

Preventing risks of breach of integrity in a university environment

Interview with Mr Claude Duchemin, State Sector and Operator Manager, in the department of Advice to Public Actors, within the Sub-Directorate for Advice, Strategic Analysis and International Affairs, French Anti-corruption Agency.

In a few words, what is the French Anti-Corruption Agency?

The French Anti-Corruption Agency was created by the law of December 9, 2016, with regards to transparency, to the fight against corruption, and the modernization of economic life, known as the "Sapin II" law.

Its goal is to help companies and public figures to prevent and detect breaches of integrity. To do this, the AFA carries out its control and advisory missions focused on these public and private actors.

What is a breach of integrity, and in what forms does this manifest?

"Breach of integrity" is a broad term which covers 6 infractions defined by the Criminal Code:

1. first, corruption,
2. then influence peddling,
3. extortion,
4. unlawful conflict of interest,
5. misappropriation of public funds,
6. and finally, favoritism.

For example, in a university, an instructor who accepts money from a student in return for the validation of an exam would be committing an offense of corruption. Similarly, an instructor who receives money from a student in order to use their influence on administrative services to facilitate acceptance into the university would be committing the offense of influence peddling. Or the director of an establishment who signs a research partnership contract with a company that is run by a member of their family would be committing the offence of unlawful conflict of interest.

What are the areas of risk in terms of breach of integrity?

In the case of higher education and research establishments, we can give the logical examples of the management of research and development contracts or the instruction of students from admittance until graduation. Processes like HR with the promotion of staff and the accumulation of activities or public spending are also taken into account. Likewise, sponsorship and patronage actions which are important and positive, but which must be regulated.

What are the protections against the risk of breach of integrity?

The overall approach envisioned by the AFA recommendations is based on 3 pillars: First, the commitment of the governing body. Then, the development of a risk map. And finally, the management of these risks, focusing on prevention and detection.

What are the key habits or responses to adopt for a public official?

I'll name a few good reactions, in a university setting, all public agents have rights and responsibilities. The General Civil Service Code anticipates that they should perform their functions with dignity, impartiality, integrity, and finally, sincerity. In a situation of uncertainty as to what action to take, for example in matters of conflict of interest, the agent should: contact their superior, who can delegate the processing of the file or the preparation of the decision to someone else, or refrain from using a delegation of signature and refrain from sitting in a collegial body, such as a board of directors or a competition jury, or to deliberate there.

Ultimately, it is always possible to contact the ethics representative for advice.

More information on the French Anti-corruption Agency website: <https://www.agence-francaise-anticorruption.gouv.fr/fr>

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