

Ethical Conduct Policy: Bribery, Fraud, Gifts, Hospitality and Conflicts of Interest	
Operational Owner:	Director of Internal Audit
Executive Owner:	University Secretary & Legal Counsel
Effective date:	January 2019
Review date:	January 2022
Related documents:	Public Interest Disclosure Policy (Whistleblowing) Travel and Expenses Policy Donations Policy Purchase Card Policy Code on Good Research Practice Data Security Policy Sustainable Procurement Policy Staff Handbook (in particular, sections on Outside Activities & Declaration Of Interests and Conduct and Practice) Risk Assessment and Procedures Criminal Finances Act Policy.

Approval History

Version	Reviewed by	Brief reason for review	Approved by	Date
1		New policy	EB	23-9-11
			Council	29-9-11
2		Update to Secretariat Contact details	EB	15-10-14
3		Revisions to policy and Secretariat contact details. Updated annexes	EB	17-11-16
			Council	24-11-16
4		Policy review	EB	19-1-19

1 Introduction

1.1 Purpose

The University values and seeks to uphold the highest standards of ethical behaviour and financial probity and accordingly seeks to conduct its affairs in a manner which limits the risk of exposure to **bribery, fraud** and corruption. As **gifts** or hospitality may, in some circumstances, constitute or potentially be perceived as constituting a form of **bribery** or a corrupt practice, University staff and other **associated persons** shall not give or receive **gifts** or hospitality otherwise than in accordance with this Policy and the Donations Policy.

Staff should never use their office or employment for personal gain and must at all times act in good faith with regard to the University's interests. The University is therefore committed to preventing **bribery** and **fraud** by its staff and any third party acting for or on behalf of the University and in doing so avoiding corrupt practices.

1.2 Scope

This policy is binding on all staff, including but not limited to the University's employees, workers, consultants, contractors, agents, Members of Council and its Committees and also the University's students. Refusal to observe it will be grounds for disciplinary action in accordance with the University's Disciplinary Procedures or the University's Student Disciplinary Regulations (in each case where applicable).

The requirements set out in this Policy for disclosure of **gifts, corporate hospitality** and **Conflict of Interest** apply to employees of the University of Surrey. However all other staff and other **associated persons** are expected to comply in all other ways with this Policy and to draw to the University's attention any reasonable suspicion of **bribery, fraud**, corrupt practices and **Conflicts of Interest** affecting the University.

We also expect those third parties with whom we do business to act in a manner consistent with this Policy and the standards it seeks to uphold.

1.3 Definitions

Words in bold are defined at Annex 1.

1.4 Regulatory and Legislative Context

This Policy is intended to assist the University in:

- complying with the Bribery Act 2010;
- complying with the Fraud Act 2006;
- complying with the Criminal Finances Act 2017 meeting its obligations to the Office for Students under the Terms and conditions of funding for higher education institutions (currently due to be in force until 31 July 2019);
- demonstrating compliance with the good practice set out in the CUC Guide for Audit Committee members (2008) and Governing Bodies (2009);
- demonstrating compliance with all relevant University policies, applicable laws and regulatory requirements.

1.5 Clarification

Genuine hospitality or similar business expenditure that is reasonable and proportionate is not a concern to the University.

2 Policy

2.1 Principles

The University has no tolerance of **bribery, fraud** or other corrupt practices within its operations and University staff and **associated persons** must not engage in any form of **bribery, fraud** or other corrupt practices in any activity carried out on behalf of the University or which would be liable to be associated with the University. The University will take appropriate action to prevent **bribery, fraud** and other corrupt practices in dealings with the University. No University staff member or **associated person** shall seek a financial or other advantage for the University through **bribery**. No University staff member or **associated person** shall offer, promise, give, request, agree to receive or accept a bribe for any purpose.

The payment or acceptance of **facilitation payments** by University staff and other **associated persons** is unacceptable. The only exceptions are where the individual is in a vulnerable position (for example, where they are travelling and at immediate risk of harm if they do not make such a facilitation payment). In such cases, the payment should be reported in advance or as soon as is reasonably practicable in accordance with the procedures in Section 2.2 (The Reporting and Investigation Procedures) below.

