

Anti-bribery guidelines

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**Karolinska
Institutet**



Anti-bribery guidelines

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1 Introduction

It is the responsibility of all employees of Karolinska Institutet (KI) to remain objective and impartial in their case-handling, decision-making and actions. It is of vital importance that the public can trust the organisation to remain unaffected by undue consideration or outside interests. Rules on the taking and receiving of bribes are in place to maintain confidence in the impartiality of all employees, and apply to both the public and private sector; however, the courts are particularly stringent about corruption in the former.

It is a penal offence for an employee acting for the organisation to receive or demand compensation that might objectively constitute a bribe. KI is duty bound to refer such conduct for prosecution.

No employee or contractor of KI may accept a benefit that might objectively constitute a bribe without impunity. Criminal liability resides with the recipient of a bribe.

2 Purpose and scope

These guidelines are intended to provide guidance on what is and what is not permissible in the interests of preventing corruption.

The guidelines are for all employees and contractors of KI.

3 Bribery

Regulations concerning the crime of active and passive corruption (bribery) are provided in chapter 10 of the criminal code (1962:600). A breach of these regulations can lead to a fine or imprisonment. Penal measures prescribed by labour law are also possible. Whoever gives or receives a bribe might also be liable to pay damages.

An employee or contractor is guilty of *passive corruption* when receiving, accepting a promise of, or demanding an undue benefit in return for the performance of his/her duty as an employee or contractor. This also applies to the receipt of an undue benefit on behalf of someone else, such as a family member.

An employee or contractor is guilty of *active corruption* when giving, promising or offering an undue benefit in return for the performance of his/her duty as an employee or contractor. The act might also constitute criminal bribery even if the intended recipient rejects it.

For the giving or receiving of the benefit to constitute bribery, there must be a connection between it and the duty to be performed. It is sufficient for the recipient to be able to exert an influence on a matter and thus indirectly act in the giver's interests; in other words, the bribe does not necessarily have to directly benefit the giver him/herself.

By *undue benefit* is meant bribes and transactions in the form of money, material gifts, services and the like that might influence how a task is performed or that can be considered a reward for how a task has been performed.

4 Benefits

4.1 General

Benefits can take many different forms. What determines whether a benefit is undue or not is not its kind or quality but the value it has for the recipient and whether it can be assumed to influence the recipient to act in a certain way in the performance of his/her duties.

Gifts of little value, such as a flower at Christmas or a small box of chocolates are acceptable, but must be for an entire office/section rather than an individual person. Symbolic gifts are acceptable even if they are given personally.

4.2 Borderline cases

Caution should be exercised with gifts and benefits from persons or companies with whom an employee has dealings in the performance of his/her duties.

In event of doubt, a gift or a benefit must be refused.

A gift that an employee cannot decline without causing offence must be passed as soon as possible to a manager authorised to make a decision on how KI is to deal with it.

5 Employees at particularly high risk

Employees and contractors who are particularly exposed in the performance of their duties and whose work involves the exercise of public authority (e.g. admissions and examinations), procurement matters, IT and those working as contracted suppliers or consultants, are under particularly strict obligation to comply with the regulations. For such individuals, even a symbolic gift can be considered a bribe. Gifts of little value, such as product samples, a simple bouquet or a small box of chocolates, may be received if given to an entire office/section rather than an individual person. Basic meals are also acceptable.

6 Permitted and prohibited benefits

An employee who is offered a gift from an outside party must ask him/herself the following questions:

- Is this a benefit and why am I being offered it?
- What is the benefit worth?
- Has the benefit been given to more people than me?
- Is there a danger of me being influenced in my work?
- Would receipt of the gift undermine public confidence in KI?

6.1 Examples of normally acceptable benefits

- Working meals of an everyday nature taken in connection with meetings
- Small product samples and promotional material in connection with company visits or similar events
- Ornaments and keepsakes of insignificant market value for guests at corporate anniversary celebrations, collaborations and the like

6.2 Examples of benefits that are never permitted

- Gifts before or after examination
- Cash, vouchers or other monetary substitutes, such as securities and share or claim certificates
- Cash loans on particularly favourable terms
- Guarantee commitments or liability coverage
- Remission of purchase price or claim, amortisation or interest
- Kickbacks on the purchase of goods, flights or hotel bookings if the bonus accrues to the employee rather than the employer
- Informal deliveries of goods and services from a supplier (e.g. building material, transport and skilled trade services, office material and foodstuffs)
- The provision of vehicle, boat, country cottage or the like for private use
- Wholly or partly paid-for pleasure trips or holidays
- Invitations to parties and exclusive dinners unrelated to work and KI's activities
- Tickets to plays, sporting events, cultural events and the like

Invitations to parties and dinners, tickets to cultural/sporting events and the like and social or leisure activities are prohibited if they are independent of work and KI's activities (i.e. if they do not form part of an employee's work duties).

In connection with KI's activities and work-related meetings, simple social activities such as musical entertainment may be arranged as long as they are incidental to both activity and meeting.

7 Reporting bribery

Whoever discovers some form of anomaly, irregularity or crime at the workplace can contact his/her immediate manager or other appropriate superior. Reports can also be filed anonymously by completing the form on KI's incident reporting webpage. Incidents can also be reported to KI's internal audit office. All reports of suspected passive or active corruption may be made anonymously.