Ollscoil Chathair
Bhaile Átha Cliath
Dublin City University

Anti-Corruption and Anti-Fraud Policy

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1 Introduction

1.1 Dublin City University (DCU) is committed to preserving the highest standards of honesty, transparency, probity and accountability, and recognises that staff and students play a key role in achieving these aims. Wrongdoing such as bribery, fraud, corruption or malpractice, or the covering up of these, can have a devastating effect on our professional reputations, working relationships and morale. Often, staff or students can be the first to know when someone inside or connected with their organisation is involved in illegal or improper activity and practices, but often they feel apprehensive about reporting their concerns.

1.2 This Anti-Corruption and Anti-Fraud Policy sets out a process by which staff and students can report corruption or fraud or suspected corruption or fraud.

2 Purpose

2.1 The purpose of this policy is to set out the University's responsibilities, and of those working on behalf of the University, in observing and upholding the University's position on fraud, bribery and corruption.

2.2 This policy aims to:

a) promote and support the University's culture of honesty, integrity and professionalism by outlining the key principles regarding corruption and fraud prevention and detection.

b) provide information and guidance to staff and students of the University on how to address suspicions of corrupt or fraudulent activities.

3 Scope

3.1 This policy applies to all University staff and students. For the purpose of this policy:

a) Staff means any person who is working or has worked under a contract at or for the University and/or its wholly owned subsidiary companies, including consultants, vendors, contractors and other 3rd parties with a relationship with the University.

b) Students means all current and former students, full-time and part-time, of the University.

3.2 The policy applies to all units of the University, both academic and support, including its research centres and its wholly-owned subsidiary companies.

4 Policy Statement

4.1 It is the policy of the University to promote a culture of integrity and honesty and to safeguard the University's resources by ensuring that opportunities for corruption and fraud are reduced to the lowest possible level of risk through the following:

a) operating an effective system of governance and internal control;

b) promoting the necessity and requirement for high standards of personal conduct through the employee code of conduct and student code of conduct;
c) dissemination of related policies, procedures and guidelines to members of the University community;
d) ensuring the appropriate segregation of duties across the University;
e) delegating approval authority across a range of personnel;
f) promoting a culture of transparency including the application of procedures in accordance with the good faith 'Whistleblowing Policy' (Protected Disclosures Policy) for those reporting allegations of fraud;
g) ensuring that appropriate management resources and structures are in place across the University in order to detect any incidence of fraud;
h) timely and appropriate management of any allegation of fraud in accordance with relevant University policies and procedures;
i) equal and fair treatment of all personnel who become the subject of a corruption or fraud allegation;
j) suspicions or allegations of potential corruption or fraud will be treated as confidential and will not be discussed with anyone inside or outside the University unless specifically directed to do so by Corruption and Fraud Response Panel leading the investigation into the alleged incident(s) of corruption or fraud.

5 Roles and Responsibilities

5.1 Responsibility of Management: All Heads of Unit are required to support and work with University Senior Management, other involved units and law enforcement agencies in the detection, reporting and investigation of dishonest or fraudulent activity including the prosecution of offenders. If a fraud is detected in an area, the Head of Unit is responsible for taking appropriate corrective actions to ensure adequate controls exist to prevent recurrence of improper actions.

5.2 Responsibility of Employees: It is the responsibility of all employees to conduct their university business in such a way as to prevent corruption or fraud occurring in the workplace. Employees must also be alert to the possibilities for corruption and fraud and be on guard for any indications that improper or dishonest activity is taking place. Employees have a responsibility to report any suspicion of fraud, without delay, in accordance with the separate Antu-Corruption and Anti-Fraud Procedure.

5.3 Responsibility of Students: As members of the University community, students are expected to have high standards of personal integrity and honesty. Students are responsible for:

a) adhering to University's Student Code of Conduct and Discipline and its policies & procedures;
b) operating in accordance with the principles of the University's Student Code of Conduct and Discipline;
c) the timely reporting of any deviations from this policy and or suspicions of corruption or fraud;
d) full co-operation with any University investigation, audit or review.