The University has established systems and procedures which are designed to minimise the incidence of **fraud**, limit its impact and ensure its prompt detection. These systems and processes are embodied in the [Financial Regulations](#).

University staff who reasonably suspect that **bribery, fraud** or other corrupt practices have occurred or are being attempted are required to report their concerns internally, through the channels described below in Section 2.2. The University will investigate, report and record in accordance with these procedures and any other applicable procedures. Managers should familiarise themselves with the types of **fraud**, and dishonesty and other corrupt practices that might occur within their areas of business. Managers should be aware that certain patterns of behaviour may indicate a desire for concealment, for example:

- Taking few holidays;
- Resistance to delegation;
- Resentment to normal discussions of work issues;
- Frequently working alone late or at weekends.

Managers should consider the risk of **fraud/bribery** or other corrupt practice when these patterns of behaviour are apparent in their staff.

Staff should not accept any **gifts** or hospitality which would put them in a position where they might be, or might reasonably be perceived by others, to be or have been, influenced in making a business decision as a consequence of accepting the **gift** or hospitality. Any **gifts** or hospitality the University and its staff offer or receive must always be reasonable and appropriate in the circumstances.

University employees must disclose any personal, financial or beneficial interest which may represent or lead to a **Conflict of Interest as outlined in 2.2 below** or which might reasonably be perceived by others to represent a **Conflict of Interest**.

Bribery, fraud or other corrupt practice by University employees will be treated as a serious disciplinary offence, potentially resulting in dismissal without notice and/or legal action. In addition, there might, depending on the circumstances, be a criminal investigation by the police or other relevant authorities.

2.2 Reporting and Investigation Procedures

2.2.1 Corporate hospitality

Where **corporate hospitality** provided to a staff member is also being provided to people from other organisation (broadly at the level of the University staff member concerned), and is directed equally to those persons, the potential for this to represent **bribery** or a **Conflict of Interest** is not considered to be high. This is always subject to the level of corporate hospitality being appropriate for the event (e.g. hospitality should not include the company providing accommodation or significant travel provisions free of charge).

- a) All **corporate hospitality** proposed to University employees must be pre-authorised in writing by the employee's line manager using the online [Record of offer of hospitality](#) form or a hard copy attached at Annex 2. If the hard copy is completed, the approved form must be submitted to Secretariat and Legal by the line manager via email to secretariat@surrey.ac.uk (with a copy to the employee).
- b) **Corporate hospitality** must never be accepted from an organisation (or its parent company) which is in receipt of or has recently submitted tender documentation to the University or otherwise involved in a tender process (or would reasonably be expected to be involved in a contemplated tender process) with the University.
- c) Discretion should always be exercised when accepting **corporate hospitality** as the organisation offering the hospitality (including other divisions or the parent company thereof) may be tendering to another part of the University.

2.2.2 Individual Hospitality

- a) Individual hospitality is acceptable if it simply reflects the reasonable and ordinary course of the "job in hand", which would therefore not be considered inappropriate, extravagant or unusual by a reasonable person (e.g. a business meal when University staff are visiting a company). In such cases, no pre-authorisation or declaration is required.
- b) Individual hospitality on a larger scale should not be accepted, as it could represent an attempt by the company to secure or reward favourable treatment by the University. This is all the more of a concern than for corporate hospitality of the type described in Section 2.2.1(a) above, as in the case of individual hospitality, the staff member concerned would appear to be singled out for special treatment by the prospective provider of the hospitality.

