

Anti-Bribery and Corruption Policy

Version number	Date approved (including committee)	Reason for production/revision	Author	Proposed next review date
V3.1	AuCo Dec 2022	Move to gender neutral language	Business Development Director	As scheduled
V3.0	March 2021 AuCo	Annual review	Business Development Director	Annually and as required
V2.0	March 2020 Audit Committee	Annual review	Chief Operating Officer	Annually and as required
V1.0	28/3/2019 Audit Committee	Annual review	Chief Operating Officer	Annually and as required
Related policies				
Financial Regulations Framework and all associated policies				
External Reference				
<p>Bribery Act 2010. ICMP has developed practices and processes to ensure that all staff and students conduct business in an honest way, and without the use of corrupt practices or acts of bribery to obtain an unfair advantage.</p>				

1. Introduction

- 1.1. It is the policy of ICMP that all staff and students conduct business in an honest way, and without the use of corrupt practices or acts of bribery to obtain an unfair advantage. This is not just a cultural commitment on the part ICMP; bribery is a criminal offence in most countries and corrupt acts expose ICMP and its employees to the risk of prosecution, fines and imprisonment, as well as endangering ICMP's reputation.
- 1.2. This policy has been adopted by the Corporate Board and they require it to be communicated to everyone involved in our organisation to ensure their commitment to it. The Corporate Board attaches the utmost importance to this policy and will apply a 'zero tolerance' approach to acts of bribery and corruption by any of our employees or third-party representatives (including students). Any breach of this policy will be regarded as a serious matter and is likely to result in disciplinary action.

2. What is bribery and corruption?

- 2.1. Bribery is the offer, promise, giving, demanding or acceptance of an advantage as an inducement for an action which is illegal, unethical, a breach of trust or the improper performance of a contract.
- 2.2. Corruption is the misuse of public office or power for private gain, or misuse of private power in relation to business outside the realm of government.
- 2.3. Acts of bribery or corruption are designed to influence the individual in the performance of their duty and incline them to act dishonestly. The person being bribed is generally someone who will be able to obtain, retain or direct business. This may involve initiatives such as buying or selling, or it may involve the handling of administrative tasks such as licences, customs, visas or taxes. It does not matter whether the act of bribery is committed before or after the activity has been undertaken.
- 2.4. Annex A gives some examples of potential acts of bribery or corruption which are relevant to ICMP's activities.

3. What is a bribe?

- 3.1. Bribes can take many forms, but typically they involve corrupt intent. There will usually be a 'quid pro quo' – both parties will benefit. A bribe could be:
 - 3.1.1. The direct or indirect promise, offering or authorisation of anything of value
 - 3.1.2. The offer or receipt of any kickback, loan, fee, reward, gift or other advantage
 - 3.1.3. The giving of aid, donations or voting designed to exert improper influence.

4. Who can engage in bribery or corruption?

- 4.1. In the eyes of the law, bribery and corrupt behaviour can be committed by:
 - 4.1.1. An employee, officer or director

- 4.1.2. Any person acting on behalf of ICMP (such as agents or third-party representatives which sometimes include students)
- 4.1.3. Individuals and organisations which authorise someone else to carry out these acts
- 4.2. Acts of bribery or corruption will often involve public or government officials and this is a specific offence under the Act. For the purposes of this policy, a government official could be:
 - 4.2.1. A public official, whether foreign or domestic
 - 4.2.2. A political candidate or party official
 - 4.2.3. A representative of a government owned / majority-controlled organisation
 - 4.2.4. An employee of a public international organisation (e.g. World Bank).

5. What does the law say about bribery and corruption?

- 5.1. Bribery is a criminal offence in most countries and penalties can be severe. The Bribery Act 2010 not only makes bribery illegal, but also holds organisations, including ICMP, liable for failing to prevent such acts by those working for or on its behalf, no matter where the act takes place. Similar legislation is in force in many other countries and it is therefore in your interests, as well as ICMP's, that you act with propriety at all times. Corrupt acts committed abroad may well result in a prosecution at home.

6. What steps can we take to prevent bribery and corruption?

- 6.1. We can take the following steps to assist in the prevention of bribery and corruption:

6.1.1. Risk assessment

Effective risk assessment lies at the very core of the success of this policy. All staff must assess the vulnerability of their activities, particularly overseas activities, on an ongoing basis and discuss potential vulnerabilities with their Head of Department. Risk identification pinpoints the specific areas in which we face bribery and corruption risks and allows us to better evaluate and mitigate these risks and thereby protect ourselves. Business practices around the world can be deeply rooted in the attitudes, cultures and economic prosperity of a particular region – any of which can vary.

