

UNITED COLLEGES GROUP

ANTI-BRIBERY, GIFT AND HOSPITALITY POLICY

Summary

This document sets out United Colleges Group's policy on anti-bribery, and on the receipt of gifts and hospitality by staff and any associated persons on behalf of the Group.

Policy Owner:	Director of Governance
Date of last approval:	March 2025
Approval / Review Body:	Corporation (via Audit Committee)
Frequency of Review:	3 years
Review date	March 2028

Anti-Bribery, Gifts and Hospitality Policy

Policy Statement

1. United Colleges Group (UCG) has zero tolerance for bribery and corruption. UCG's reputation with the community it serves and wider stakeholders is underpinned by ethical behaviour, financial probity and honesty. UCG aims to limit its exposure to bribery by:
 - Setting out a clear anti-bribery policy, which is proportionate to the risks UCG is exposed to;
 - Embed awareness and understanding of UCG's anti-bribery policy amongst staff, associated persons (this refers to any person performing services on behalf of the Group and would include staff, governors, other volunteers, temporary workers, consultants and contractors) and external persons/ organisations which whom the Group has commercial relations.
 - Training staff so that they can recognise and avoid the use of bribery by themselves or others.
 - Encourage staff to be vigilant and to report any suspicion of bribery via the procedures of the Public Disclosure/ Whistleblowing Policy;
 - Rigorously investigate any instances of alleged bribery in accordance with UCG's disciplinary procedures, and assist the police and relevant authorities in any resultant action.
2. Bribery and corruption are punishable for individuals by up to ten years' imprisonment and if UCG are found to have taken part in corruption could face an unlimited fine, be excluded from tendering for public contracts and face damage to our reputation. We therefore take our legal responsibilities very seriously.
3. Any employee who breaches this policy will face disciplinary action, which could result in suspension, dismissal or exclusion for gross misconduct under the institution's staff disciplinary procedure and our contacting the police.

Anti-Bribery Policy

4. This policy applies to all staff, and associated persons of UCG. This would include governors, other volunteers, temporary and casual workers, consultants and contractors.
5. All staff and associated persons are responsible for maintaining the highest standards of business conduct and are expected to behave honestly and with integrity. Any breach of this policy will constitute a serious disciplinary offence, which may lead to dismissal and criminal proceedings.
6. Bribery takes place where an inducement or reward is offered, promised or provided in order to improperly influence another person in order to gain or retain any commercial, contractual, regulatory or personal advantage, or to reward someone for doing this.
7. UCG prohibits staff and associated persons from offering, giving, soliciting or accepting a bribe. The bribe might include cash, a gift or other inducement, to or from any persons or organisation, wherever they are situated, irrespective of whether they are a public official body, a private person or company, by a member of staff or associated person. The bribe may be made in order to:

- Gain commercial, contractual or regulatory advantage for UCG in a way which is unethical
 - Gain any personal advantage, pecuniary or otherwise, for the individual or anyone connected with the individual
8. The anti-bribery policy is not intended to prohibit appropriate corporate entertainment and or hospitality undertaken in connection with the Group's business activities, provided that the activity is customary under the circumstances, proportionate and is properly disclosed in accordance with procedures for gifts and hospitality set out below.
 9. The practice of giving business gifts varies between countries and regions and what may be normal and acceptable in one region may not be in another but the Bribery Act does not provide any "local customs" defence so exceptions to the rules cannot be made on the basis of cultural differences or local customs. The test to be applied is whether in all the circumstances the gift or hospitality is reasonable and proportionate. The context in which the gift or hospitality is offered and the intention behind it should always be considered.
 10. Staff and associated persons are requested to remain vigilant in preventing, detecting and reporting bribery to the Director of Governance via the Public Interest Disclosure Policy (Whistleblowing).

Gifts and Hospitality

11. The Group's position on the receipt of gifts and hospitality by any of its staff or associated persons from any third parties is set out below. This policy aims to ensure that no staff or associated persons are conflicted in respect to any acceptance of gifts and hospitality, and are protected from accusations of bribery.

Gifts and Hospitality Policy

12. All staff and associated persons may NOT receive gratuities with a value in excess of £25 from third parties without first seeking the approval of the CEO, and advising the Director of Governance of the gratuity so that it can be recorded on the Gifts and Hospitality Register which the Director of Governance will maintain. The Chair should approve any gratuities with a value in excess of £25 received by the CEO. The Director of Governance may refer the acceptance of the gift or hospitality to the relevant Committee Chair or to the Chair to the Corporation. It may be advised by the Director of Governance that the gift is not accepted or be returned.
13. For the avoidance of doubt, all offers of gratuities with a value in excess of £25 must be referred to the Director of Governance for recording on the Gifts and Hospitality Register irrespective of whether they are accepted or not.
14. Any gift or donation which is offered to UCG with conditions which could incur the added expenditure in the current or future years must be referred to the Chief Finance Officer before it is accepted.
15. Governors, in accordance with the Conflicts of Interests Policy are responsible for declaring any interests, financial or otherwise, which may be perceived as having the potential to influence their judgment. These are recorded on the Register of Interests by the Director of Governance. Governors are required to complete a conflict of interests form annually.
16. The Register of Interests and Gifts and Hospitality Register is available on request from the

Director of Governance for public inspection.