2.2.3 Acceptance of Gifts

- a) No member of staff in the course of his or her engagement by the University may accept any **gift** of money or vouchers (e.g. book tokens).
- b) Reasonable small tokens (e.g. inexpensive promotional items or seasonal **gifts**), from an organisation or individual (including students) may be accepted provided they do not give rise to the risk of: influencing the business or academic judgement of the intended recipient of the **gift**; place the intended recipient under any obligation; or a reasonable perception of the **gift** representing **bribery** or other corrupt practice, or giving rise to a **Conflict of Interest** on the part of the intended recipient. If there is any doubt, the **gift** must be refused. Such small tokens are defined as being less than £50 in value for an individual item or below £100 cumulative value per annum.

- c) Any **gifts** received above the above thresholds should normally be returned to the donor concerned. Where, exceptionally, it is considered that this might cause offence, or might be impossible or otherwise present a material difficulty, the matter should be referred to the University Secretary and General Counsel (USGC) at the earliest opportunity. The USGC, liaising where appropriate with other members of the Senior Management Team, will determine what further appropriate action should be taken, for example whether the **gift** can be accepted as University property, or could be donated to charity.
- d) Any **gifts** offered or made to University employees referred to in (b) should be reported to Secretariat and Legal using the online [Record of Gifts](#) form or a hard copy in Annex 3, even where the gift is not accepted or is returned. Once completed, the line manager should submit the approved form to Secretariat and Legal via email to secretariat@surrey.ac.uk. A record of such **gifts** will be kept by Secretariat and Legal to help to identify trends that may give rise to concerns.
- e) *Reciprocation*: Should staff be offered hospitality or **gifts**, it should be borne in mind that it is fairly common practice for such gifts to be reciprocated, or for reciprocation to be expected by the party making the gift. Therefore, any hospitality or **gifts** that cannot or would not be reciprocated should not be accepted.

2.2.4 Making Gifts – Students

Students are advised that, should they wish to make a personal **gift** to a member of staff, they should do so after their programme of study has been completed and the results have been announced. Students should be aware of the relevant guidelines to staff on the acceptance of **gifts** as set out at section 2.2.3 above.

2.2.5 Outside business Interests

- a) All staff must avoid situations which may lead to a **Conflict of Interest** or a reasonable perception of such a conflict having arisen. This would include a commercial or business interest outside of the University of (directly) the staff member or (indirectly) a relative, partner or close friend or associate of the staff member, which interest could conflict with their obligations to the University or the best interests of the University and/or give the outside business an inappropriate competitive advantage as a result of the member of staff's work with the University.
- b) An actual or potential Conflict of Interest must be reported to an employee's line manager as soon as it is identified.
- c) On an ongoing basis, University employees must record all direct and indirect outside interests of which they are aware in other companies or businesses that the University or its related companies do business with, are proposed to do business with or are likely to do business with in the future using the online Declaration of Interest form (a copy of which can be found at Annex 4). The line manager should send the approved form to Secretariat and Legal via email to secretariat@surrey.ac.uk. Failure to make such a disclosure at the appropriate time may be treated as a disciplinary matter.
- d) Secretariat and Legal will keep a register of relevant disclosed interests and, in conjunction with the employee's line manager and other senior staff, give consideration to any appropriate additional measures to mitigate against the risk, perception or effect of a Conflict of Interest. This might, include, for example, additional measures with regard to the procurement process such as the member of staff concerned not being permitted any involvement or influence on any relevant procurement decisions.

- e) Current or former students or employees may be potential suppliers, customers or business partners through interests outside of their role (or previous role) at the University. Whilst it is acknowledged that forming future business contacts through their role at the University is natural and not inappropriate, it is important that, as a result of their involvement with the University, they do not receive or expect to receive special consideration or treatment. If their 'inside knowledge', for instance, appears to give them an unfair competitive advantage or other inappropriate preferential treatment, appropriate measures may be put in place to ensure fair competition and treatment among their competitors.

2.2.6 Conflict of Interests – Personal Conflicts

University staff should avoid dealing with the University's suppliers and customers outside of their work for the University if there is potential for this to make them or the University obliged or to feel obliged, or reasonably create an expectation of such an obligation, to the supplier or customer in the course of their work for the University.