6.1.2. Accurate books and record-keeping

Many serious bribery and corruption offences have been found to involve some degree of inaccurate record-keeping. Accurate records and financial reporting must be maintained for all activities and for all third-party representatives acting on our behalf.

6.1.3. Effective monitoring and internal control

Effective systems of monitoring and control are essential in all organisations and ICMP is no exception. Once bribery and corruption risks have been identified and highlighted through the risk assessment process, we may need to amend procedures

to help mitigate these risks on an on-going basis.

6.2. The Corporate Board require that Heads of Departments take the necessary steps to risk assess, record keep and monitor so as to prevent bribery and corruption. All Heads of Department shall ensure that all staff receive a copy of this policy.

7. Where do the bribery and corruption risks typically arise?

7.1. The following paragraphs summarise some key activities where potential risks arise. Further information is available in the guidance associated with this policy.

7.2. Use of third-party representatives

7.2.1. The definition of a third-party representative is broad, and could include agents, consultants and joint venture partners. Third parties who act on ICMP's behalf must operate at all times in accordance with this policy. Staff are responsible for the evaluation of each third-party relationship and determining whether or not there are specific risks. Where specific risks are identified, the third party should be made aware of this policy, and staff should ensure that appropriate enhanced controls are implemented to monitor and control the risk. Further information is provided in Annex B.

7.2.2. ICMP is ultimately responsible for ensuring that third parties who pose significant risks are compliant with this policy as well as any local laws. Ignorance or 'turning a blind eye' is not an excuse.

7.3. Receiving gifts

7.3.1. Staff should not accept any gift, reward or hospitality from any organization or individual with whom they have contact in the course of their work as an inducement for either doing something or not doing something in their official capacity (it is particularly important to take care about any gift received from a person or organization that has, or is hoping to have, a contract with ICMP);

7.3.2. Staff members may accept modest gifts (up to a value of £50) either themselves or on behalf of ICMP, (e.g. stationary, chocolates or flowers) without reference to the Line Manager, as refusal could cause offence. The recipient of unsolicited gifts of a substantial nature (above a value of £50) from colleagues, potential and existing clients, contractors, suppliers, and other external organizations should consult their Line Manager on the matter (who will, in turn, discuss the matter with a Director who will be the final arbiter on the advisability of accepting or refusing such gifts);

7.3.3. Larger gifts (above £50) should remain the property of ICMP. Exceptionally, if the Director(s) consider that it is not possible to use a gift to support the Company's work, retention of the gift by the individual may be authorised by the Director(s). In permitting the retention of the gift, ICMP may recommend the recipient make a cash bequest to a local charity, with entry of this bequest in the Gifts and Hospitality Register;

7.3.4. Staff must record gifts accepted that are above £50 in value in the Gifts and Hospitality Register maintained by the HR Department. Any queries about the contents of the register should be directed to their Line Manager.

7.4. Receiving Hospitality

- 7.4.1. There is an acceptance that a member of staff may sometimes receive conventional hospitality. This may also include a member of staff attending, in an official capacity, a social event organised by another body for promotional or influential purpose.
- 7.4.2. In general, it may be necessary to decline offers of hospitality exceeding the norm of conventional hospitality. The following forms of hospitality, in particular, should be avoided:
 - 7.4.2.1. Inducements that could lead to a contractual position between ICMP and a supplier, contractor or consultant;
 - 7.4.2.2. Substantial offers of social functions, travel or accommodation;
 - 7.4.2.3. Repeated acceptance of meals, tickets and invitations to sporting, cultural or social events, particularly from the same source;
 - 7.4.2.4. As above, particular care should be taken when offered any form of hospitality from a person or organization that has, or is hoping to have, a contractual relationship with ICMP. If in doubt, please contact your Line Manager.
- 7.4.3. The guidance provided in Annex C summarises matters that should be considered by a member of staff or a third-party representative when deciding whether to offer or accept hospitality.

