

Code of Conduct Guidance

Overview

This document is provided to give individuals an overview of their code of conduct responsibilities when conducting procurement activities. The document is written with the audience of a Tender Evaluation Team in mind, however is directed **to any individual involved in procurement activities for the University of Glasgow**. Individuals conducting individual quotations on behalf of the University should escalate any issues or concerns to the Head of Procurement. Individuals conducting a tender as part of a Procurement Office tendering exercise should escalate any issues or concerns to the appointed Procurement Lead. Each contact will be referred to as the Procurement Office thereafter within this document.

The document will provide guidance and an overview of:

- [Code of Conduct](#)
- [Conflict of Interest](#)
- [The Bribery Act](#)
- [Gifts & Hospitality](#)
- [Declaration for use of Contractors](#)

All individuals within a tender evaluation are jointly responsible for ensuring that the procurement process, in addition to all communications, meetings, discussions etc. are properly conducted in an equitable and transparent manner and that all documentation and decisions are recorded for provision of a robust audit trail. Furthermore, individuals should respect confidentiality of information and never use it for personal gain.

For procurement activity led by the Procurement Office, all communications undertaken as part of the process will be channelled through the nominated Procurement lead. If you are involved in these procurements in any capacity, you must sign the [Code of Conduct Declaration Form in the Appendix Section below](#) and return this to the Procurement Office.

Code of Conduct

It is imperative that:

1. any direct approach by any bidder in relation to a procurement is IMMEDIATELY advised to the Procurement Office. It is recognised that some members of the evaluation team involved with the procurement may have contact with or have to work with existing contractors who are also bidders. This may also occur with bidders who were successful / unsuccessful at any pre-qualification stage, at conferences or other events. In these circumstances, evaluation team members must not enter into any discussions regarding the procurement and must refer any such approaches immediately to the Procurement Office.
2. an evaluation team member must not communicate in any form to any bidder or to anyone outside of the evaluation team with regards to the procurement, unless authorised to do so by the Procurement Office (save to the extent required by law).
3. Maintain the highest standard of integrity, remaining impartial and professional in all business relationships.

Conflict of Interest

Further to the code of conduct above, anyone involved in procurement activities must also declare any potential conflict of interest. Please read the guidance below.

It is imperative that:

- 1) any evaluation team member who has a conflict, or potential conflict, of interest with the procurement must immediately declare this to the Procurement Office. This should be documented by the Procurement Office and **MAY** result in exclusion of the member from the User Group and the procurement process. Any relevant changes in circumstances must be reported immediately to the Procurement Office.
- 2) you declare any personal interest that might affect, or be seen to affect your impartiality or decision making. Evaluation team members must declare an interest if;
 - a) he or she has *at any time* worked for or intends to work for, and has received payment for that work from, a bidder or potential bidder.
 - b) if he or she has any *current* personal interest in a bidder, even if it does not relate specifically to the commodity under review. This may include an evaluation team member or a member of his/her immediate family having shares in any bidder likely to bid, having a controlling interest in a potential bidder as a shareholder, director or senior manager or having any personal relationships with potential bidders senior employees or managers.
 - c) the institution that a member works in has *at any time* worked, or intends to work, with a bidder or potential bidder on the commodity under review, for example in jointly developing a product or service, even if the member themselves did not take part or receive personal payment for the work done.
 - d) the institution that the member works in, or the member himself/herself, is *currently* receiving, or intends to receive, payment from a bidder or potential bidder. This is regardless of whether the payment relates directly to the commodity under review or not.
- 3) an evaluation team member must declare an interest if he or she becomes aware that a commodity supplied by a company in which he or she has a current personal interest, or from which the member is receiving, or intends to receive payment, may be considered by the evaluation team as an alternative to the commodity under review.
- 4) in the event that a internal function of a university or college is putting itself forward as a bidder as part of a procurement, for example a university department offering consultancy or print services, no employee of that institution can be part of the evaluation team, or must give up any membership that they already hold with immediate effect.

If a conflict of interest does exist, please complete the Code of Conduct Declaration Form in the Appendix section below and contact the Procurement Office.

Bribery Act 2010

University's Bribery Act Policy Statement

The University of Glasgow is committed to conducting its activities with the highest ethical standards. It expects its employees and representatives to reflect this commitment in their work, behaving honestly and with personal integrity. The University will not tolerate bribery or corruption and is committed to preventing bribery and corruption by its staff and by any party acting on its behalf. Bribery or corruption by University staff will be treated as a serious disciplinary offence. Should it occur, the University will take firm action, which may include dismissal and legal action.

The Bribery Act 2010 was introduced in order to create an international level playing field on bribery and corruption. If found guilty under the Act, companies, senior officers, employees or associated parties can be met with severe penalties of up to 10 years imprisonment for individuals and unlimited fines for companies.

