

DECLARATION OF INTEREST POLICY

September 2023

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The latest version of this document is always to be found at:

<https://policies.docstore.ac.uk/policy-104.pdf>

Summary

What is this document about?

The purpose of this Policy is to provide a framework to help to ensure that staff and governors do not place themselves in a position where their professionalism, integrity, impartiality and honesty might be questioned or where the activities of the University are brought into disrepute.

Who is this for?

The University expects all staff and governors to behave with integrity, impartiality and honesty and to maintain high standards of propriety and professionalism at all times. Staff and governors must avoid placing themselves in a position where their actions may create perceptions of a conflict of interest between their professional duty and their private interests.

How does the University check this is followed?

Compliance is monitored by the Executive Director of Corporate Governance and the implementation of this Policy is the subject of periodic audit.

Who can you contact if you have any queries about this document?

Queries can be directed to [Corporate Governance](#).

Policy

Introduction

1. The University encourages its staff to participate in a wide range of external activities that are complementary to its strategic goals and serve the public interest. Such activity brings benefits for the individual, for the University and for society. These activities may include, for example, governorships, trusteeships and voluntary work. However, such activities may sometimes give rise to actual, potential or perceived conflicts of interest and staff must ensure that these are properly and fully declared to the University.
2. Staff employed on a full-time basis are expected to devote their primary professional commitment to the University and to ensure that any time devoted to external activities does not create a conflict of commitment that adversely affects their ability to meet all their responsibilities to the University. Staff employed on a part-time basis are expected to ensure that their professional commitment to the University is not compromised by other sources of employment or by professional or personal interests.
3. Staff and governors must recognise that they occupy a position of trust and that their duties will sometimes give them authority and power over other individuals. Staff must avoid placing themselves in a position where their ability to exercise power and authority impartially and fairly is compromised or they render themselves open to claims of misuse of power and authority.

Staff and Governor Responsibilities

4. All members of staff and governors have a responsibility to:
 - (a) Identify situations where they have a conflict of interest, or situations where there is potential for a conflict of interest or the perception of a conflict of interest to arise.
 - (b) Disclose those situations to the University as soon as they are identified. Failure to disclose a conflict of interest may result in disciplinary action.
 - (c) If required, take appropriate measures to manage those situations under the procedures set out in this Policy.
5. Staff occupying some roles within the University have additional responsibilities under this Policy. These are outlined in paragraphs 23 to 25.

What is a Conflict of Interest?

6. The scale and scope of the University's activities do not make it possible for this Policy to exhaustively define all the circumstances in which a conflict of interest may exist. However, a conflict of interest may be described for the purposes of this policy as including any situation in which the personal or professional interests or activities of a member of staff or governor conflict, or have the potential to conflict, with the University's interests and activities.

Making Declarations of Interest

7. Declarations of interest should be submitted using the [online proforma](#) (internal link, VPN required). Hard copy forms may be requested from the Executive Director of Corporate Governance.
8. Records of declarations will be managed by the University Records Manager and will be made available to the following roles: the line manager at the time of the declaration; the Chief People Officer; the Chief Financial Officer; and the Head of Procurement. All involved have a duty to respect and maintain the confidentiality of information disclosed unless this compromises their responsibility to ensure that the purposes of this Policy are not circumvented.
9. If any member of staff or governor is unsure whether a situation or activity constitutes an actual or potential conflict of interest then they must seek advice from the Executive Director of Corporate Governance or from the Human Resources Department.
10. Staff may also wish to consult the [Gifts and Hospitality Policy](#).