7.5. Gifts and Hospitality Register

- 7.5.1. In the interests of openness and integrity, the HR Department will be responsible for maintaining a Gifts and Hospitality Register of gifts and hospitality, offered or received, as a record of instances regarded as exceptional. The purpose of the Register is to protect individual members of staff, and ICMP from accusations of impropriety.

7.6. Facilitation Payments

- 7.6.1. In many countries, it is customary business practice to make payments or gifts of small value to junior government officials in order to speed up or facilitate a routine action or process. Despite this, facilitation payments as defined here are not permitted under this policy and ICMP takes the view that they are illegal within the UK as well as within most other countries. Current UK legislation makes no distinction between facilitation payments and bribes – regardless of size or local cultural expectations. If you are in doubt about a payment request you must contact a member of the Executive Committee as soon as possible for further advice. Any payments made under duress must be recorded appropriately to reflect the substance of the underlying transaction.

7.7. Informal payments

7.7.1. Staff should note that under no circumstances should they borrow money from, or lend money to any potential and existing client, student, contractor, supplier of any other external organisation.

8. How to raise a concern

8.1.1. As individuals who work on behalf of ICMP, we all have a responsibility to help detect, prevent and report instances not only of bribery but also of any other suspicious activity or wrongdoing. ICMP is absolutely committed to ensuring that all staff have a safe, reliable and confidential way of reporting suspicious activity.

8.1.2. If you are concerned that a corrupt act is being considered or carried out, you should report the matter to your line manager in the first instance. If it is not possible to speak to your line manager for some reason, you should contact the Head of HR. More details of how to go about reporting your concerns can be found in the Public Interest Disclosure Policy available on ICMP's website and intranet.

8.1.3. Individuals discovering apparent evidence of malpractice, impropriety or wrongdoing within ICMP should feel able to disclose the information appropriately without fear of reprisal. A disclosure made in good faith which is not confirmed by subsequent investigation will not lead to any action against the person making the disclosure. Individuals making disclosures which are found by subsequent investigation to be malicious and/or vexatious may be subject to disciplinary or other appropriate action.

Annexes - Anti-bribery and Corruption Guidance

Annex A - Examples of risk areas:

The following are examples of a range of UK and overseas activities which, depending on the circumstances, could lead to breaches of the Act by the individuals or ICMP. Other activities could carry similar risks.

Procurement. A company is desperate to win a contract with ICMP and offers to make a car available on a long-term loan to a staff member who can influence the award of the contract.

Alumni / charitable donations. A wealthy alumnus arranges for their company to make a substantial donation to the ICMP to ensure that their child is awarded a place.

Overseas recruitment. An agency responsible for recruiting students to ICMP pays a small bribe to an local official to be allowed access to students in a highly rated school.

Overseas development. ICMP seeks to expand into the Middle East and the Director exchanges valuable gifts with local leaders on the basis that this is expected practice in the country.

Field trip / research. A professor conducting research in a specialist area is asked to give an overly positive peer review in exchange for a similar review of their own work.

Assessment. A student sells an item of equipment at a reduced price to a member of faculty then asks for a favourable assessment outcome.

Annex B - Use of third-party representatives

It is important to identify risks when a third-party conducts activities on ICMP's behalf. Where risk regarding a third-party arrangement has been identified, staff must:

1. Evaluate the background, experience and reputation of the third-party.
2. Understand the services to be provided, and methods of compensation and payment.
3. Evaluate the rationale for engaging the third-party.
4. Take reasonable steps to monitor the transactions of third parties appropriately.
5. Ensure there is a written agreement in place which acknowledges the third-party's understanding and compliance with this policy.

Annex C - Giving and accepting Gifts and hospitality

When evaluating what is acceptable, first take a step back and consider:

1. What is the intent – is it to build a relationship or is it something else?
2. How would this look if these details were on the front of a newspaper?

If you find it difficult to answer one or more of the above questions, there may be a risk involved which could potentially damage the reputation and business of ICMP. The action could be unlawful. Circumstances which are never permissible include examples that involve:

3. A '*quid pro quo*' (offered for something in return)

4. Gifts in the form of cash or cash equivalent vouchers
5. Entertainment of a sexual or similarly inappropriate nature.

As a general rule, employees and third parties should not provide gifts to, or receive them from, those meeting the definition of a government official (see section 4). However, we understand that in certain countries gift giving and receiving with these individuals is a cultural norm. If you are faced with such a situation please consult with a member of the Executive Committee.