

<b>TITLE</b>	<b>Anti-Bribery and Corruption Policy for Independent Service Providers</b>
<b>Objective</b>	<p>To ensure that all independent persons (sometimes called ‘third parties’) providing services to Trinity College London (‘Trinity’) do not use their official position for gain which might reasonably be seen to compromise Trinity’s position or that person’s personal judgment and integrity.</p>
<b>Scope</b>	<p>This policy applies to all independent persons (individuals or legal entities) providing services to Trinity. Examples of independent service providers are:</p> <ul style="list-style-type: none"> <li>• Registered Exam Centres</li> <li>• National, Area and Local Area Representatives</li> <li>• Examiners</li> <li>• Consultants</li> <li>• Suppliers</li> <li>• Persons acting on behalf of independent service providers, including their employees, contractors and consultants.</li> </ul>
<b>Statement</b>	<p>Anyone engaged to provide services for Trinity should be aware that under UK law they are prohibited from using their office or power for private gain or to secure an unlawful or dishonest advantage for Trinity by paying or receiving bribes.</p> <p>Trinity’s business is and always will be conducted to the highest legal and ethical standards. Trinity cannot and will not be party to corruption or bribery in any form.</p> <p>The intention of this policy is to set out the rules and guidance to be followed to ensure that Trinity can demonstrate that no undue influence has been applied by an external organisation or anyone else dealing with Trinity.</p> <p>Any suspected breach of this policy should be reported to Trinity’s Chief Executive, Sarah Kemp.</p> <p>This policy has been written in line with prevailing relevant legislation, including (but not restricted to):</p> <p>The Bribery Act 2010 The Fraud Act 2006</p>

<p><b>Definition of Bribery and Corruption</b></p>	<p>Corruption is the misuse of office or power for private gain. Bribery is a form of corruption. It means:</p> <ul style="list-style-type: none"> <li>• promising, offering, giving or receiving a financial or other advantage;</li> <li>• as an inducement to a person to do something which is dishonest or illegal or as a reward for doing so;</li> <li>• in the course of doing business.</li> </ul> <p>A financial or other advantage can include cash, gifts, hospitality and entertainment, political or charitable donations, sponsorship and publicity.</p> <p>Bribery is designed to make a person act wrongly to secure an advantage for the giver.</p> <p>Bribery and corruption may be committed by:</p> <ul style="list-style-type: none"> <li>• our employees, officers or trustees; anyone they authorise to do things on their behalf;</li> <li>• our representatives and other independent persons who provide services to us;</li> <li>• our suppliers;</li> <li>• our customers.</li> </ul> <p>Bribery and corruption are criminal offences in most countries where we do business. UK-incorporated companies, including ourselves, are subject to the Bribery Act 2010. Under the Act, it is illegal:</p> <ul style="list-style-type: none"> <li>• to offer, promise or pay a bribe;</li> <li>• to receive or agree to receive a bribe;</li> <li>• to bribe a foreign public official;</li> <li>• for a commercial organisation, to fail to prevent bribery by persons associated with it by not having adequate procedures in place.</li> </ul> <p>Despite its charitable status, Trinity is treated as a commercial organisation for the purposes of the Bribery Act 2010.</p> <p>An 'associated person' is defined very broadly and includes all independent service providers.</p> <p>For an offence to occur, it does not matter whether the bribery takes place in the UK or abroad. A corrupt act committed abroad may well result in a prosecution in the UK. Nor does it matter whether the act is done directly or indirectly.</p>
<p><b>Risks and Penalties for Trinity</b></p>	<p>Involvement in bribery or corruption carries many risks and consequences for Trinity. Among them are:</p> <ul style="list-style-type: none"> <li>• if Trinity is found guilty of bribery – or even of failing to have adequate procedures in place to prevent bribery – it will be subject to unlimited fines;</li> <li>• likewise, its senior management could be subject to large fines and/or imprisonment;</li> <li>• civil actions could be brought by competitors and other third parties for damages;</li> <li>• a company which offers – or accepts – bribes is not in control of its business and is at risk of blackmail;</li> <li>• a public exposure, or even allegation, of bribery would entail severe reputational damage;</li> </ul>

	<ul style="list-style-type: none"> <li>• Trinity could be excluded from selling or providing services to the public sector;</li> <li>• the cost of our insurance cover could increase very significantly; and</li> <li>• good people will not want to work for us.</li> </ul>
<p><b>Risks and Penalties for the Service Provider</b></p>	<p>Involvement in bribery or corruption also carries significant risks and consequences for the independent service provider:</p> <ul style="list-style-type: none"> <li>• the person (including a company) offering, giving or receiving bribes may be subject to fines and/or imprisonment;</li> <li>• the service provider's contract with Trinity will be subject to immediate termination.</li> </ul>
<p><b>Indicators of Bribery</b></p>	<p>Common indicators of corruption include those listed below:</p> <ul style="list-style-type: none"> <li>• <b>Payments</b> for abnormal, unexplained or unexpected amounts or made in an unusual way;</li> <li>• <b>Processes</b> are bypassed for approval or sign-off and those whose job it is to monitor commercial processes are prevented from or hindered in doing so;</li> <li>• <b>Individuals</b> are secretive about certain matters or relationships and/or insist on dealing with them personally;</li> <li>• <b>Decisions</b> are taken for which there is no clear rationale;</li> <li>• <b>Records</b> are incomplete or missing.</li> </ul> <p>Bribery may be perceived to be more widespread in some countries and business sectors than in others. In some cases you may be told that unless we pay bribes we will not win business or be able to complete contracts. This is irrelevant. Trinity must strive to maintain unquestionable standards of honesty, impartiality and integrity in all its business relationships.</p>
<p><b>Examples of Bribery</b></p>	<p><b>Offering a Bribe</b></p> <p><i>You offer a potential client tickets to a major sporting event to induce him to do business with us.</i></p> <p>This would be an offence as you are making the offer to gain a commercial and contractual advantage. We may also be found to have committed an offence because the offer has been made to obtain business for us. It may also be an offence for the potential client to accept your offer.</p> <p><b>Receiving a Bribe</b></p> <p><i>A supplier gives your nephew a job, but makes it clear that in return they expect you to use your influence in our organisation to ensure we continue to do business with them.</i></p> <p>It is an offence for a supplier to make such an offer. It would be an offence for you to accept the offer as you would be doing so to gain a personal advantage.</p> <p><b>Bribing a Foreign Official</b></p> <p><i>You arrange to pay an undisclosed additional payment to a foreign official to speed up an administrative process to secure an advantage for us.</i></p>