Where such relationships are unavoidable, it is essential that staff do not deal with such third parties outside of work outside of standard market practice (e.g. unusual preferential rates or prices), in a manner which could be perceived to be a reward for actions or omissions in the course of their work on behalf of the University.

2.2.7 Bribery and Fraud

Duty to Report Suspicions:

All staff members and students are required to notify immediately the USGC (s.litchfield@surrey.ac.uk) of any reasonable suspicion of **bribery, fraud**, or other corrupt practices. Such notifications should be made in writing (in strict confidence) and should include a brief description of the concern, the estimated scale or scope for loss, any evidence supporting the concern, and details of the suspected perpetrator/s.

Reports made to the USGC under the above procedures will be considered for treatment as a disclosure under the University's [Public Interest Disclosure Policy](#), where made by an employee or worker of the University.

Bribery and Fraud Investigating Procedures will be undertaken in accordance with Annex 5 and 6.

2.2.8 Intellectual Property conflicts of interest

It is the University's policy to encourage and facilitate the successful exploitation of intellectual property (IP). The University's [Intellectual Property Code](#) sets out the University's rules and expectations regarding IP and provides guidance on the University's policy and procedures on matters of creation, protection, exploitation and remuneration in respect of IP and inventions in which the University has an interest or would expect to have an interest.

The University would normally expect to own IP and inventions created in the course of an employee's employment with the University, and this is the default position under the law and the University's Intellectual Property Code. The University would commonly also expect to own IP and inventions created by other (i.e. non-employed) staff members in the course of agreed work for the University (e.g. as consultant or through a consultancy company), under the terms of their engagement. Particular attention and consideration therefore need to be given to situations involving engagement by the University of third-party businesses in which a staff member has a direct or indirect personal interest. For example, this would most clearly be the case where an employee of the University also does work for the University in a non-employed

capacity, such as through a consultancy company in which they have a direct or indirect personal business interest, when the staff member otherwise be able to undertake the work in the ordinary course of their employment by the University. If the terms of the engagement are proposed to or do vest ownership of IP or inventions in the employee or a third-party business in which they have a direct or indirect personal interest, then the question arises as to why the work is not undertaken by the staff member as a University employee, especially given a proposal is that any IP and inventions created will not belong to the University. This would be an example of a **Conflict of Interest**, as the University's interests and those of the staff member concerned are not aligned.

Accordingly, employees of the University **must not**, save as provided below, agree any arrangement between the University and a business in which they have any direct or indirect personal interest, which purports to vest legal or beneficial ownership of any IP or invention otherwise than in the University.

Where such an arrangement as described above is being considered or proposed, and the IP and invention ownership under the arrangement would deviate from the usual expectations of the University summarised above, any direct or indirect personal interest in the business of the University employee concerned must be disclosed to their line manager in advance as a **Conflict of Interest**, together with any specific proposal and business justification as to IP and invention ownership. A decision will then be made by the staff member's line manager, in consultation with the Executive Dean (where applicable) and the USGC. This should be done via the **Conflict of Interest** declaration procedure referred to above in Section 2.2.5, with additional information regarding IP and invention ownership.

Inventions made in the course of a staff member's employment by the University belong to the University. Staff shall at the request and at the cost and with the necessary support and advice of the University take all reasonable steps to enable the University to create, assert and defend its Intellectual Property rights in such Inventions (including without limitation in the application for and prosecution and maintenance of appropriate protection, such as patent cover, for such Inventions). Affected Parties shall at all times at the request and at the cost of the University take all reasonable steps to maintain the confidentiality, registrability and exploitation of any IP. No disclosure of any potentially patentable or confidential information shall be made except on approved terms.

3 Governance

Overall responsibility for the implementation of this Policy lies with Executive Board. The commitment to preventing **bribery, fraud** and other corrupt practices shall be clearly communicated to staff and **associated persons** by Executive Board or by its nominees.

The nature and extent of risk relating to **bribery, fraud** and other corrupt practices shall be regularly assessed by way of a risk assessment and appropriate procedures to prevent **bribery, fraud** and other corrupt practices, including proportionate preventative and detective internal controls and effective reporting procedures shall be implemented to reflect the outcomes of the risk assessment.

