

EDA COLLEGE



EDUCATE | **D**EVELOP | **A**CHIEVE

Anti-Bribery and Corruption Policy¹

Vision Control/History

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Applies To	All staff, governors, students, contractors, agents, partners and associated people acting for or on behalf of EDA College Ltd
Classification	Public

¹ In accordance with OfS Conditions B1, B5 and E3, the Equality Act 2010, CMA Guidance and the QAA UK Quality Code

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1. Policy Statement

EDA College Ltd (“the College”) is committed to conducting its activities with the highest standards of honesty, integrity and accountability. The College has a zero-tolerance approach to bribery and corruption and will not tolerate any such conduct by employees, governors, students, contractors, agents, partners or any other person acting for or on behalf of the College.

This policy sets out the College’s arrangements for compliance with the Bribery Act 2010 and supports the College’s broader obligations as a registered higher education provider, including its duty to operate in accordance with the public interest governance principles and the management and governance condition of registration set by the Office for Students (OfS).

2. Purpose

The purpose of this policy is to:

- Set out the College’s position on bribery and corruption and the standards of behaviour expected.
- Provide a framework for the prevention, detection, reporting and investigation of bribery and corruption.
- Support compliance with the Bribery Act 2010 and provide the College with a defence of having adequate procedures in place under section 7(2) of that Act.
- Define roles, responsibilities and accountabilities for managing bribery and corruption risk.
- Promote a culture in which staff and others feel safe to raise concerns about suspected wrongdoing.

3. Scope

This policy applies to all staff (including employees, agency workers, casual staff, sessional and visiting lecturers), members of the Academic Board and committees, students, contractors, consultants, agents, intermediaries and any other person performing services for or on behalf of EDA College Ltd (collectively referred to as “associated persons” for the purposes of section 8 of the Bribery Act 2010).

It applies to all conduct in the United Kingdom and overseas in connection with the College’s activities, regardless of local custom or practice.

4. Legal and Regulatory Framework

This policy reflects the requirements of the following legislation and guidance:

- Bribery Act 2010 (and the Ministry of Justice guidance issued under section 9)
- Fraud Act 2006
- Proceeds of Crime Act 2002
- Public Interest Disclosure Act 1998
- Companies Act 2006 (directors’ duties)
- Theft Act 1968
- Money Laundering, Terrorist Financing and Transfer of Funds (Information on the Payer) Regulations 2017 (as amended)

- OfS Regulatory Framework, including conditions E1 (public interest governance) and E2 (management and governance)
- ESFA / DfE financial assurance and audit requirements (where applicable)

5. The Bribery Act 2010 Offences

The Bribery Act 2010 creates four offences relevant to the College:

Section	Offence	Summary
Section 1	Bribing another person	Offering, promising or giving a financial or other advantage with the intention of inducing or rewarding improper performance.
Section 2	Being bribed	Requesting, agreeing to receive or accepting a financial or other advantage in return for improperly performing a function or activity.
Section 6	Bribery of a foreign public official	Offering, promising or giving an advantage to a foreign public official with the intention of influencing them in their capacity as such, to obtain or retain business or an advantage.
Section 7	Failure of a commercial organisation to prevent bribery	A strict liability offence where a person associated with a commercial organisation bribes another person intending to obtain or retain business or an advantage for the organisation. A defence is available where the organisation can demonstrate it had adequate procedures in place to prevent bribery.

Penalties on conviction can include unlimited fines for the College, up to 10 years' imprisonment for individuals, debarment from public contracts, and significant reputational damage.

6. Definitions

6.1 Bribery

The offering, promising, giving, accepting or soliciting of an advantage as an inducement for an action which is illegal, unethical or a breach of trust.

6.2 Corruption

The abuse of entrusted power or position for private gain.

6.3 Facilitation Payments

Small, unofficial payments made to secure or expedite a routine action by an official. Facilitation payments are bribes under UK law and are strictly prohibited under this policy.

6.4 Kickback

A return of a portion of money received as part of a transaction, paid as a reward for awarding or facilitating the transaction. Kickbacks are prohibited.

6.5 Associated Person

Any person performing services for or on behalf of the College, including employees, agents, contractors, consultants, intermediaries, partners and joint-venture entities.

6.6 Public Official

Any person holding a legislative, administrative or judicial position, exercising a public function, or working for a public agency, public enterprise or international organisation.