Hospitality

17. The Group may provide hospitality in connection with its business affairs to staff, governors and business visitors. The budget for hospitality will be determined by the CEO and will be subject to the budget setting and approval processes.
18. Modest hospitality is an accepted courtesy of a business relationship. However, staff should be cautious in accepting hospitality from suppliers or contractors so as to avoid the position where they might appear to be influenced in making a decision based on such hospitality. Hospitality should be restricted to a level that would normally be reciprocated by the Group, such as an occasional meal.
19. Hospitality should not be accepted from any organisation that is responding to a tender.

Examples of Gifts/ Hospitality

20. The following are examples of acceptable gifts / hospitality:

- Occasional lunches/ dinners which are received as part of normal business (for example as part of a training course)
- Receipt of small items from suppliers or contractors as expressions of gratitude such as boxes of chocolates, bottles of drink (valued at less than £25)

Incidental items such as stationery, calendars, pens as advertising materials

What is not acceptable

21. It is not acceptable for you (or someone on your behalf) to do any of the following which are liable to involve offences under the 2010 Act:
 - give, promise to give, or offer, a payment, gift or hospitality with the expectation or hope that a business advantage will be received, or to reward a business advantage already given. "Business advantage" includes academic advantage such as the award of a degree (including an honorary degree and a particular class of degree) or academic title;
 - give, promise to give, or offer, a payment, gift or hospitality to a government official, agent or representative to "facilitate" or expedite a routine procedure, such as admission to the institution as a student;
 - accept payment from a third party that you know or suspect is offered with the expectation that it will obtain a business advantage for them;
 - accept a gift or hospitality from a third party if you know or suspect that it is offered or provided with an expectation that a business advantage will be provided by us in return;
 - threaten or retaliate against another worker or student who has refused to commit a bribery offence or who has raised concerns under this policy; or
 - engage in any activity that might lead to a breach of this policy.

Any items not falling within the above should be notified to the Director of Governance.

Responsibilities

22. It is the responsibility of all staff and associated persons to inform the Director of Governance of any gifts and hospitality received from third parties so that they can be recorded on the Gifts and Hospitality Register.
23. If there is any uncertainty whether a gift or hospitality should be accepted or declined, advice from the Director of Governance should be sought.

Facilitation payments and “kickbacks”

24. UCG will not make, and will not accept, facilitation payments or “kickbacks” of any kind. Facilitation payments are typically small, unofficial payments made to secure or expedite a routine government action by a government official. They are not commonly paid in the UK, but can be more common in some other jurisdictions.
25. The Bribery Act created a specific offence of bribing a Foreign Public Official with the intention of influencing them in that capacity to obtain or retain business or an advantage in the conduct of business.
26. If asked to make a payment on UCG’s behalf, consider what the payment is for and whether the amount requested is reasonable, justifiable and proportionate to the goods or services provided and does not amount to a facilitation payment. Receipts should always be acquired which details the reason for the payment. If you have any suspicions, concerns or queries regarding a payment, you should raise these with the finance department.
27. Kickbacks are typically payments made in return for a business favour or advantage. All workers must avoid any activity that might lead to, or suggest, that a facilitation payment or kickback will be made or accepted by us.

Review of this policy

28. This policy is owned by the Director of Governance.
29. The policy will be reviewed by the Audit Committee and recommended to the Corporation for approval.
30. The policy will be reviewed every three years unless there is a change to legislation requiring update.
31. The policy is available on the Group’s intranet, included in periodic staff briefings and relevant training/ CPD activities and induction events.

THE SCHEDULE

Potential risk scenarios: "red flags"

1. The following is a list of possible red flags that may arise during the course of you working for UCG and which may raise concerns under various anti-bribery and anti-corruption laws. The list is not intended to be exhaustive and is for illustrative purposes only.

If you encounter any of these red flags while working for UCG you must report them promptly

- (a) you become aware that a third party engages in, or has been accused of engaging in, improper business practices with a view to gaining a financial or other advantage;
- (b) you learn that a third party 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
- (c) a third party insists on receiving a commission or fee payment before committing to sign up to a contract with UCG, or carrying out a government function or process for UCG;
- (d) a third party 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;
- (e) a third party requests that payment is made to a country or geographic location different from where the third party resides or conducts business;
- (f) a third party requests an unexpected additional fee or commission to "facilitate" a service;
- (g) a third party demands lavish entertainment or gifts before commencing or continuing contractual negotiations or provision of services;
- (h) a third party requests that a payment is made to "overlook" potential legal violations;
- (i) a third party requests that you provide employment or some other advantage such as a place on a course or an academic award to a friend or relative;
- (j) you receive an invoice from a third party that appears to be non-standard or customised;
- (k) a third party insists on the use of side letters or refuses to put terms agreed in writing;
- (l) you notice that we have been invoiced for a commission or fee payment that appears large given the service stated to have been provided;
- (m) a third party requests or requires the use of an agent, intermediary, consultant, distributor or supplier that is not typically used by or known to us;
- (n) you are offered an unusually generous gift or offered lavish hospitality by a third party;