Where risk assessments indicate a significant risk of **bribery, fraud** and/or other corrupt practices, due diligence shall be conducted prior to proceeding with the relevant transaction. Specific training for those deemed most likely to encounter **bribery, fraud** and other corrupt practices will be given.

Council, through Audit and Assurance Committee has oversight to ensure the University has a satisfactory policy on fraud and irregularity in place, including being notified of any significant action taken under that policy and to be aware of patterns and trends as they develop.

4 Responsibilities of the USGC

The USGC has responsibility for implementing this Policy, monitoring compliance and ensuring that it is regularly reviewed. As such his/her responsibilities will be:

- a) to ensure that reported incidents of **bribery, fraud** and other corrupt practices are recorded in the Corruption Report log and that incidents are investigated and reported in accordance with Section 2.2 above;
- b) to compile a report for each Audit & Assurance Committee meeting on the implementation of this Policy and the outcomes of any risk assessment, due diligence and any incidents of reported **bribery, fraud** and other corrupt practices and to recommend any changes to this Policy which may become appropriate;
- c) to ensure that University documents and procedures (including those relating to procurement, fundraising and terms and conditions of employment) reflect this Policy;
- d) to co-ordinate the University's response to any investigation or charge under anti-**bribery, corruption or fraud** legislation;
- e) to ensure communication of the University's zero tolerance on **bribery, fraud** and other corrupt practices to all staff and **associated persons** and to deliver training to staff where appropriate;
- f) to oversee the **bribery, fraud** and other corrupt practices risk assessment and the conduct of due diligence into significant transactions;
- g) to maintain and monitor a register of **Gifts** and Hospitality;
- h) to maintain and monitor a register of employees' outside interests;
- i) to have due regard to the OfS *Terms and conditions of funding for higher education institutions* (<https://www.officeforstudents.org.uk/publications/terms-and-conditions-of-funding-for-higher-education-institutions/>);
- j) to monitor the effectiveness and implementation of this Policy.

Where appropriate, one or more of the above responsibilities may be delegated to the University's Ethical Conduct Officer or other appropriate employee for whom the USGC is directly or indirectly responsible.

5 Implementation, communication and training

The University advocates anti-bribery awareness training for employees to understanding of their responsibilities and duties in respect of anti-bribery.

All external members of Council and Audit and Assurance Committee undertake regular and relevant bribery and fraud training. Annually the University reviews its Ethical Conduct Risk Assessment which it presents Audit and Assurance Committee.

The University will seek to ensure that its bribery prevention policies and procedures are embedded and understood throughout the organisation through internal communication and training to staff and employees and external communication to third parties acting on the University's behalf.

Staff are also required to undertake the UK Law module on the Staff Development site. Training records are maintained on employees' HR Self Service records.

3.6 Stakeholder Statements

- 3.6.1 Equality: This policy has been reviewed for equality relevance and is in keeping with the requirements for non-discriminatory and inclusive practices as outlined in the University Equality, Diversity and Inclusion Scheme. This is subject to ongoing review and data will be monitored to ensure that any issues relating to particular protected groups are addressed.

Annex 1 - Definitions

Associated person

A person, company or other legal entity that performs services for or on behalf of or does business with the University. This may include, for example, agents, subsidiaries, contractors and subcontractors, recipients of grants, joint venture partners, collaborators of any kind and sources of funding, professional or other services to the University.

Bribery

- a) offering, promising, giving, requesting or accepting a financial or other advantage in circumstances occurring inside or outside the UK which are intended to induce or reward improper performance of a function or activity that:
 - is of a public nature, performed in the course of a person's employment, connected with a business or trade, or performed on behalf of a body of people; and
 - a reasonable person in the UK would expect to be performed in good faith, impartially or in accordance with a position of trust.
- b) offering, promising or giving a financial or other advantage to a public official outside the UK (or somebody else nominated by that official) intending to influence the official in the performance of their official functions in order to obtain or retain business or a business advantage.