7. The Six Principles of Adequate Procedures

The College's anti-bribery and corruption framework is structured around the six principles set out in the Ministry of Justice guidance issued under section 9 of the Bribery Act 2010:

Principle	How EDA College Ltd Applies It
1. Proportionate procedures	This policy and supporting procedures are proportionate to the size, nature and risk profile of the College's activities.
2. Top-level commitment	The Academic Board and Senior Leadership Team set the tone from the top, communicate the College's zero-tolerance approach and provide adequate resources for its implementation.
3. Risk assessment	Bribery and corruption risks are identified, assessed and recorded as part of the College's wider risk management framework, with enhanced focus on higher-risk activities.
4. Due diligence	Risk-based due diligence is undertaken on associated persons, including suppliers, agents, recruitment intermediaries and partners.
5. Communication (including training)	This policy is communicated to all staff and associated persons, supported by induction, role-based training and ongoing awareness activity.
6. Monitoring and review	The effectiveness of these procedures is monitored, reviewed and continuously improved through audit, KPIs and management oversight.

8. Roles and Responsibilities

Role	Key Responsibilities
Academic Board	Set the College's zero-tolerance approach to bribery and corruption; approve this policy; receive assurance on its operation at least annually.
Audit & Risk Committee	Provide independent oversight of anti-bribery arrangements; review reported concerns and audit findings; report assurance to the Board.
Principal	Hold overall executive accountability for the implementation of this policy across the College.
Designated Governor for Risk and Compliance	Own this policy; coordinate the College's anti-bribery framework; maintain the gifts and hospitality register; investigate concerns; report to the Audit & Risk Committee.
Heads of Department / Line Managers	Implement the policy in their area; ensure staff understand their obligations; identify and escalate higher-risk activities; report concerns promptly.
All Staff and Associated Persons	Comply with this policy; complete required training; report any actual or suspected bribery, corruption or breach of policy.

9. Specific Areas of Risk

9.1 Gifts and Hospitality

Reasonable and proportionate gifts and hospitality offered or received in good faith, for a legitimate business purpose and consistent with usual practice, are not prohibited. However, gifts or hospitality must never be offered or accepted where they could influence, or be perceived to influence, a business decision.

Acceptable	Not Acceptable
Modest, infrequent gifts of nominal value (e.g. branded items).	Cash or cash equivalents (e.g. vouchers, gift cards) of any value.
Working meals and modest hospitality where there is a clear business purpose.	Lavish or extravagant entertainment, especially during procurement, audit or admissions decisions.
Gifts and hospitality from established, reputable counterparts.	Gifts or hospitality conditional on a particular outcome or favour.
Items declared on the College Gifts and Hospitality Register.	Items deliberately offered or received "off the record".

All gifts or hospitality offered or received with a value of more than £25 must be recorded in the Gifts and Hospitality Register, regardless of whether they are accepted or declined. Where any doubt exists, staff must consult the Designated Governor for Risk and Compliance before accepting or offering.

9.2 Facilitation Payments and Kickbacks

EDA College Ltd does not make and will not accept facilitation payments or kickbacks of any kind. Where staff believe they are being asked to make such a payment, they must refuse and report the matter to the Designated Governor for Risk and Compliance immediately.

9.3 Donations and Sponsorship

Charitable donations and sponsorship may be made only where they are lawful, ethical, transparent and consistent with the College's charitable and educational mission. Donations must not be used as a means to influence improper decisions and must be properly authorised and recorded.

9.4 Political Contributions

EDA College Ltd does not make donations or contributions to political parties, candidates or campaigns.

9.5 Recruitment, Admissions and Agents

Decisions about staff recruitment, student admissions and the appointment of agents or intermediaries must be made on merit and in accordance with the College's established procedures. Particular care will be taken in the appointment and oversight of overseas education agents, who will be subject to written contracts incorporating anti-bribery obligations and to ongoing performance and compliance monitoring.

9.6 Procurement and Suppliers

Procurement decisions will be made on the basis of value for money, fitness for purpose and compliance with applicable rules and the College's Procurement Policy. Anti-bribery clauses will be included in standard

contractual terms with new and renewing suppliers above defined thresholds, and risk-based due diligence will be undertaken for higher-risk suppliers.

9.7 Conflicts of Interest

All staff, governors and associated persons must avoid situations where personal interests may conflict, or appear to conflict, with the interests of the College. Actual or potential conflicts must be declared in accordance with the College's Conflicts of Interest Policy and recorded in the Register of Interests.

