



### **Q. Why does the University have a Conflict of Interest Policy and Procedure?**

It is possible that individuals could encounter certain situations as part of their roles when personal interests could reasonably be perceived as affecting, or having the potential to affect, their ability to make impartial decisions on the University's behalf. This does not necessarily imply improper conduct or lack of integrity. What is important is that all such conflicts are disclosed, reviewed and (where necessary) managed in order to avoid the risk of decisions being, or appearing to be, improperly influenced and to prevent damage to the reputation of the individual or the University.

The aims of the policy and procedure are to:

1. enable individuals to recognise where their personal interests conflict with, or may reasonably be perceived to conflict with, their University duties;
2. communicate the expectations for declaring and recording such conflicts
3. set out the processes for managing conflicts of interest in order to ensure that business decisions are made objectively and in the best interests of the University

Most organisations have policies on disclosing and managing conflicts of interest: this Policy is consistent with those of other UK universities.

### **Q. Who does this Policy apply to?**

Section 2 of the Policy states that it applies to all those representing the University, including but not limited to employees, emeritus staff, honorary and visiting lecturers, University trustees (i.e. members of Council) and co-opted members of Council sub-committees, volunteers, contractors or consultants, and directors of the University's subsidiary companies.

All individuals who fall within the above definition are encouraged to familiarise themselves with the policy and procedure, this FAQ and act upon it when required.

### **Q. Who should complete the online annual declaration of interests form and how does it work?**

Trustees, and members of the Executive and some other senior staff - as set out in Annex A to the Conflict of Interest procedure.

The form is detailed and lengthy, but it need only be filled out in full on the first occasion and updated from thereon annually or as your circumstances change. If you have nothing to declare you should complete a nil return.

Individuals who complete the form are still required to draw the University's attention, when applicable, any situations which they believe may represent an actual or potential conflict of interest.

Interests must also be declared as part of meetings, in any relevant items included in the agenda for that meeting.

### **Q. How do I know which interests I should declare?**

Section 3 of the Procedure provides guidance on how to identify a conflict/potential conflict of interest.

Simply put, you will have a conflict of interest if your duties and responsibilities to the University could be affected or be perceived to be affected by some other interest or duty that you may have.

If your other interest or duty could, or be perceived to, lead you to make a different decision, or take a different course of action, then, you have a conflict of interest.

Questions to consider when deciding whether an interest, or the interests of someone with a close personal connection to you, could (or could appear to) conflict with, your University duties include:

- Is there any risk that others might conceivably think my judgment was potentially clouded by this interest?
- Could a decision in which I was involved be potentially criticised because of my involvement?
- Do I have any personal reason for wanting a particular outcome from a decision-making process in which I am involved?
- If I became aware of someone else in a similar position, would I take the view that they might have a conflict of interest?

If you answer 'yes' to any of these questions you should declare the interest, even if you believe that there is no actual conflict. If you are in doubt about whether to disclose a particular interest, we suggest that you declare it. Often disclosure will be sufficient, and your declaration of interest will be on record if questions ever arise.

#### **Q. What if I know that I won't let my interests get in the way of my duty to the University?**

Perception is very important. An individual may conscientiously avoid letting their external interests influence their role at the University, but even so, you should ask: could a reasonable observer in the circumstances still consider that your decision or action could be biased or affected by some other interest you might have?

Individuals have to be fully aware of the reputational damage that a potential conflict could cause to themselves and/or to the University.

It is far better to be open and pro-active in managing a potential conflict of interest than to have to deal later with any accusation that the situation was not managed appropriately.

#### **Q. Who is responsible for identifying and disclosing a conflict of interest?**

The individual is responsible for identifying and disclosing a conflict of interest as soon as they become aware of it.

#### **Q. What if the issue is complex and it is not obvious whether any action needs to be taken, or what that action should be?**

Some situations are not clear cut. This requires individuals to assess the seriousness of the matter and use discretionary judgement relating to a particular situation. Seeking advice from your manager or relevant senior member of staff is usually a good first step.

#### **Q. What is meant by a 'close personal relationship'?**

The Policy asks you to declare the interests of those you share a 'close personal relationship' with, if these interests could reasonably be perceived as representing a conflict of interest with your University duties. Close personal relationships will include, but not be limited to, any

children, in-laws, siblings, partner or spouse. You should exercise your judgement if you think that the interests of another close personal connection (for example, a long-standing friend or a niece who lives with you) could reasonably be perceived as representing a conflict of interest with your University duties and so need to be declared.

**Q. What kinds of actions may be put in place and will I be informed?**

Section 6 of the Procedure sets out some possible ways of managing conflicts of interest. These range from a simple record of the declaration, through more active management plans to (in extreme cases) avoidance of the conflict. In some cases, it may be sufficient to simply note the disclosure with no further action required. The relevant individuals should liaise with you to determine how to manage your declared interests as necessary.