

## **Examples of behaviour which may be considered as bribery under the Bribery Act**

A student in a Hall of Residence gives a box of chocolates to the cleaner who cleans his room, with a note saying "Thank you for cleaning my room so well". This is a token gift, so the cleaner is not required to report it to her manager. A little while later, he leaves another box of chocolates and a few weeks later he gives her a bouquet of flowers. The next time he sees her, he asks if she will clean his room first. The succession of token gifts may be inappropriate, so the cleaner should consider discussing this with her manager. The request to give favourable treatment to the student is inappropriate and should be reported to the cleaner's manager.

A manager at the University who has overall responsibility for the procurement of a service which is currently subject to re-tender is approached by the current supplier and offered (at the expense of the company) a day trip to London, including lunch in Harrods and a trip on the London Eye. The company says the offer is "to cement and say thank you for our longstanding business relationship". This could be interpreted as an attempt to influence the University's actions in the current tendering and should be refused.

While on a field trip to country XYZ with students, the member of staff organising the trip makes a payment in cash to immigration officials at the airport to enable the students to move through immigration and begin their trip more quickly. This is a facilitation payment which is likely to be unlawful under the Act. The member of staff and the University would be liable for prosecution and the University may take disciplinary action against the employee.

An International Officer has indicated to an overseas agent that he is underperforming against targets and needs to meet to discuss this. The agent arranges the meeting so that it takes place in the late afternoon. The International Officer makes clear that the agent's performance is such that there is serious doubt as to whether the contract will be renewed when it expires. The agent is apologetic, offers some reasons for underperformance, and offers to take the Officer out for a 'quick bite to eat' as it is the end of the day, and there are still one or two things he'd like to discuss. The 'quick bite' turns out to be dinner at an expensive restaurant, with plenty of food and drink on offer. The Officer indicates that the level of hospitality is inappropriate, but the agent insists that such hospitality is a cultural norm for his country. Towards the end of the meal, the agent presents the Officer with an expensive gift-wrapped watch as a token of his esteem for the University and to show his intention to try harder in order to meet his targets. While it may be unreasonable in the circumstances in which he has been placed for the Officer to refuse the meal, he should politely refuse the watch and make clear to the agent that the University's standards of conduct prevent him accepting such a gift. He should ensure that the

he reports the incident to his line manager at the earliest opportunity and advise the agent that he will be making such a report in accordance with the University's standards of conduct.

Dr A, an alumnus of the University who is now the Chief Executive of a successful company, arranges for his company to sponsor a number of research fellowships in the subject he studied at the University. Shortly after this, he contacts the University about his son's application to study at the University and reminds the Admissions' Tutor of his company's generous donation.

Following a lecture at the end of the day, Dr B, a male Senior Lecturer, finds himself walking away from the Campus with a female student, Miss C, who has just attended his lecture. His journey home takes her past her house and she invites him in for coffee. After some small talk, Miss C raises the subject of his assessment of her assignment for the module he has been teaching. She explains how hard she has worked on the assignment and how important a good mark is to her. She hopes that Dr B will take this into consideration. She suggests to Dr B that "it would be worth your while" to ensure that she has a good mark for her assignment. This could be construed as an attempt to bribe Dr B. Dr B should advise Miss C that it is not appropriate for him to discuss this with her and politely excuse himself. He should advise a senior manager in the College of the conversation at the earliest opportunity.

A University Fundraiser visits a charitable foundation and takes the decision maker out to lunch to discuss a proposal for a significant gift. After lunch, the Fundraiser presents the decision maker with a bottle of champagne, University-branded champagne flutes and tickets to the theatre. Whilst buying lunch for the decision maker can be defended as common practice in fundraising, the intrinsic value of the additional gifts make them less defensible and they can be construed as an incentive for the decision maker to act improperly, therefore they should not be made.

A foreign government official visits the campus as part of initial discussions to fund a new University facility. The University pays for accommodation, dinner at a good hotel, transfers to and from the University, and presents the donor with a framed photograph of the University and University-branded cufflinks. This would be considered as common practice and within acceptable limits. However, paying for flights and giving personal gifts of significant value would not, and could be interpreted as a bribe.