10. Risk Assessment

Bribery and corruption risks are assessed as part of the College's wider risk management framework, in accordance with the Risk Assessment Policy. Higher-risk activities currently identified include:

- International recruitment and the use of overseas education agents.
- Procurement of high-value or complex goods and services.
- Engagement with public officials or regulated bodies.
- Receipt of donations, sponsorship or partnership funding.
- Decisions in admissions, assessment, scholarships and progression where conflicts of interest may arise.

Assessments are reviewed at least annually and following any significant change in the College's activities, regulatory environment or risk profile.

11. Due Diligence

Risk-based due diligence is undertaken on associated persons, taking into account:

- The nature, scale and location of the proposed engagement.
- The reputation, ownership structure and beneficial ownership of the counterparty.
- The country and sector risk profile (e.g. Transparency International CPI rating).
- Any prior history of bribery, corruption, sanctions or enforcement action.
- The terms of engagement, including remuneration arrangements and the use of intermediaries.

Where due diligence identifies elevated risk, additional safeguards will be implemented or, if appropriate, the engagement will not proceed.

12. Reporting Concerns and Whistleblowing

Anyone who suspects that bribery or corruption has occurred, is occurring, or may occur, must report it as soon as reasonably practicable. Concerns may be raised:

- Internally to a line manager, the Designated Governor for Risk and Compliance, the Audit & Risk Committee Chair, or via the College's Whistleblowing Policy;
- Externally to the relevant prescribed person under the Public Interest Disclosure Act 1998 (e.g. HMRC, the Serious Fraud Office, or the regulator);
- To the police where a criminal offence is suspected.

The College will treat all reports seriously and confidentially. No member of staff, governor, student or associated person will suffer detrimental treatment for refusing to take part in bribery or corruption, or for raising a concern in good faith. Any such detrimental treatment is itself a disciplinary matter.

13. Investigations and Sanctions

All reports of suspected bribery or corruption will be investigated promptly and proportionately, by individuals independent of the matter under investigation. Where investigations confirm wrongdoing:

- Employees may be subject to disciplinary action up to and including summary dismissal for gross misconduct.
- Governors may be subject to removal in accordance with the Articles of Association and Board procedures.
- Students may be subject to action under the Student Disciplinary Procedure.
- Associated persons may have contracts terminated and be removed from approved supplier or partner lists.
- Matters may be referred to the police, the Serious Fraud Office, regulators or other relevant authorities.

14. Record Keeping

Accurate and complete records must be maintained of all transactions, expenses, gifts, hospitality, donations, sponsorship and engagements with associated persons. The College operates a Gifts and Hospitality Register and a Register of Interests, both maintained by the Designated Governor for Risk and Compliance. Records will be retained in accordance with the College's Records Retention Schedule and applicable data protection law.

15. Training and Communication

All staff will receive information on bribery and corruption as part of induction. Targeted training will be provided to those whose roles present a higher level of risk, including:

- Members of the Academic Board and Senior Leadership Team.
- Procurement, Finance and Human Resources staff.
- Staff involved in international recruitment and partnership development.
- Staff involved in admissions, scholarships and student finance.

Refresher training will be provided at least every three years, or sooner where regulation, guidance or the College's arrangements change.

16. Monitoring, Review and Continuous Improvement

Compliance with this policy will be monitored through:

- Regular review of the Gifts and Hospitality Register and Register of Interests.
- Internal audit and management assurance reviews.
- Analysis of concerns raised through whistleblowing and other reporting channels.

- Periodic benchmarking against good practice and updates to MoJ and OfS guidance.

This policy will be reviewed at least annually, or sooner in response to legislative changes, audit findings, incidents or significant changes in the College's activities or risk profile.

17. Related Policies and Documents

- Risk Assessment Policy
- Whistleblowing Policy
- Conflicts of Interest Policy
- Gifts and Hospitality Procedure (and Register)
- Procurement and Supplier Management Policy
- Code of Conduct for Staff
- Student Code of Conduct
- Modern Slavery and Human Trafficking Statement
- Financial Regulations
- Disciplinary Policy and Procedure

18. Policy Approval

This policy has been approved by the Academic Board of EDA College Ltd. It forms part of the College's suite of governance and compliance documents and will be communicated to all staff via induction, internal communications and the staff intranet, and made available to students and other stakeholders on request.

End of Policy