

Conflict of interest

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1.0 Rationale and principles which this policy seeks to uphold

1.1 The purpose of this policy is to safeguard the name, reputation, and integrity of the University. It also addresses potential conflicts of interest and conflicts of commitment which may occur when a member of the University (as defined in scope below) has an interest, or incurs an obligation, in a business, organisation, transaction, individual, or professional activity which could unduly interfere with the proper discharge of their duties towards the University.

2.0 Scope

2.1 This policy is applicable to all members of the University: staff, students, members of the University Council, and other associated partners of the University.

3.0 Definitions

3.1 Any activity or action is considered a conflict of interest when a member of staff or Council member has an interest, or incurs an obligation, in a business, organisation, transaction, individual, or professional activity which could unduly interfere with the proper discharge of their duties as a member of staff or Council member.

3.2 Conflict of interest exists when a member of staff or Council member personally benefits, or is perceived to benefit personally, from an activity, transaction or interaction with an individual or entity.

- 3.3 A member has a perceived or apparent conflict of interest if there is a reasonable perception, which a reasonably well-informed person could properly have, that the member of staff or Council member's integrity or ability to exercise power, or perform duty or function is likely to have been affected by his or her private interest.
- 3.4 Perceptions of a conflict not only arise in relation to staff member's or Council member's interests or obligations in businesses, organisations, transactions and individuals doing business with the University. They may also arise where the member is a purchaser of services from the University.

4.0 Policy

- 4.1 The University requires all its members to avoid conflicts between their own interests and those of the University. Should a member of the University incur or perceive they may incur conflicts of interest, it is incumbent on them to make proper disclosure.
- 4.2 Members of the University must ensure that external business or professional activities do not conflict with their obligations (as student, member of Council, or member of staff) as defined in University policy and/or contract.
- 4.3 Members of the University must not benefit or seek to benefit financially or otherwise from activities that incur financial, resource, operational, or reputational cost to the University.

5.0 Procedures

University Council

- 5.1 Members of University Council are obliged to disclose at the earliest practicable opportunity any financial or other beneficial interest (including substantial gifts or hospitality) that they or a family member or any organization in which they hold office or employment may have, in any transaction between the University and a third party. The circumstances in which such a declaration is appropriate are:
 - 5.1.1 When Council has business which is materially relevant to those interests,
 - 5.1.2 When in the course of a meeting the member becomes aware that they have or may have a financial or other beneficial interest in the specific item of business to be discussed or decided upon.
- 5.2 It is recognised that it may be perceived that Council members have a permanent partisan interests in matters which directly or indirectly affects or is associated with their own organizational alliance. Thus on appointment, a general declaration shall suffice to constitute a permanent declaration of interest, and thereafter it is not required to declare or formally record such interest.
- 5.3 A member of the Council shall not practice their right to vote on any resolution concerning any matter which he or she has directly or indirectly a material interest, commitment, or obligation, and which conflicts or may conflict with the interests of the University. However, provided he or she has disclosed the nature and extent of any material interest, commitment, or obligation, and subject to the agreement of Council, that member may vote in regard to any contract, arrangement or other matter which he or she is interested.

Subject to such agreement, such vote shall be counted and he or she shall also be counted in consideration of the Quorum of the meeting.

Conduct of other University meetings

- 5.4 For other University meetings where there is a possible conflict of interest the procedures as outlined under 5.1 should be followed.
- 5.5 In instances where a committee member has a clear and substantial interest in a matter under consideration they shall neither comment nor vote on the issue or case under consideration. At the discretion of the Chair, the member concerned should withdraw from the meeting during the relevant discussion or decision.

Gifts and hospitality

- 5.6 Before accepting any gift other than one of a trivial or promotional nature, or offer of hospitality exceeding any that might reasonably be offered to or by visitors of the University, an individual should report the offer to the Registrar and Chief Administrative Officer who will advise whether or not such a gift or offer of hospitality should be accepted.