Facilitation payments can fall within a) and b) above

The term "advantage" includes money, gifts, loans, fees, hospitality, services, discounts, the award of a contract or anything else of value.

Conflict of Interest

a situation or circumstances in which an individual's interests and/or loyalties outside of their work for the University conflict with the interests of the University. This would include interests of the individual and interests of family members, partners and close friends or associates.

Corporate hospitality

An entertainment event given by an organisation and aimed at its clients in general. Such events are aimed at PR and gaining introductions to relevant client staff.

Individual hospitality which is entertainment directed principally at one or more persons from the University.

Facilitation payments

Payments intended to secure or expedite routine or necessary government action by a public official. A facilitation payment includes a payment to a public official to do their job properly as well as payment to do their job improperly.

Fraud

An act or omission made with the intent of making a financial gain or causing a financial loss, or exposing another to the risk of a financial loss, in which a person:

- dishonestly makes a false representation; or
- dishonestly fails to disclose information which he or she is under a legal duty to disclose; or
- occupies a position in which he or she is expected to safeguard or not act against the interests of another person; and
 - dishonestly abuses that position; and

- intends, by means of that abuse of that position, to make a gain for him or herself or another, or to cause loss to another or to expose another to the risk of loss.

Gift

- a gift or loan of money, goods or services or combination of these
- the receipt of beneficial terms that are not generally available regarding the procurement of goods or services

Improper

- a) A failure to perform a function or activity in good faith, impartially or in accordance with a position of trust; or
- (b) not performing the function at all.

In deciding whether a function or activity has been performed improperly outside the UK, any local custom or practice must be disregarded unless it is permitted or required by the written law of the country in which it is performed.

Public official

Someone who holds a legislative, administrative or judicial position of any kind, whether appointed or elected; someone who exercises a public function for any country or territory (or any subdivision or such a country or territory); or an official of or agent of a public international organisation.

Annex 2 - Record of Offer of Hospitality

PART A – For completion by Employee

This form should be completed whenever an employee is offered any form of corporate hospitality. Employees do not need to declare offers of individual hospitality which simply reflects facilitation of business in hand e.g. a business meal (see Section 2.2.1 & 2.2.2 of the Ethical Conduct Policy).

Instructions: once you have completed this form, you will receive it as an email. This form MUST then be sent to your line manager with the request to send with approval or recommendations to secretariat@surrey.ac.uk

Date of offer	
Name of employee	
Employee email address	
Job title	
Faculty / Department	
Description of hospitality	
Estimated value of hospitality	
Name of Donor	
Address of Donor	
Relationship of Donor to the University	

PART B – For Completion by Line Manager

Approved / Not approved	
Comments (if relevant)	
Line manager (name)	
Date of approval	

Data submitted via this form will be handled in line with the University of Surrey's Information Management Policies.

Annex 3 - Record of Gifts

PART A – For completion by Employee

This form should be completed whenever an employee is offered any form of gift other than a small token, inexpensive promotional item or seasonal gift. Small gift as defined in the Ethical Conduct Policy. Please refer to section 2.2.3.

Instructions: once you have completed this form, you will receive it as an email. This form MUST then be sent to your line manager with the request to send with approval or recommendations to secretariat@surrey.ac.uk

Date of offer	
Name of employee	
Job title	
University email	
Faculty / Department	
Description of gift and estimate of value	
Name of Donor	
Address of Donor	
Relationship of Donor to the University	
Was gift was returned	Yes / No
Reason given for the return	

PART B – For Completion by Line Manager

Approved / Not approved	
Comments (if relevant)	
Line manager (Name)	
Date of approval	

Data submitted via this form will be handled in line with the University of Surrey's Information Management Policies.

Annex 4 - Declaration of Conflict of Interests

This form should be completed by employees of the University in accordance with the University's Ethical Conduct Policy (see Section 2.2.5 and 2.2.6 in particular).