5.4 Matters concerning allegations of the violation of the University's Student Code of Conduct and Discipline, will be dealt with through the University's student disciplinary procedures.

6 Sanctions

6.1 Persons who cover up, obstruct, fail to report or monitor corruption or fraud that they become aware of, will be considered to be an accessory after the fact and may be subject to disciplinary action. Persons who threaten retaliation against a person reporting a suspected fraud shall be subject to disciplinary action. Persons reporting a fraud knowing it to be false may be subject to disciplinary action.

6.2 Where:

a) a member of the University has been found to be in breach this policy, including instances of where an individual covered up, obstructed, failed to report or monitor an instance of corruption or a fraud that they become aware of; or

b) where the University reasonably believes that a deliberately false fraud allegation has been made;

then the University may take appropriate action against the individual(s).

6.3 Any actions taken by the University with respect to staff and students will be initiated in accordance with the appropriate DCU regulations and disciplinary procedures, which may include (but are not restricted to) the following:

a) The initiation of steps for implementation of the Dublin City University disciplinary procedures under Dublin City University Statute No. 5 of 2010: 'Suspension and Dismissal of Employees'.

b) The initiation of steps for implementation of the Dublin City University Student Code of Conduct and Discipline.

6.4 The University reserves the right to take a separate civil action against any individual(s) it believes were, or are, involved in corrupt or fraudulent activity which concerns the University.

7 Definitions

7.1 For the purpose of this policy, corruption means the direct or indirect offering, seeking, or accepting of inducements, gifts, favours, payment or benefits in kind which may improperly influence the action of any person in relation to his or her office of employment, position or business. The corrupt person need not benefit directly from their deed; they may unreasonably use their position to secure or influence some advantage to another. Not reasonably taking action to prevent corruption also amounts to corruption. For the purpose of this policy, corruption is not limited to that as defined in the Criminal Justice (Theft and Fraud Offences) Act 2001 or the Criminal Justice (Corruption Offences) Act 2018.

7.2 For the purpose of this policy fraud is any dishonest act or omission that causes loss to the University, the avoidance of an obligation or that results in a benefit or advantage (to the person acting or omitting to act or to a third person) and is deliberate or reckless in relation to the harm caused or advantage obtained.

7.3 While it is not possible to list all categories of corruption or fraud, some categories include:

a) misappropriation of University assets including the unauthorised or illegal use of confidential or proprietary information;
b) financial fraud including misrepresentation of expense claims and the creation of and payments to fictitious vendors;
c) accepting or offering a bribe or accepting gifts or other favours under circumstances that might lead to the inference that the gift or favour was intended to influence an employee's decision-making while serving the University;
d) Colluding with vendors or third parties in providing preferred pricing, engaging in contract rigging, inflating invoices or the raising of invoices for which the related goods or services have not been received.
e) research fraud;
f) blackmail or extortion;
g) academic fraud;
h) computer fraud;
i) bribery or corruption;
j) knowingly creating and/or distributing false or misleading financial reports or information;
k) violation of the University's procedures with the aim of personal gain or to the detriment of the University.

8 Related Documentation

8.1 This Policy should be read in conjunction with the following codes, policies, and statutes:

a) Anti-Corruption and Anti-Fraud Procedure
b) Student Code of Conduct and Discipline
c) Protected Disclosures Policy (Whistleblowing Policy)
d) Statute 5: Suspension & Dismissal of Employees

9 Reporting

9.1 The Chief Operations Officer shall maintain a confidential record of all allegations received and investigations carried out under this policy.

9.2 An Annual Report will be prepared by the Chief Operations Officer and submitted to the University's Governing Authority in relation to corruption or fraud allegations received by the University in the preceding calendar year.

9.3 The Annual Report shall maintain the anonymity of all those involved and shall include information on:

a) numbers of allegations received
b) numbers referred to another procedure
c) numbers investigated and dismissed
d) numbers upheld and actions taken

10 Contact

10.1 For further details on any aspect of this policy, please contact:

Office of the Chief Operations Officer
Tel: 01-700 5117/8257
Email: coo@dcu.ie

11 Policy Review

11.1 This policy will be reviewed and amended as and when necessary.

12 Version Control

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