Conflicts arising from commitments external to the University

- 5.7 A conflict may arise when a member of staff undertakes external commitments which interfere with obligations arising under his or her contract of employment with the University. The employment contracts currently in use in the University state that no external work may be taken on without the written permission of the University. Where any staff member wishes to undertake substantial commitments outside the University, it may therefore be necessary to negotiate revised employment arrangements with the University.

Use of confidential information

- 5.8 Individuals within the scope of this policy shall not use for personal gain any confidential information obtained through their involvement with the University

Other conflicts of interest

- 5.9 The diversity of University activities gives rise to a wide range of potential conflicts of interest. The potential conflict of interest may be of personal, social, financial, or commercial nature, or pertain to ethical considerations. The general principle to consider is whether within reason the circumstance could be perceived to affect the judgment of the individual making a decision. The areas set out below are not an exhaustive list. If in doubt the individual should consult his or her head of department or the Registrar and Chief Administrative Officer.
- 5.9.1 Students and personal relationships: Where there is a family or personal relationship between a member of the academic or administrative staff and a student, the staff member shall inform his or her line manager and/or the Dean of Faculty, or in the case of the Dean of Faculty, the Vice-Chancellor, and the staff member shall take no part in the academic assessment of the student nor in any other decision relating to

the student, such as the award of a prize or scholarship. If the staff member attends a meeting of the Board of Examiners where the student is being assessed, the interest shall be declared.

- 5.9.2 Student recruitment: Where there is a family or personal relationship between a member of academic or administrative staff and a student applicant, the member of staff shall declare the interest to his or her line manager and/or the Dean of Faculty, or in the case of the Dean of Faculty, the Vice-Chancellor. He or she shall take no part in the decision whether or not to offer a place to the applicant or advise on the nature of the offer.
- 5.9.3 Where an applicant has a connection with a member of staff or a donor or potential donor to the University or there is a similar connection, extra care should be taken in deciding whether or not to offer a place to the applicant and the terms of the offer to ensure impartiality. The matter should be discussed with the Dean of Faculty, the Registrar, or the Vice Chancellor as appropriate.
- 5.9.4 External examiners: Former members of staff and students should not act as external examiners within three years of leaving the University, or in the case of former members of staff, within sufficient time for students taught by that member to have ceased to be registered with the University, whichever is the longer.
- 5.9.5 Staff and personal relationships: Where there is a family or personal relationship between two members of staff, neither member of staff is to be involved in any decision or process affecting the other, including promotion, remuneration, discipline or grievance.
- 5.9.6 Staff recruitment: All staff recruitment is to be carried out in accordance with the University's Recruitment Guidelines. Any member of staff or member of Council who has a family or personal connection with any of the applicants should take no part in the selection process. Such staff may however be asked for comments on the abilities of the applicant.
- 5.9.7 Part-time employees: A part-time employee with commitments outside the University should disclose such commitments to his or her Dean of Faculty/line manager if there is an actual or perceived conflict of interest.
- 5.9.8 Suppliers of goods and services: All purchases for the supply of goods or services must comply with the University's Purchasing Policies and procedures. Where a conflict of interest could occur, those responsible for making the decision should take particular care in ensuring that there is full documentation relating to the process by which a supplier or contractor has been chosen. This is required in order to demonstrate impartiality and the appropriate steps taken to ensure value for money.
- 5.9.9 Commercial conflicts of interest: Particular difficulties may arise in the commercial exploitation of intellectual property, whether this takes the form of a spin-out company or commercial research or consultancy. The guiding principle is that individuals should declare their future intentions and association with a venture to their Dean of Faculty and all other involved parties, so there is no doubt as to the responsibilities and interests of all involved. There is an ongoing duty to disclose any

significant changes in the level of involvement. This initial disclosure and any ongoing disclosure must be sufficiently detailed to allow an accurate and objective evaluation to be made.

- 5.9.10 In cases where the University owns the intellectual property or other property involved in the commercial exploitation, the individual must seek advice from the Registrar, and agreement must be reached with the Dean of Faculty. Where agreement cannot be reached the matter should be referred to the Vice-Chancellor.