



Lincoln College

UNIVERSITY OF OXFORD

## ANTI-BRIBERY AND FRAUD POLICY

### **Lincoln College's Stance on Bribery and Fraud**

The Bribery Act 2010 codifies two general offences covering the offering, promising or giving of a bribe (active bribery) and the requesting, agreeing to receive or accepting of a bribe (passive bribery). Bribery is in this context the offering or accepting of any gift, loan, payment, reward or advantage for personal gain as an encouragement to do something which is dishonest, illegal or a breach of trust.

The Act sets out two further offences: specifically relating to the bribery of a foreign public official in order to obtain or retain business or an advantage in the conduct of business, and more generically a new form of corporate liability for failing to prevent bribery on behalf of an organisation.

The Governing Body of Lincoln College is committed to ensuring that the College's business is conducted fairly, honestly and openly and will not tolerate active, passive or any other form of bribery by any College member, adviser or provider in the conduct of the College's affairs. To this end, Lincoln College will maintain procedures and controls proportionate to the size and nature of the College as an academic institution which are intended to eliminate the risk of bribery occurring.

Bribery is a criminal offence. Lincoln College prohibits any form of bribery. The College requires compliance, from everyone connected with its business, with the highest standards of integrity and with anti-bribery laws applicable. Integrity and transparency are of utmost importance and the College is intolerant of corrupt activities of any kind, whether committed by Fellows, officers, employees, consultants, agents or by third parties acting for or on behalf of Lincoln College.

### **Offences under the Bribery Act 2010**

It is a criminal offence to:

- offer a bribe;
- accept a bribe;
- bribe a foreign official;
- as an organisation conducting commercial activities, to fail to prevent a bribe.

Anyone found guilty by a court of committing bribery could face up to 10 years in prison and/or an unlimited fine. The College could also face prosecution and be liable to pay a fine.

The College has no tolerance of fraud within its operations. Members of the College and associated persons must not engage in any form of fraud with regard to activity carried out on behalf of the College.

### **Purpose and Scope of this Anti-Bribery and Fraud Policy**

The purpose of this policy is to convey to all Fellows, officers, employees, consultants, agents or other third parties acting for or on behalf of Lincoln College the rules of the College in relation to our commitment to ensuring that Lincoln College conducts its business in a fair, professional and legal manner.

This policy applies to all Fellows, officers and employees of Lincoln College, regardless of seniority or the location in which they conduct the College's business. It also extends to anyone working for the College or on its behalf e.g. those engaged by the College on a self-employed contract or an agency arrangement.

The College will promote and encourage the application of this policy where its business involves the use of third parties such as suppliers and contractors.

## **The Policy**

It is prohibited, directly or indirectly, to offer, give, request or accept any bribe i.e. a gift, loan, payment, reward or advantage, either in cash or any other form of inducement, to or from any person or company in order to gain commercial, contractual or regulatory advantage for the College, or in order to gain any personal advantage for an individual or anyone connected with the individual in a way that is unethical.

It is also prohibited to act in the above manner in order to influence an individual in his or her capacity as a foreign public official. Representatives of Lincoln College should not make a payment to a third party on behalf of a foreign public official.

If you are offered a bribe, or a bribe is solicited from you, you should not agree to it unless your immediate safety is in jeopardy. You should immediately contact the Rector or the Bursar so that action can be taken if it is considered necessary. You may be asked to give a written account of events.

If you, as a Fellow, officer, employee or person working on the College's behalf, suspect that an act of bribery, or attempted bribery or fraud, has taken place, even if you are not personally involved, you are expected to report this to the Rector or the Bursar. You may be asked to give a written account of events.

Where appropriate, checks will be made before engaging with suppliers or other third parties of any kind to reduce the risk of our business partners breaching the College's anti-bribery rules.

The College will ensure that all of its transactions, including any sponsorship or donations given to charity, are made transparently and legitimately.

Governing Body of Lincoln College take any actual or suspected breach of this policy extremely seriously and will carry out a thorough investigation should any instances arise.

Governing Body will uphold laws relating to bribery and will take disciplinary action against any employee, or other relevant action against persons working on the College's behalf or in connection with the College, should it be found that an act of bribery, or attempted bribery or fraud, has taken place. This action may result in your dismissal if you are an employee, or the cessation of the College's arrangement with you if you are self-employed, an agency worker, contractor etc.

The staff are reminded of the College's Whistleblowing policy which is available on the policy section of the College website.

## **Gifts and Hospitality**

The Governing Body realise that the giving and receiving of gifts and hospitality where nothing is expected in return helps form positive relationships with third parties where it is proportionate and properly recorded. This does not constitute bribery and consequently such actions are not considered a breach of this policy.

*Gifts* include money; goods (flowers, vouchers, food, drink, event tickets when not used in a hosted business context); services or loans given or received as a mark of friendship or appreciation. Gifts given where nothing is expected in return do not constitute bribery where they are proportionate. Donations to the College are not considered gifts for the purposes of this policy.

*Hospitality* includes entertaining; meals or event tickets (when used in a hosted business context) given or received to initiate or develop relations. Hospitality will become a gift if the host is not present. Where it is thought appropriate to extend hospitality to third-parties this should normally be offered in the College unless the Fellow, officer or member of staff is travelling on College business in which case the College's guidelines on business expenses will determine the acceptable level of entertainment.

Gifts or hospitality received in excess of £100<sup>1</sup> should be declared to the Bursar.

If any member of staff or anyone working on behalf of Lincoln College in connection with our institutional activities is in any doubt as to whether offering or receiving a gift or hospitality is a reflection of friendship or appreciation, or could be construed as a bribe, then they should seek the prior written approval of the Rector, Bursar or relevant College Officer.

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<sup>1</sup> This £100 amount to be increased by the Consumer Price Inflation index from 1 January, 2025

As the law is constantly changing, this policy is subject to review and the College reserves the right to amend this policy without prior notice.

March 2025