Interests that should be Disclosed

11. The following information should be disclosed on the proforma if deemed likely to create an actual or potential conflict of interest or a perception of a conflict of interest:
 - (a) **Remunerated employment, office, trade, profession or vocation**
Staff and governors must declare any employment (other than at the University), office, trade, profession or vocation from which they derive an income, profit or other form of material gain.
 - (b) **Financial securities**
Staff and governors must declare the names of any companies or bodies corporate in which they own securities (for example, shares or bonds) for their own benefit where the holding represents more than 1% of the issued capital of the organisation.
 - (c) **Contracts with the University**
Staff and governors must declare any contract (other than their contract of employment or consultancy contracts under the auspices of the University) which they have with the University or any of its subsidiary companies. This obligation includes contracts between the University and any company from which the staff member or governor derives employment or is a director or in which they have a financial interest.
 - (d) **Directorships, governorships and charity trusteeships**
Staff and governors must declare any directorships, governorships or charity trusteeships that they hold.
 - (e) **Personal relationships**
Staff and governors must declare any actual, potential or perceived conflicts of interest that may arise from their personal relationships.
For the purposes of this Policy, a personal relationship is defined as a:
 - i. Family relationship
 - ii. Business or commercial relationship
 - iii. Financial relationship

- iv. Intimate or close personal relationship
- v. Close friendship of a social nature

Staff must not be involved in the recruitment, selection, appraisal, promotion, redundancy, severance, redeployment, appeals or any other processes that may confer advantage or disadvantage to any individual with whom they have or previously had a personal relationship.

If staff are uncertain about whether they need to declare a personal relationship then they should seek confidential guidance from the Executive Director of Corporate Governance or from the Human Resources Department.

Intimate or Close Personal Relationships between Staff

12. Pre-existing relationships between staff should be disclosed prior to appointment. Should an intimate or close personal relationship develop between colleagues when they have commenced employment, and where there is a line management or supervisory link, then the relationship should be disclosed to their line manager or head of department/service. It is the responsibility of the senior of the two staff within the relationship to make this disclosure. The line manager or head of department/service who receives this report has a responsibility to act upon this information (see paragraphs 18 and 19).

Intimate or Close Personal Relationships between Staff and Students

13. In order to maintain a professional relationship with students based on trust, confidence and equal treatment, staff are prohibited from entering into an intimate or close personal relationship with a student. Such relationships can lead to a lack of confidence in the integrity of due process and perceived or actual conflicts of interest, which can have a detrimental effect on the teaching and learning environment for other students and colleagues.
14. Where students are employed on a part-time basis by the University they are defined for the purposes of this policy as a student and not as an employee. Where staff are also enrolled as students at the University, they are defined for the purposes of this policy as an employee.
15. An intimate or close personal relationship between a staff member and student is in breach of the University's Personal Relationships Policy and will be investigated under the University Disciplinary Policy and Procedure.

Responsibility for Acting Upon Information Concerning Intimate or Close Personal Relationships between colleagues

16. The line manager or head of department/service who receives this report has a responsibility to act upon this information to ensure that any conflict of interest does not disadvantage either the student concerned or other students and/or staff. The line manager or head of department/service should:
 - i. Assess any conflict of interest, real or perceived
 - ii. Consider the welfare and/or concerns of any other individuals or groups
 - iii. Consider who needs to know about the disclosure

- iv. Put in place measures to address and/or prevent the actual or perceived conflict(s) of interest. These might include allocating alternative work tasks; amending teaching supervisory provision for students; and ensuring that the staff member does not access confidential information about the student
 - v. Put in place measures to protect the integrity and welfare of both parties
 - vi. Keep these measures under regular review, including regular contact to be made with the student and staff member separately to identify further conflicts of interest arising
 - vii. Maintain a record of the disclosure and provide a copy to the Executive Director of Corporate Governance who will ensure that this is recorded within the register of interests
17. Further guidance on how line managers or head of department/service should carry out their duties can be provided by the Executive Director of Corporate Governance or by the Human Resources Department.

Process for Collecting Declarations of Interest

Immediate Declarations

18. Staff and governors must make a declaration as soon as it becomes apparent that they have an actual or potential conflict of interest. New members of staff and new governors will be signposted to this Policy via their letters of appointment and during their induction programmes.

Annual Reminders

19. All staff will be reminded annually in the first week of October via an all-staff email. Line managers will be responsible for ensuring that any staff that they manage who do not have access to all-staff emails are advised that the reminder has been issued.
20. Governors will be reminded annually of their responsibilities under this Policy via correspondence each October from the Executive Director of Corporate Governance.