The University requires information about outside activities and interests of its employees that may represent or give rise to a conflict of interest with their work for the University, or might reasonably be perceived to do so.

A disclosable conflict of interest or perceived conflict of interest will arise where an individual has any direct or indirect interest (e.g. personal, financial or business) outside of the University of Surrey which are or may conflict with, or not be entirely consistent with, the interests of the University of Surrey in the University's business dealings or activities. If the individual's decision making, influence or other involvement in any capacity on behalf of the University of Surrey is or might be in conflict with or affected by such outside interests, a conflict of interest will exist. A perception of such a conflict will arise where an objective and reasonable person looking in, with relevant background knowledge of material facts, would perceive that a conflict existed, even if the individual does not think a conflict exists.

Examples of such conflicts of interests would include (without limitation):

- Where an individual, or any member of the individual's family, close friend, associate or partner (each an "Associate"):
 - owns shares in a company or owns a business (other than holding up to 5% of shares in a listed company); and/or
 - is a director or other officer of a company or other legal entity; and/or
 - exercises day to day management of a company, other legal entity or business; and/or
 - otherwise has voting rights or the ability to influence the running or decisions of a company, legal entity or business,

in each case which is doing, is likely to do, intends to do or proposes in future to do, business with the University;

- Where there is, or there is the potential for there to be, direct or indirect personal gain of an individual or an Associate as a result of the University doing business with a third-party business (e.g. a private company, partnership or sole trader) in which that individual or their Associate has an interest;
- Where there is, or there is the potential for there to be, any decision of the University to do business with a third party business (e.g. a private company, partnership or sole trader) in which an individual or their Associate has an interest, where the individual is involved in or could influence the University's decision;
- Where an individual is privy to information as a result of their work for the University which could give a competitive advantage to a business in which they or their Associate has an interest in relation to prospective business with the University; and/or
- Where an individual is in a position to directly or indirectly enhance their career or the career of others with whom they are personally involved as a result of the University doing business with a third party in whom they or their Associate have any interest.

If in any doubt, you should disclose.

Please note that, in the case of University employees who hold board appointments in a company in which the University holds 50% or more of the voting shares and therefore has a majority controlling interest) need not declare this interest. This exclusion in respect of University companies does not apply to any other interests, which may still represent a conflict of interest.

Annex 4 - continued

Declaration of Interest

The University requires information about activities that may represent a conflict of interest, which could make it advantageous for an employee any such personal considerations above the obligation to the University.

Instructions: once you have completed this form, you will receive it as an email. This form MUST then be sent to your line manager with the request to send with approval or recommendations to secretariat@surrey.ac.uk

Name of employee	
University email	
Date	
Faculty / Department	
Do you occupy a position as a Director or Partner?	Yes / No
Nature of interest (Executive Director, non-Executive Director, Partner etc)	
Name and address of organisation	
Date of Appointment / Contract	
Does the Organisation have other dealings with the University?	None Yes No Don't know
Equity Interests	
Do you equity interests in companies that have dealings with the University or its subsidiaries?	Yes /No
Company Name and number:	

Description of security (Ordinary Shares/Options)	
Number Acquired	
% of Share Capital	
Price Paid/Exercise Price/Share	
Market Value/Share	
Date Acquired	
Other interests	
Do you or persons connected with you (spouse or partner, children or close relative) have any other interests that you should report? e.g. a significant financial interest in or a contract with any company or organisation trading with the University (Please state interest)	Yes / No

PART B – For Completion by Line Manager

Approved / Not Approved	
Comments / recommendations	
Line Manager (Name)	
Date of Approval	

Data submitted via this form will be handled in line with the University of Surrey's Information Management Policies.

Annex 5 - Ethical Conduct Investigating Group - Terms of Reference

1 Introduction

- 1.1 The University Secretary and General Counsel (USGC) has established an Ethical Conduct Investigating Group (Investigating Group) to investigate bribery, fraud and other corrupt practices.

