

Swansea University

Compliance with the Bribery Act 2010

The Bribery Act 2010 – Key Elements

- The Bribery Act 2010 came into force on the 1 July 2011. The Act introduced a corporate offence of failing to prevent bribery and holds an organisation liable where a person (i.e. an employee, agent, intermediary, joint venture or subsidiary) performs a relevant function on behalf of the organisation and commits an act of active bribery. This is regardless of whether or not the organisation knew that these actions were taking place or that it was benefitting.
- It is, however, a full defence for an organisation to demonstrate that -despite any particular case of bribery- it nevertheless had adequate procedures in place to prevent persons associated with it from bribing.
- Principle 5 of the Act requires an organisation to provide adequate awareness training for its staff, to help deter bribery by making clear the basis upon which the organisation conducts its business.

The consequences of breaching the Act include

- an unlimited fine and up to 10 years imprisonment of the relevant manager if the organisation is found to have committed a breach of the Act.
- an unlimited fine and up to 10 years imprisonment if an individual is found to have committed a breach of the Act.

University Policy

All staff, students and persons associated with the University as a result of being an employee, agent, intermediary, representative, business partner or supplier, or through another role such as a subsidiary must conduct business on behalf of the University honestly and without the use of bribery or corrupt practices in order to gain an unfair advantage.

Swansea University has a zero tolerance policy with regard to bribery and corruption and is committed to the highest levels of openness, integrity and accountability.

Any breach of the policy will be treated as a serious disciplinary offence which may lead to dismissal.

This policy underpins the **University's Anti-Bribery Framework**, which sets out staff responsibilities and reporting lines in this context. The key elements of the framework are

- the provision of online anti-bribery training to all staff;
- examples of behaviour which may be constituted as bribery under the Bribery Act
- Bribery Act-related Codes of Conduct (i) for employees and (ii) third-parties;
- a standardised University-wide Gift & Hospitality Register;
- the requirement to include bribery-related risks in College, Professional Services and University-level Risk Registers.

In a nutshell, to ensure compliance with the Bribery Act....

- ❖ ***Be Bribery Aware!***
- ❖ ***Complete the online training***
- ❖ ***If offered a gift or hospitality***
 - ***Follow the Bribery Act Code of Conduct for Employees***
 - ***Complete an entry on the University's Gift & Hospitality Register***
 - ***Consult your Line Manager if you have any concerns***