a bribe for the organisation's benefit, even if the organisation is unaware of the bribe being paid.

 17. A Bribery conviction could compromise the career of an individual. The maximum prison sentence is 10 years for individuals who commit such offences. Organisations are liable to an unlimited fine.

 18. There are many names for a bribe, some of which could include: facilitation or grease payments, kick-

19. Bribery takes many forms and is not tolerated by the University. For example, it is unacceptable for you, or someone on your behalf:
 - to give, agree to give or offer a payment, gift or hospitality in the UK or overseas, where you expect a personal or business advantage, or to reward an advantage that has already been given;
 - to give, agree to give or offer a payment, gift or hospitality in the UK or overseas to a public official in order to gain an advantage (see above section on criminal offences), or to reward an advantage that has already been given;
 - to accept a payment, gift or hospitality in the UK or overseas from someone if you know or suspect that it is offered with the view to obtaining a personal or business advantage provided to them by the University in return;
 - to make a facilitation payment unless the demand is accompanied by immediate threat of physical harm, then safety is the first consideration. In these circumstances the payment can be made but then should be reported to senior management as soon as it is safe to do so;
 - to turn a 'blind eye' to any of the above; and
 - to engage in any activity that might lead to a breach of the ABC Policy.
20. Information on legitimate business expenditure and guidance on Gifts and Hospitality are outlined in the Financial Regulations.
21. The University Council is responsible for ensuring that the appropriate policies and procedures are in place, in line with the requirements of the Office for Students (OfS) and Committee of University Chairs (CUC) Higher Education Code of Governance. Specific responsibilities are set out in relevant governance documents, including the Charter, Statutes and Ordinances, Council's Statement of Primary Responsibilities and University delegation arrangements.
22. The University, acting on behalf of Council will:
 - make information available to all staff, partners and third parties, in all regions in which it operates, whether in the UK or overseas, on the policy and procedures around bribery and corruption;
 - maintain procedures for the delegation of authority and the avoidance of conflicts of interest;
 - as detailed in the Financial Regulations, include in its contracts with third parties appropriate clauses about the consequences of fraud, bribery and money laundering, including summary termination of the contract in the event of such malpractice being discovered;
 - make available to all staff information on reporting suspected bribery via the Raising Serious Concerns and Disclosing Public Interest Matters (Whistle blowing) policy;

make training available to staff members at a higher risk of encountering bribery scenarios and work with partners as appropriate to support their training needs;
establish and disseminate a clear process and appropriate standards for hospitality, gifts and promotional or other similar expenditure;
undertake periodic review of processes and policies to ensure appropriateness with the ABC Policy.

23. Employees will be expected to:

read, understand and comply with the University's ABC Policy, at all times and in all locations both in the UK and overseas where University business is conducted, in order to meet all legal and regulatory requirements;
where required, undertake appropriate training;
report information in line with the gifts and hospitality and facilitation payments guidance in the University's Financial Regulations and the ABC Policy;
be aware of their personal responsibilities and to adhere to this and other

those with interactions with UK or foreign public officials;
those who work with charitable/philanthropic donations, both in the UK and overseas;
those involved in staff and student recruitment process, both in the UK and overseas.

26. The same principles as set out above apply to partners and third parties, particularly those working in countries who are perceived to have medium to high levels of public sector corruption (see the [Corruption Perceptions Index](#) by Transparency International).

Proportionate procedures:	Use of guidance developed specifically for the Higher Education sector and Lancaster University. Action plan details review of relevant procedures.
Top-level commitment:	ABC Policy approved by Council. Supported by Finance and General Purposes Committee and Audit Committee and reviewed on a periodic basis. Identification of Senior Management champion.
Risk assessment:	Identification of potential higher risk activities and implementation of enhanced monitoring and support if required.
Due diligence:	Requirement to assess on-going and new activities, and the use of third parties and implement enhanced controls if required.
Communication and training:	Dissemination of policy and associated procedures to all University staff, partners and third parties acting on its behalf, both in the UK and overseas. Enhanced training in areas assessed as higher risk.

Monitoring and review:

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