2 Membership

- 2.1 Members of the Investigating Group comprise the USGC, Ethical Conduct Officer (ECO), Chief Finance Officer, Head of Security and Chief Internal Auditor. Other people will be invited to attend as required.

3 Meetings

- 3.1 A meeting can be called at any time where the USGC and /or the ECO has determined that there is a case concerning Ethical Conduct that should be considered by the Investigation Group.

4 Responsibilities

- 4.1 In accordance with the Procedures at Annex 6, the Investigating Group will:
- Put in place arrangements to investigate concerns;
 - Put in place arrangements to minimise further loss or harm;
 - Put in place arrangements for recovering losses;
 - Comply with any requirements of the University's insurance cover;
 - Establish and secure evidence necessary for criminal and disciplinary action;
 - Ensure that appropriate action is taken against those responsible and;
 - Communicate with internal personnel and outside organisations with a 'need to know', in particular considering:
 - Whether there are issues that should be referred to the appropriate funding body under the terms of any grant to which the allegations relate;
 - Whether the incident should be reported to OFS under the OfS Terms and Conditions of Funding for Higher Education Institutions ;
 - Whether the matter should be reported to HMRC;
 - Whether the matter should be reported to the police;
- and will take steps to ensure that the relevant actions are undertaken as soon as is reasonably practicable.
- 4.2 The actions of the Investigating Group will be recorded in a confidential log, to be kept and maintained by the ECO.
- 4.3 The ECO shall maintain a register of all the allegations of bribery or fraud which are reported within the University including those where there was found to be no case to answer under the Ethical Conduct Policy*
- 4.4 Without prejudice to any other action that may be deemed to be necessary (for example where the matter is referred to the police), the Investigating Group will ensure that any allegation concerning the conduct of a member of staff is dealt with in accordance with the University's HR policies and procedures.

- 4.5 In cases which involve or may involve students, the Director of Student Services and Administration will be informed at the outset of the investigation. Without prejudice to any other action that may be deemed to be necessary (for example where the matter is referred to the police), if a student is the subject of an allegation of bribery or fraud, this will be dealt with by the Director of Student Services and Administration /OSCAR under the relevant student policy processes.
- 4.6 In any case where a member of the Investigating Group is the subject of an investigation under the Policy, the Chief Operating Officer or President and Vice-Chancellor will be informed and will establish leadership of the Bribery and Fraud Investigating Group.
- 4.7 Preliminary investigations will normally be carried out by the Ethical Conduct Officer and/or the Chief Internal Auditor. Where preliminary investigations reveal reasonable grounds for suspecting that there is a case to answer *, the Investigating Group will appoint an investigator to carry out further investigations as necessary.
- 4.8 The investigator will keep the Investigating Group informed as to the progress of the investigation and will complete the investigation as soon as reasonably possible.
- 4.9 All persons involved with the investigation must treat the information in strict confidence. Where necessary, information will be transmitted in confidence to relevant regulatory bodies.
- 4.10 In the case of insured claims, the Investigating Group will ensure that any requirements of the University's insurance cover are observed.
- 4.11 On the completion of the internal investigation, the Investigating Group will decide what further actions are necessary including whether the matter has to be referred to external agencies such as the police or OFS.

** No case to answer means that it has been determined to the reasonable satisfaction of the USGC or Investigating Group, as the case may be, that the alleged breach of the Ethical Conduct Policy was of minimal effect and occurred as a consequence of mistake or incompetence. A case to answer means that it has been determined to the reasonable satisfaction of the USGC or Investigating Group, as the case may be, that the alleged breach of the Ethical Conduct Policy is not of minimal effect and did not arise as a consequence of mistake or incompetence.*

5 Reporting responsibilities

- 5.1 A report of all matters referred to the Investigating Group will be provided at each Audit & Assurance Committee in the most appropriate format.

6 Review of Terms of Reference

- 6.1 The Investigating Group shall review and reassess the Terms of Reference as it deems appropriate.

Annex 6 - Bribery and Fraud Investigating Group Procedures

