

Conflict and Declaration of Interests - guidance

1. Introduction

As an institution in receipt of public and other funds the University has a duty to fulfil the highest standards of governance and is committed to the accepted principles of public life (selflessness, integrity, objectivity, accountability, openness, honesty and leadership).

During the course of duties colleagues may be involved in making decisions, entering into transactions, contracts or commitments on behalf of the University. It is, therefore, important that if colleagues have a private interest, financial or otherwise, that could overlap with their University duties then this interest be declared and managed appropriately.

The University encourages colleagues to engage in appropriate external activities but it is necessary to have procedures to protect colleagues and the University from reputational damage and other liabilities, whether potential, actual, perceived or alleged.

As part of achieving this, senior members of staff (Heads of Schools, Heads of Directorates and Grade 9), staff in Procurement and Research and Enterprise Services, all members of the Council and lay members of other University Boards and Committees are required to declare any conflicts of interests where they might have a material, personal, financial or other beneficial interest in any transaction between the University and a third party.

The University Secretary requires these groups of individuals to submit an annual declaration of interest, including nil returns where no conflicts exist. If a conflict arises in year colleagues have an obligation to report it. The University Secretary oversees matters relating to conflicts of interests and maintains the Register of Interests, which is updated annually at the start of each academic year.

Other members of staff who do not have to submit an annual return must make a declaration if they become involved in an activity where there is or may be perceived to be a conflict of interest. In such cases, please contact the Head of Governance.

It is the responsibility of the individual to make any declaration in advance, or if this is not possible, at the time the conflict arises.

In accordance with the provisions set out within the Financial Regulations (22.15/22.16), a member of staff or lay member who is about to accept a new directorship or partnership which may result in a conflict of interest should also discuss this in advance with the University Secretary.

2. Determining whether there is a conflict of interest:

The purpose of this guidance is to help clarify what interests should be declared. If in doubt, it is better to declare any potential interest.

Conflicts of interests can be either financial, non-financial or both, and arise when there is potential for interference with the staff member's independent judgement in University matters. It is the responsibility of the individual to recognise situations and/or activities in which they might have a conflict of interest, or might reasonably be seen by others to have a conflict.

2.1 Financial conflicts of interest refers to any amount of monetary value, including, but not limited to:

- Pay;
- Commission;
- Consultancy Fees;
- Equity Interests;
- Forgiveness of debt;
- Property;
- Intellectual Property Rights;
- Services;
- Loans.

2.2 Non-Financial conflicts of interest might arise where the individual might receive non-financial benefit or advantage, including, but not limited to:

- Enhancement of one’s career, and education;
- Gain to immediate family (or a person with whom the individual has a close personal relationship);

Conflicts of interest might also apply if the financial or non-financial activity benefit a family member or a person with whom the individual has a close personal relationship. For that reason, the Declarations of Interests Form includes specific questions concerning any relationships that immediate family members may have with the University or its subsidiary companies.

The below table is not an exhaustive list, but provides examples of what should and should not be declared. In cases of doubt, it is recommended that a declaration is made. Advice may also be sought from the Head of Governance.

Declare through this process
Paid work outside the University, including as an employee, worker, agent, consultant or otherwise in a self-employed capacity.
Directorship (Executive and Non-Executive), whether remunerated or not (including spin-out and dormant companies).
Trusteeships or participation in the management of charities and other voluntary bodies
Public appointments
Elected Office
Other payments received, pecuniary interests or other interests (financial or otherwise) which might interfere with the staff member’s independent judgement in University matters or which might reasonably be perceived as likely so to interfere.
Pay, Commission, Consultancy Fees, Equity Interests and Forgiveness of Debt
Membership of a board, committee or other organisation where interests may conflict with those of the University.
Shares held in any company (5% or more shareholding) where the share value might be affected by a University decision.
Any work or other commitment outside the University which might significantly impact on your time commitment to your University duties.

Over-dependence on a particular company for research funding which could result in that company either formally or informally influencing the direction of the research or the dissemination of results
Interests as above held by immediate family members, partners, or persons with whom the member of staff has a close personal relationship
Members of immediate family, partners, or persons with whom the member of staff has a close personal relationship, who have provided consultancy to the University or any of its subsidiary companies

No need to declare through this process
Any interest through being an employee of the University
Academic roles such as external or visiting examiner
Work authorised using the Consultancy Policy
Membership of a sports club, charity, voluntary body, trade union, political party. However, a person who holds a position of authority (e.g. Board member), even if unpaid, must declare this if that organisation has a link to the University

3. Declaring a conflict of interest:

It is the responsibility of the individual to recognise situations and/or activities in which they might have a conflict of interest, or might reasonable be seen by others to have a conflict.

Interests should be declared in the following manner:

- i. As part of the Annual Declaration of Interests circulated by the University Secretary;
- ii. As soon as a potential conflict of interests arise to your line manager or the relevant person leading the activity or transaction, and to the Head of Governance.

4. Meetings:

In relation to committee membership colleagues are reminded, in accordance with Financial Regulation 22.15, that in any instance where a potential conflict of interest has been identified, the staff member concerned should take no part in discussion or decision-making related to that conflict, and should leave the meeting for the discussion of that agenda item.

5. Confidentiality and Data Protection:

- 5.1 It is the University's aim to deal with matters covered by this process sensitively and with due respect for the privacy of any individuals involved. All parties must treat as confidential any information communicated to them in connection with a matter which is subject to this process, subject to the need to seek appropriate advice and guidance or to implement any decision made under it. The University will, during or at the conclusion of the process, inform such individuals or organisations as it considers necessary, having due regard to all the relevant circumstances.

- 5.2 In cases where the University holds personal data relating to individuals as a result of this procedure, the University will comply with the provisions of the General Data Protection Regulation (“GDPR”) and all associated legislation at all times. This includes, but is not limited to, ensuring that any personal data held on such individuals is:
- not excessive but relevant and limited to the purpose for which it is held;
 - held securely (and in accordance with University policies);
 - not shared with third parties (unless this can be lawfully shared in accordance with GDPR); and
 - not held for any longer than is necessary.

6. Conduct:

6.1. Failure to keep your register of interests up to date, at least on an annual basis, may constitute misconduct and may be referred to the appropriate University disciplinary process for action.

6.2 Where a member of staff takes a decision which disadvantages the University in favour of a third party with which they have relationship, it will be referred immediately to the appropriate University disciplinary process for action.

6.3 A member of staff who knowingly assists another staff member to conceal a conflict of interests or to make a decision which benefits a third party over the University may also be referred to the appropriate University disciplinary process for action.

7. Relevant policies:

- [Financial Regulations](#)
- [Fraud Policy](#)
- [Consultancy Policy](#)
- [Anti-Bribery and Corruption Policy](#)
- [Code of Good Practice in Research](#)
- [Staff/Student Relationship Policy](#)
- Gifts: Staff are reminded that, before accepting any gifts and/or hospitality, they must act in accordance with the [Expenses, Benefits, Hospitality and Gifts Policy](#), and record all details including justification for acceptance, in their School or Function Gifts and Hospitality Register.

Document control

VERSION	SECTION	KEEPER	REVIEWE D	APPROVED BY	APPROVAL DATE	START DATE	NEXT REVIEW
1.0	AGS	University Secretary	Annually	UEB	9.7.18	9.7.18	9.7.19
1.1.	AGS	University Secretary	3 years	CUPP	15.2.21		January 2024
2	AGS	University Secretary	3 years	CUPP	28.02.22	28.02.22	January 2025