



Document Title:	Anti-Bribery, Fraud & Suspicious Activity Policy
Audience:	All Staff
Document Date:	August 2021
Document Revision Date:	August 2024
Document Location:	N Drive

## **1. Background Information**

This policy is concerned with acts, potential or real, of bribery, money laundering, fraud or dishonesty that could be detrimental (financial or otherwise) to the organisation.

Royal Holloway Students' Union condemns all acts of bribery, money laundering, fraud or dishonesty and is committed to ensuring that its staff and associated persons act with integrity and honesty in all business dealings. RHSU has a zero tolerance approach to bribery, corruption and dishonesty.

This policy should be read in conjunction with the Financial Handbook, Staff Expenses Policy, Whistleblowing Policy any other relevant policies.

## **2. The Bribery Act 2010**

The Bribery Act 2010 came into force on 1 July 2011. It creates four offences; three relating to individuals and one corporate offence:

- i. Promising or offering a bribe
- ii. Requesting, agreeing to receive or accepting a bribe
- iii. Bribing a foreign public official
- iv. and the corporate offence of failure to prevent bribery by persons associated with a commercial organisation

Where it can be proven that an offence was committed with the consent or connivance of a senior officer of the organisation, that person will be also be guilty of an offence as an individual.

There is no need for the organisation to have intended to commit bribery for it to be responsible for the corporate offence of failing to prevent bribery. The Act applies to offences committed without, as well as within, the UK.

## **3. Responsibilities**

All members of staff are responsible for ensuring that bribery, money laundering, fraud or dishonesty does not occur within the organisation, or by persons associated with the RHSU when engaged on RHSU business, and for reporting any suspicions or concerns in line with the requirements of this policy. Any breach of this policy will lead to disciplinary action, which could result in dismissal for gross misconduct.

The Senior Management Team have responsibility for embedding a zero-tolerance approach to bribery, fraud or any other dishonest act in relation to bribery, money laundering, fraud or dishonesty. They are also responsible for assessing the risk of such activity and informing the Trustees, as appropriate through the risk register or directly, of such risks.

The Head of Finance & Business Reporting is responsible for maintaining and reviewing the gifts and hospitality register.

Any incidents of bribery, money laundering, fraud or dishonesty shall be reported to the Finance, Staffing and Risk Subcommittee.

#### **4. What is bribery?**

A bribe is an inducement or reward offered, promised or provided in order to gain an advantage either for the organisation or for the individual concerned. It is an offence to either offer or accept a bribe.

Examples of bribery could include:

- i. An official requesting a payment to ignore potential legal violations
- ii. A request for payment in cash and/or refusal to provide a receipt or sign a formal agreement
- iii. The offer of lavish hospitality by a company tendering for a contract
- iv. The offer of a gift from a member in return for preferential treatment (particularly around elections)
- v. The offer of employment for a member of staff's child with a third party doing business with the organisation

#### **5. What is fraud?**

Fraud encompasses irregularities and illegal acts which are characterised by an intention to deceive or mislead, and where the individual knows the information is false or at least has good reason to suppose that it is not true. Fraud is likely to result in an unauthorised benefit to an individual but could also be to the benefit of the RHSU.

Examples include:

- i. acceptance of bribes or bribing others
- ii. claims submitted for goods not received
- iii. intentional failure to act in circumstances where action is required by the organisation or law
- iv. intentional misrepresentation of events or data
- v. theft
- vi. unauthorised or illegal use of confidential information
- vii. intentional and improper representation of the organisation's assets to a third party

Individuals can be prosecuted under the Fraud Act 2006 and the Bribery Act 2010 if they make a false representation, fail to disclose information or abuse their position.

#### **6. Gifts, hospitality and facilitation**

Normal and appropriate hospitality can be accepted in accordance with the below principles. No gift or hospitality should be given or accepted if there is an intention to influence a business decision, or if it is explicitly or implicitly offered in exchange for favours or benefit.

Any concerns about the purpose of a gift or hospitality should be reported immediately. Any gift offered secretly to a member of staff must be refused and the matter reported immediately.

All gifts and hospitality accepted must be recorded in the gifts and hospitality register.

Gifts and hospitality may be offered by RHSU to visitors, guests and contacts of the organisation, but only when in line with other policies and the financial handbook, and where there is no chance of it being perceived as in any way to influence a business decision.

No member of staff may offer or accept a donation, gift or hospitality to or from a government official or representative, or a politician or political party, without prior approval from Chief

Executive. This does not preclude members of staff from engaging with politicians and political parties in a private capacity but any potential conflict of interest should be reported as below.

No member of staff may offer any facilitation payment, or other reward that is not for contracted services and receipted, to an agent or other third party under any circumstances.

## **7. Reporting Concerns**

All members of staff are responsible for reporting any suspicions or concerns relating to bribery, money laundering, fraud or dishonesty, both in relation to RHSU staff and third parties. Reports should be made to the Head of Finance & Business Reporting or the Chief Executive in the first instance and at the earliest opportunity. Where this is not appropriate, another member of the Senior Management Team should be informed.

Any person receiving a report of bribery, money laundering, fraud or dishonesty should be report this to the Internal Auditor team at Royal Holloway University of London.

It is essential that members of staff feel able to report incidents or concerns without fear of repercussions. Any member of staff making a report under this policy in good faith will be supported by RHSU, even if the concerns turn out to be unfounded.