

GUIDANCE: FACILITATION PAYMENTS

This guidance is for staff and students who will be travelling overseas for any purpose, either research related or on regular school business and particularly those that are travelling to countries with high risk of corruption, although facilitation payments may also be made in the UK and Europe.

What is a Facilitation payments?

The School has a zero tolerance approach to all forms of fraud and bribery, employees and associated persons must not engage in any form of fraud or bribery in connection with or relating to any activity carried out on behalf or in the name of the School.

Facilitation payments are a type of bribe and are illegal under UK Bribery Act 2010 and so should not be paid. Facilitation payments are usually small, unofficial or covert payments which are sought in order to do a job properly or more quickly or for preferential treatment, usually things you are already entitled to. For example: customs clearance, work permits, licences, official documents and roadblocks.

It is important to note that there may be circumstances in which individuals are left with no alternative but to make payments. Payments should be made where individuals fear for their safety. UK Bribery Act guidance recognises that payments may be made 'in order to protect against loss of life, limb or liberty'. In such cases where payment is unavoidable the full details should be reported when it is safe to do so to ethics@lse.ac.uk

Examples of possible facilitation payments

- An academic conducting research overseas is asked to pay a small sum of cash directly to a customs official to avoid excessive delay in importing research equipment required to do the work.
- Whilst visiting an overseas office a senior University manager is asked to pay a sum of money directly to a foreign government official in order to sign registration documents.
- A University employee assigned to work overseas is asked to pay a sum to an immigration official to expedite his/her work permit application.
- A University employee in receipt of a valid entry visa is asked to pay an additional 'visa payment' to facilitate entry to the country.

How to deal with facilitation payment requests

The 4 Rs approach to resisting facilitation payments stresses the importance of knowing how to plan in advance to avoid these situations and how to deal with them when they arise. The 4Rs:

1. Research
2. Resistance
3. Recording
4. Reporting

RESEARCH In advance of your travel research:

- find out about any local anti-fraud and bribery initiatives;
- official payment requirements, authorisations or permits may be required. If possible gain official written confirmation that all documents are in order;

- risk assessment of the likelihood that you will be asked to make a facilitation payment, type of payment and response;
- ensure that those you are working with are aware of the Schools zero tolerance approach to fraud and bribery, including facilitation payments;
- build in the necessary time required to get through the administrative formalities in advance of your travel;
- you may also seek assistance from a person familiar with the local context, procedures and process.

RESISTANCE If it feels safe to do so:

- Question the legitimacy of the request;
- Explain that you have confirmation that your papers are in order from the relevant authorities and therefore you don't believe you need to make the requested payment;
- Explain that facilitation payments are against School policy, UK law (and local law where applicable), and that you would be required to report any payments to your organisation;
- If after resisting the payment, the payment appears unavoidable you should:
 - negotiate the minimum amount possible;
 - avoid making a payment in cash directly to the official. Asking to make a payment through an office or with a receipt can be a useful tactic to avoid payment.

RECORDING, keep full and accurate records of:

- all payments that have been requested;
- all payments which have been made including steps that were taken to resist payment;
- if possible, discreetly record the details of the individual requesting the payment and any other details it feels safe to get.

REPORTING, as soon as it is safe to do so:

- report the payment to your manager or supervisor and ethics@lse.a.uk;
- explain why you had to make the payment;
- all incidents will be reported to the Chief Financial Officer and Director of Finance who are responsible for recording and reporting cases to the finance and audit committees in accordance with the School's policy against fraud and bribery;
- the School will consider what further reporting to relevant authorities is required;
- Incidents will be considered by the Health and Safety team to identify trends and provide support to other members of the School who may be at risk;
- All suspected incidence of fraud and bribery should be reported as per the [LSE Policy Against fraud and bribery](#) or the [Whistleblowing policy](#).

For further advice

On travel: Health and Safety team, Health.and.safety@lse.ac.uk

On fraud and bribery: Stephanie Allison, Ethics Manager, Secretary's Division ethics@lse.ac.uk or +44 2079557975

Further information

[LSE Policy Against fraud and bribery](#)

[Hospitality and Gifts procedure](#)

[Ethics Code](#)

[Whistleblowing policy](#)

[Financial Regulations](#)

[Fieldwork, overseas travel and off site activities](#)