Designated Roles

21. The University has designated certain roles within the University as being at greater risk of claims or perceptions of a conflict of interest. These are primarily roles that involve contract and procurement decisions. Those holding such roles are required to make a compulsory annual declaration of interest. This annual declaration is required even if it is a 'nil' return and is in addition to the requirement to make a declaration as soon as an actual or potential conflict of interest becomes apparent.
22. The Executive Director of Corporate Governance will maintain a list of designated roles. This list will be updated through an annual consultation with University Executive Board members that will be undertaken in September each year, prior to inviting staff holding designated roles to make their compulsory annual declaration of interest.
23. The Executive Director of Corporate Governance will write to staff holding designated roles in October each year to request their annual compulsory declaration of interests. Responses are required within one month of the date of the request and staff may face disciplinary action if they fail to comply with this request.

Review of Declarations of Interest

24. All declarations will be reviewed by the Executive Director of Corporate Governance. The declaration made by the Executive Director of Corporate Governance will be reviewed by the Vice-Chancellor.
25. The Executive Director of Corporate Governance will initiate discussions with the relevant their line manager or head of department/service if they believe that a declaration does or has the potential to create a conflict of interest.
26. Line managers or heads of department/service must initiate discussions with the Executive Director of Corporate Governance if they believe that a declaration made by one of their staff does or has the potential to create a conflict of interest.
27. In the majority of instances, declarations will not require any action to be taken. If a review of the declaration indicates that an actual or potential conflict of interest exists then the Executive Director of Corporate Governance will discuss this with the relevant their line manager or head of department/service and a course of action will be determined. This may include:
 - (a) Deciding that the disclosure is sufficient and that the activity or situation is acceptable.
 - (b) Requiring specific adjustments or making stipulations to mitigate or eliminate the actual or potential conflict of interest.
 - (c) Requiring that the individual's involvement in the situation or activity must cease.
28. The member of staff is responsible for complying with the course of action that has been determined and may face disciplinary action if they fail to comply.
29. The Executive Director of Corporate Governance will maintain and ensure the retention of a secure written record of the follow-up action taken in response to the identification of any actual or potential conflict of interest.

Requirements of Good Governance

30. The Executive Director of Corporate Governance will maintain a register of all interests declared by governors and for roles identified as senior posts by the Board of Governors. In accordance with good practice and guidance from the Committee of University Chairs, this document will be published via the University's website.
31. To ensure that the University complies with its reporting requirements as an exempt charity, governors are required to make declarations for any other charities of which they are trustees, even if no actual or potential conflict of interest is apparent.
32. A standing item shall be included on the agenda of every meeting of the Board of Governors and its committees to enable governors to declare any actual or potential conflicts of interest with matters to be discussed at the meeting.

Failing to Make a Declaration of Interest

33. If staff or governors are found to have failed to make a disclosure and there are reasonable grounds for believing that this has unduly influenced actions or decisions made in their professional capacity as an employee or governor then they may be subject to disciplinary action.

Terms and Conditions of Employment

34. This Policy applies in addition to, and does not in any way replace, the requirement for staff to seek permission for certain activities as may be stipulated in their terms and conditions of employment.

Data Protection

35. Information disclosed under this Policy will be processed in accordance with applicable data protection legislation. Data will be processed only to ensure that the objectives of this Policy are met and will be used for no other purpose.

Freedom of Information

36. The University may receive requests made under the Freedom of Information Act 2000 for information that has been disclosed under this Policy. The University will comply with its obligations under the Act but will protect the privacy of individuals wherever possible and will discuss any request under the Act with the individual(s) concerned prior to making any disclosure.

Raising Concerns

37. Staff or governors who may have concerns that another member of staff or a governor has not disclosed a conflict of interest should raise any concern via the University's [Whistleblowing Policy](#).

Further Guidance

38. Further guidance on this Policy is available from the [Executive Director of Corporate Governance](#).
39. Some [Frequently Asked Questions](#) about declarations of interest are available (internal link, VPN required).

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