	<p>The offence of bribing a foreign public official has been committed as soon as the offer is made. This is because it is made to gain a business advantage for us. We may also be found to have committed an offence.</p>
<p><b>Areas of Specific Risk</b></p>	<p><b>Corporate Hospitality and Gifts</b></p> <p>Independent Service Providers will not generally accept offers of gifts and/or hospitality, nor will they generally make offers of gifts and/or hospitality while working on behalf of Trinity, save as outlined below:</p> <p><b>Gifts</b> are defined as items given without the expectation of receiving anything in return. To be compliant with this policy, gifts must not be offered or accepted where they appear to be disproportionately generous or could reasonably be construed as an inducement to affect or influence a business decision or as a reward for the provision or retention of business or a business advantage.</p> <p>Where there are special reasons for making or receiving a gift, it should be of an appropriate type and value, given or received openly at an appropriate time. It should never consist of cash or a cash equivalent and it should never be given to a government or public official. Generally speaking, gifts should not be made or received of a value of more than £15.</p> <p><b>Invitations to lunch or dinner</b> from an external person or organisation may only be made or accepted where the primary reason is to discuss or promote Trinity's business and where the venue and hospitality are not in themselves an inducement to accept the invitation or the purpose of the invitation. As with gifts, the venue and nature of the hospitality must be appropriate in all the circumstances.</p> <p><b>Invitations of a social kind</b> e.g. sporting events or cultural events that are unrelated to Trinity's business should be declined except where the interests of Trinity can be clearly demonstrated in advance and the business justification is both compelling and exceptional.</p> <p>If you have any concerns about the appropriateness of hospitality or a particular gift (given or received), you should seek the advice of Trinity's Director of Operations &amp; IT (Richard.Michel@trinitycollege.co.uk).</p> <p><b>Facilitation Payments</b></p> <p>These are also known as 'grease' payments. Usually they are small amounts paid to officials to provide goods or services to which we are already entitled, for example, speeding up the grant of a licence or permit, or delivering goods which we have ordered and paid for. In some cases they may be larger, for example, where a significant amount is demanded to complete a project.</p> <p>Facilitation payments are common in many countries, particularly those where public officials are poorly paid. You may be told that this is normal practice and that we will be disadvantaged unless we do the same. But such payments are illegal under the UK law and in many other countries where we do business. Whatever their size, we do not offer or pay them.</p>

	<p><b>Political Contributions</b></p> <p>You should be aware that such contributions can be (or be seen as) bribes in disguise. No independent service provider is to make a donation stated to be, or which could be taken to be, on our behalf without the prior approval of Trinity's Council. You may, of course, make political donations in a personal capacity but please be sensitive to how such contributions could be perceived, especially by those who are aware of your connection with Trinity.</p> <p><b>Charitable Donations</b></p> <p>Bribes may even be disguised as charitable donations. For that reason, donations we make are approved by resolution of Council and recorded. While individuals may of course make personal donations to charity, they should not do so on behalf of Trinity without prior approval from Trinity's Council.</p>
<b>Procedure</b>	<p>If you suspect or discover anything corrupt or otherwise improper occurring in relation to Trinity's business, you must report it to Trinity's Chief Executive (Sarah.Kemp@trinitycollege.co.uk) immediately. All allegations of bribery and corruption will be thoroughly investigated at the earliest opportunity.</p>
<b>Exceptional Circumstances</b>	<p>In some rare circumstances a payment to secure a business advantage is justifiable, for example, where there is a threat to personal safety if a payment is not made. In such cases Trinity's Chief Executive must be contacted as soon as possible and the payment and the circumstances in which it was made must be fully documented and reported within five working days.</p>
<b>Other Obligations</b>	<p><b>Records</b></p> <p>It is essential that we keep full and accurate records of all our financial dealings. Transparency is vital; false or misleading records could be very damaging to us. Under money laundering regulations our lawyers and accountants are obliged to report anything which appears to be irregular. It is, for this reason, essential that in contracts with third parties, especially those carrying out services for us, we reserve a right to inspect their records.</p> <p><b>Monitoring</b></p> <p>Trinity's Executive will monitor the policy regularly to make sure it is being adhered to and report regularly to Trinity's Audit Committee and, as appropriate, Council, on compliance.</p>
<b>Notes</b>	<p>This policy is subject to review at the discretion of Trinity's Executive and/or as required by changes to legislation.</p>
<b>Date of Policy</b>	<p>22 November 2011</p>