The 4 main offences of bribery can be described as:

- 1) bribing a person to induce or reward them to perform a relevant function improperly
- 2) requesting, accepting or receiving a bribe as a reward for performing a relevant function improperly
- 3) using a bribe to influence a foreign official to gain a business advantage
- 4) a corporate offence of "failure to prevent bribery" by 'persons associated' with the University

Examples of bribery are (but not limited to):

- 1) Accepting or offering financial reward or another advantage, in return for business
- 2) Accepting or offering gifts with to intent influence, corrupt or cause obligation
- 3) Accepting or offering hospitality with intent to influence, corrupt or cause obligation

Training

The University has developed **online training material** to assist staff in understanding their duties in terms of UK Anti-Bribery and Corruption legislation. This course should be completed by all staff, including agents employed by the University, where their duties may place them in a situation where they might be exposed to bribery or corruption. It is essential for anyone doing international travel on behalf of the University, involved with any Procurement activity, and staff involved in areas such as international partnerships, student recruitment, and student registration and estates development.

The objectives of the training are that participants will be able to:

- Understand what bribery is (direct and indirect forms of Bribery).
- Understand the Bribery Act 2010.
- Identify instances of corruption and feel confident about reporting them.
- Anticipate difficult situations and take the necessary steps to avoid them.
- Deal with ethical dilemmas in the workplace.
- Understand that the onus is on the individual to comply with the Act.
- Apply the knowledge acquired in the course to comply with the Act.
- Inculcate respect for the law and inspire an ethical approach amongst all colleagues.
- Demonstrate clear understanding of the legislation through 100% pass rate for online assessment

Online Training Course can be found at: <http://moodle2.gla.ac.uk/course/view.php?id=7902>

For further information, the full Act can be found at <http://www.legislation.gov.uk/ukpga/2010/23/contents>

Gifts & Hospitality

With the exception of low value items such as a gift worth less than £25 or hospitality worth less than £50, employees must seek written permission from their Head of Department before accepting gifts or hospitality from potential or existing suppliers or their agents dealing with the University. Under no circumstances must the receipt of gifts or hospitality influence the choice of supplier. All Gifts & Hospitality should be recorded using the form provided in the **Appendix Section below**

If anyone has any doubts or requires further clarification on any part of this document, please contact the Director of Procurement.

Declaration for use of Contractors

Use of contractors should be recorded using the form “Declaration for Use of Contractors” provided in the **Appendix Section below**

CODE OF CONDUCT DECLARATION FORM

NOTHING TO DECLARE

Tender Reference: _____

Tender Title: _____

Procurement Lead: _____

I recognise the importance of the code of conduct in ensuring the proper conduct of the procurement, and I agree to abide by its terms. I confirm that I have reviewed and understood the following:

☐**Code of Conduct Guideline**

Taking part in this tender evaluation does **not** represent a conflict of interest or any concern with regards to the guideline. If I am in any doubt as to whether or not an action or situation is likely, or becomes likely, to constitute a conflict of interest, I will immediately consult the Head of Procurement.

Signature _____

Name _____

Job Title _____

Institution _____

Date _____

CODE OF CONDUCT DECLARATION FORM

POINT TO DECLARE

Tender Reference: _____

Tender Title: _____

Procurement Lead: _____

I recognise the importance of the code of conduct in ensuring the proper conduct of the procurement, and as such, I need to highlight a concern relating to (tick as appropriate):

☐	Code of Conduct
☐	Conflict of Interest
☐	Bribery Act 2010
☐	Gifts / Hospitality
☐	Other

Please comment concern:

I will cease procurement activity until communication has been received, by return, from the Head of Procurement.

Signature _____

Name _____

Job Title _____

Institution _____

Date _____

ESTATES & BUILDING SERVICES AND PROCUREMENT OFFICE

PRIVATE & CONFIDENTIAL

PERSONAL USE OF CONTRACTORS OR SUPPLIERS

**PROCEDURE FOR THE PERSONAL USE OF CONTRACTORS OR SUPPLIERS ON THE
ESTATES SERVICES APPROVED LIST**

ANNUAL DECLARATION

I confirm that during the calendar year ending 31 July [**INSERT YEAR**]:

(delete as appropriate)

- ☐ I did not employ a University Contractor/Supplier.
- ☐ I did employ a University Contractor/Supplier and I completed the appropriate pro-forma at the time.
- ☐ I did employ a University Contractor/Supplier and did not complete the appropriate pro-forma for the following reasons.
(Insert comment if applicable)

Print Name: (Member of Staff)

Signature: (Member of Staff)

Title: (Member of Staff)

Date:

Countersigned: (Director)

Date:

ESTATES & BUILDING SERVICES**PRIVATE & CONFIDENTIAL****PRO-FORMA****PROCEDURE FOR THE PERSONAL USE OF CONTRACTORS OR SUPPLIERS ON
THE ESTATES SERVICES APPROVED LIST**

To: **The Director of Estates SERVICES**

From:

Date:

Declaration of intent to employ a Contractor or Supplier on a personal basis who is on the Approved List.

Description of Works/or items to be purchased

Value

Evidence of alternative quotations (as appropriate)

**I declare that there is no conflict of interest in my capacity as _____ in
performing my duties within Estates SERVICES and for the University, for the following
reasons:**

Print Name: (Member of Staff)

Signature: (Member of Staff)

Title: (Member of Staff)

Date:

Countersigned: (Director)

Date: