Conflict and Declaration of Interest Policy

Conflict of Interest policy requires the following:

**Principles**

The University seeks to avoid actual and potential conflicts of interest where possible. We aim to act honestly, ethically and transparently. We seek declarations of both actual and perceived conflicts of interest and take appropriate action to manage the conflict.

All staff and students should recognise activities that might give rise to conflicts of interest or the perception of conflicts and to ensure that such conflicts are seen to be properly managed or avoided.

Declarations of interests are invited from all sections of the University community although, for practical purposes, the scope of the policy is to be restricted to members of Council, salaried staff and students conducting research.

Senior staff, particularly those with responsibility for budgets or contracts, must take proper care that any conflict of interest, actual or perceived, does not arise from their position with the University or membership of or connection with other bodies and individuals outside the University.

All staff, regardless of position or seniority, are under a duty to disclose conflicts of interest, actual or possible, to ensure the University acts in a manner which is honest, ethical and transparent

 Council Ordinance 1 [The University and POWERS AND FUNCTIONS OF THE COUNCIL-3.1.4] requires Council ‘to ensure the establishment and monitoring of procedures for handling internal grievances and for managing conflicts of interest’.

Council Ordinance 2 [2.17 – 2.22] states that ‘Council must disclose any conflicts of interest on request, or on acquisition (whichever is the sooner) and at least annually’.

Conflicts of interest may be financial or non-financial or both.

**A. Policy Statement**

1. The University encourages members of its staff to engage in a wide variety of external activities, such as serving on government, business and community boards, providing expert advice, media commentary, professional practice, schools outreach, international projects and collaborations with the commercial world, including via consultancy, research and development, intellectual property (IP) licensing and involvement in 'spinout' companies.

2. The University considers that such activities are in the public interest and are also of benefit to the University and the individuals concerned.

3. On occasion, however, they may give rise to conflicts of interest, whether potential or actual, perceived or alleged.

4. All University staff and students are required to recognise and disclose activities that might give rise to conflicts of interest or the perception of conflicts and to ensure that such conflicts are seen to be properly managed or avoided.
5. If properly managed, activities can usually proceed as normal whilst at the same
time upholding the person's obligations to the University, meeting regulatory and
other external requirements and protecting the integrity and reputation of the
University and its members. By contrast, conflicts which are not managed effectively
may jeopardise the University's public standing and may cause serious damage to
the reputation of the University and of the individuals concerned.

6. It is therefore the University's policy to encourage and foster external activities
whilst ensuring that when conflicts or perceived conflicts of interest arise they are
acknowledged and disclosed, and in relevant cases, properly managed.

B. Scope

7. While this Policy is intended to apply to all staff and students of the University, for
practical purposes, and to ensure that it is targeted at those most likely to have a
valid interest to declare to the University, emphasis will be made on promoting the
policy to the following groups:

- All members of Council and its committees;
- Salaried staff of the University;
- Students conducting research.
- Staff and directors of subsidiary companies of the University.

Students not involved with research, Emeritus Professors, Visiting Professors,
Visiting Lecturers, Visiting Researchers and contractors may wish to consider
declaring a conflict with the University but they are under no obligation to do so. It is
anticipated that any obligation to declare an interest will be specified in the contract
of engagement or related documents.

8. It is the responsibility of each individual to recognise situations in which he or she
has a conflict of interest, or might reasonably be seen by others to have a conflict, to
disclose that conflict to the appropriate person and to take such further steps as may
be appropriate as set out in more detail under the procedure below (see further in
Section D below). Council Members, as charity trustees, have a legal duty to declare
any interest to ensure that they act in the best interests of the charity [the University].

9. Although there is no obligation to register the interests of their immediate family
members, those living in the same household and other connected persons (other
than gifts and shares), colleagues should be alert to the possibility that any given
matter will concern an interest of such a connected person. Where the interest is
clear and substantial, the person concerned should not take part in the discussion
and should normally withdraw from both discussion and vote on the particular item in
question.

For the purpose of this policy:

'Immediate Family' is defined as 'spouse or civil partner, son, daughter'.

'Close Personal Relationship' giving rise to an interest could extend to (this is not
intended to be an exhaustive list) 'unmarried partner, parent, brother, sister,
grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law,
son-in-law, daughter-in-law, the (unrelated) child of an unmarried partner, adopted
child, half and step members of family'.

2
‘Close Personal Friend’ giving rise to an interest could extend to (this is not intended to be an exhaustive list) ‘fellow employee, member of the same organisation, association of religious group, client, customer, former client, former customer, friends with whom you socialise’.

It is not assumed that any of these relationships will give rise to interests that need to be declared. However, Council Members and members of staff should be aware that any direct relationship that has existed for a period of time where the parties are in a position to assess each other’s capabilities and trustworthiness might give rise to circumstances where interests should be declared.

10. Trustee benefit is any instance where money or other property goods or services which have monetary value are received by the trustee [Council Member] from the charity [the University]. The law says that trustees cannot receive a benefit from their charity unless they have an adequate legal authority to do so. This does not include:

i. Reasonable expenses that Council Members are entitled to claim;

ii. remuneration and salary-related benefits that are provided for in the employment contracts of members of staff who are also Council Members.

11. If an individual is uncertain about how this Policy might affect his or her activities or has any questions about its application, he or she should contact the appropriate person (as identified in paragraph 19) or the Secretary to Council.

C. Recognising Conflict of Interest

12. A conflict of interest arises where the commitments and obligations owed by an individual member of staff or student to the University or to other bodies, for example a funding body, are likely to be compromised, or may appear to be compromised, by:

12.1 that person's personal gain, or gain to immediate family (or a person with whom the person has a close personal relationship)*, whether financial or otherwise; or

12.2 the commitments and obligations that person owes to another person or body.

13. There can be situations in which the appearance of conflict of interest is present even when no conflict actually exists. Thus it is important for all staff and students when evaluating a potential conflict of interest to consider how it might be perceived by others.

14. The duty to declare a possible conflict applies to the perception of the situation rather than the actual existence of a conflict. However, the duty is not infringed if the situation cannot reasonably be regarded as likely to give rise to a conflict of interest.

15. Conflicts of interest may be financial or non-financial or both. Further information about both types is set out below.

Financial conflicts of interest

16. A financial conflict of interest, for the purposes of this Policy, is one where there is or appears to be opportunity for personal financial gain, financial gain to close relatives or close friends, or where it might be reasonable for another party to take the view that financial benefits might affect that person's actions.
17. Financial interest means anything of monetary value, for example:

17.1 payments for services;

17.2 equity interests (e.g. stocks, stock options or other ownership interests); and/or

17.3 intellectual property rights (e.g. patents, copyrights and royalties from such rights).

18. The level of financial interest is not the determining factor as to whether a conflict should be disclosed. What might be 'not material' or 'not significant' for one person might be very significant for another. Good practice in many situations will mean the disclosure of 'any' financial interest, however small. A conflict will arise if the interest might provide, or be reasonably seen by others, to provide an incentive to the individual which affects their actions and where he or she has the opportunity to affect a University decision or other activity (because for example he or she is the principal investigator on a research project). For examples of conflicts involving financial interest see Appendix A.

Non-financial conflicts of interest

19. Non-financial interests can also come into conflict, or be perceived to come into conflict, with a person's obligations or commitments to the University or to other bodies, such as a professional body or a charitable organisation of which he or she is a trustee. Such non-financial interest may include any benefit or advantage, including, but not limited to, direct or indirect enhancement of an individual's career, education or gain to immediate family (or a person with whom the person has a close personal relationship). For examples of non-financial conflicts of interest see Appendix A.

D. Procedure

20. It is the duty of every member of staff or student to disclose any conflict of interest or any circumstances that might reasonably give rise to the perception of conflict of interest. Apparent or perceived conflicts of interest can be as damaging as actual conflicts of interest. As well as using the advice contained in this document staff may also refer to the University’s policy on Gifts and Hospitality set out in the University’s Anti-bribery Policy:

http://www.brunel.ac.uk/about/administration/policies-and-other-important-documents

21. The general rule, with the exception of committee business (see paragraph 28), is that disclosure should be made at the time the conflict first arises, or it is recognised that a conflict might be perceived, in writing to the Dean of College/Director of Research Institute/Head of Department or service area (or equivalent-hereafter referred to as the 'Academic/Service Area'). If the Head of the Academic/Service Area has an interest in the matter to be discussed, the disclosure shall be made to the Secretary to Council. For University Senior Officers, members of the Executive and Members of Council disclosure should be made to the Secretary to Council. Exceptions to this rule are outlined in Appendix B [Exceptions to the General Rule on Disclosure].

22. In the case of undergraduate and postgraduate taught students, the student should discuss the relevant issues with his or her Tutor or other nominated academic, who, where appropriate, will consult with the Dean of College following
which an approach for dealing with the conflict might be agreed. In the case of postgraduate research students, this discussion should be had with the student's supervisor. Where the conflict of interest arises between the interests of the supervisor and the student, the student should discuss the matter with the Head of the Graduate School or the person responsible for postgraduate students in the academic area to which they belong.

23. Many situations will require nothing more than a declaration and a brief written record of that declaration, which must be held in the College's Academic/Service Area's records.

24. Some instances will however need to be dealt with by agreeing how the conflict can be actively managed. The approach adopted should be documented and copies provided to the relevant parties. A copy of the final management plan must be held in the College's Academic/Service Area’s records. One or more of the following strategies may be appropriate to manage the conflict of interest:

24.1 not taking part in discussions of certain matters;
24.2 not taking part in decisions in relation to certain matters;
24.3 referring to others certain matters for decision;
24.4 resolving not to act as a particular person's supervisor;
24.5 divesting or placing in trust certain financial interests;
24.6 publishing a notice of interest;
24.7 standing aside from any involvement in a particular project; and/or
24.8 declaring an interest to a particular sponsor or third party.

25. It is the responsibility of those affected to comply with the approach that has been agreed.

26. Any unresolved matter shall be referred to the Secretary to Council for advice. In cases of particular difficulty, the Secretary to Council may refer the matter to Council's Ethical Advisory Committee for advice or resolution.

27. Guidance on situations that are frequently encountered and which may give rise to particular kinds of conflicts requiring special action is set out at Appendix A [Financial interests: Examples of situations in which financial declarations of conflicts of interest are made].

28. There are however some particular instances where the general procedure is varied and further specific steps are required such that approval is obtained not only from the Head of the Academic/Service Area but from a designated University official, as set out in the table at Appendix B [Exceptions to the General Rule on Disclosure].

29. Each Head of the Academic/Service Area will be asked to inform the Secretary to Council of the actions taken to inform staff of the policy requirements and promote compliance.
E. Committee meetings:

30.1 At their first meeting of the academic year, each committee within the University should have a standing item on their agenda about conflict and declaration of interest. This item should cover what a conflict of interest is and how the members of the committee should declare such an interest if and when such a circumstance arises.

30.2 It is recommended that committees adopt the practice of including a similar statement to the following in each agenda:

Members of [Name Committee] will be asked to declare any interest that could give rise to conflict in relation to any item on the agenda at the beginning of the item in question. All interests so disclosed will be recorded in the minutes of the Committee. If the chairman of the meeting deems it appropriate, the member shall absent himself or herself from all or part of the Committee’s discussion of the matter.

F. Annual Declaration of Interests

31. In addition to declaring any conflict or potential conflict in accordance with the procedure above, the following postholders shall be required to submit an annual declaration of interests to the Secretary to Council [using the form set out at Appendix C]:

- The Vice-Chancellor;
- the Deputy-Vice-Chancellors;
- the Pro-Vice-Chancellors;
- the Chief Operating Officer;
- all members of Council;
- all members of Audit Committee;
- the Deans of Colleges;
- the Directors of Research Institutes;
- the Director of Finance;
- members of the Ethics Advisory Committee;
- the Secretary to Council and University Secretary.

This is not an exhaustive list of those required to make a declaration of interest and, as indicated in this policy, any member of staff may also be required to make a declaration.

32. Persons with grounds to inspect declarations of conflict of interest, such as the internal and external auditors, shall be allowed access at the discretion of the Secretary to Council.
G. The Ethics Advisory Committee for the University.

33. The Ethics Advisory Committee for the University will provide an overarching view of how the University embeds and develops the ethical framework, ethical values and related policies and monitors ethical business practice. The Ethics Advisory Committee will monitor ethical issues that arise from Council and Senate policy, strategic decisions and will advise specifically on the impact of ethical issues or dilemmas that are relevant to the business of the University. This extends to considering issues relating to conflicts and declarations of interest that are referred to it by the Secretary to Council. Details of the Committee’s remit are set out at Appendix D.

H. Review of the Conflict of Interest Policy

34. This Policy shall be the subject of regular review by the Ethics Advisory Committee, Council and, as necessary, other relevant bodies such as Audit Committee. Any such review to take place in the light of guidance on best practice issued by outside bodies and, in any event, not less than once every three years.

Notes:

* For the purpose of this policy, ‘immediate family’ is defined as follows: spouse or civil partner, son, daughter. However, the ‘close personal relationship’ giving rise to an interest could extend to the following (this is not intended to be an exhaustive list): unmarried partner, parent, brother, sister, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, the (unrelated) child of an unmarried partner, as well as adopted, half and step members of family.

Illustrative Examples of Conflict of Interest

Section D [Procedure] of the policy sets out when and how a Conflict of Interest disclosure should be made. Many situations will require nothing more than a declaration and a brief written record of that declaration to be held in the held in the Academic/Service Area’s records [cf. section 20-22].

Some instances will, however, need to be dealt with by agreeing with the Head of the Academic/Service Area how the conflict can be actively managed and documenting this in a short plan (cf. sections 24-25).

There are, however, some particular instances where the general procedure is varied and further specific steps are required such that approval is obtained not only from the Head of the Academic/Service Area but from a designated University official (cf. sections 28-29) as set out at Appendix B [Exceptions to the General Rule on Disclosure].
Appendix A

Financial interests:

Examples of situations in which financial declarations of conflicts of interest are made:

1. Staff of the University serving on other bodies, e.g. research council committees, grant review panels, editorial boards etc, will typically be asked by those parties to declare financial interests.

2. Authors submitting a manuscript must disclose any ‘significant financial interest’ or other relationship with the manufacturers of any commercial products or providers of commercial services discussed in the manuscript and any financial supporters of the research. The intent of such disclosures is not to prevent an author with a significant financial or other relationship from publishing a paper, but rather to provide readers with information upon which to make their own judgments.

Research:

Examples of situations that give rise to conflicts of interest in research include:

3. The researcher has a financial interest in the company sponsoring the research, this being exacerbated if the value of the researcher's interest may be affected by the outcome of the research. The researcher is an inventor of patents or creator of other IP whose value may be affected by the outcome of the research.

4. The researcher holds a position in an enterprise (e.g. as director) that may wish to restrict (or otherwise manage) adverse research findings for commercial reasons or not wish to publish the results of the research.

5. A researcher or a related body in which the researcher has an affiliation or a financial interest may benefit, directly or indirectly, from dissemination of research results in a particular way (including any unwarranted delay in or restriction upon publication of such results).

6. A researcher conducts a clinical trial which is sponsored by any person or organisation with a financial interest in the results of the trial. A postgraduate research student conducts research on a project that receives support from a company in which the student has a financial interest or significant position.

7. Some research funding agencies set specific disclosure requirements related to financial interest. They may require, for example, direct notification to them or to University officials where a principal investigator's financial interests might reasonably appear to be affected by the outcomes of the research. Some types of research, e.g. clinical trials, also require additional declarations related to financial interest. Researchers need to be aware of and comply with those specific requirements. Further information can be found in the terms and conditions of the grant or contract. Researchers should contact the Research Support and Development Office [RSDO] if they are in any doubt as to the requirements.

Student supervision and teaching:

Examples of situations that give rise to conflicts of interest in relation to student supervision and teaching include:
8. Staff with a close personal or familial relationship with a student or a student's family who may be involved in decisions about that student's admission, supervision or academic progress, or the award of any studentships, prizes or other grants to the student.

9. An academic or a non-academic member of staff who is on the Governing Body of a school who may be involved in considering a student from that school for an undergraduate place.

10. A member of staff who is in a position to judge the quality of a student's work or to evaluate a student in any way holds or proposes to take a financial stake or hold a formal position in any student-run, -owned or -controlled commercial venture whilst that student is enrolled at the University.

11. A postgraduate research student receiving support from a company in which his/her academic supervisor has a financial interest or position.

Other examples of possible conflicts of interest:

12. Participating in the appointment, hiring, promotion, supervision or evaluation of a person with whom the staff member has a close personal relationship.

13. A researcher has a financial interest in the licensee (or proposed licensee) of University intellectual property.

14. A staff member takes part in the negotiation of a contract between the University and a company, where the staff member or his or her family or a close personal friend has a financial or non-financial interest (e.g. a directorship) in that company.

15. An academic who has an external editorial position, such as one with a commercial journal, and is also on a University committee that is responsible for recommending journal subscriptions.

16. A staff member chairs a University committee which is to consider the allocation of funds to be shared between a number of the Academic/Service Areas, including his or her own.
Appendix B

Exceptions to the General Rule on Disclosure

1. As explained in paragraph 19 of the main policy, the general rule is that disclosure should be made at the time the conflict first arises, or it is recognised that a conflict might be perceived, in writing to the Head of the Academic/Service Area. If the Head of the Academic/Service Area has an interest in the matter to be discussed, the disclosure shall be made to the person at the next higher level of authority. In most cases this will be to the Head of the Academic/Service Area. For University Senior Officers, the line of approval is to the Secretary to Council. However, in some circumstances, the procedure is slightly different. These are set out below.

Research

2. Where any researcher has a conflict of interest, they must follow the procedures described in Section D. A researcher must also comply with the following:

2.1 Clarification by principal investigators of any personal interests: to assist the assessment of situations which could lead to a real or perceived conflict of interest at the stage of applying for a research grant, or negotiating a contract the University requires all principal investigators to clarify whether they have any personal interest (shareholding, consultancy, directorship, etc.) in relation to the proposed sponsor. This is done on the outside grant (OG) form when submitting applications for external research funding to Research Support and Development Office [RSDO].

2.2 Ethics-researchers must also comply with specific declaration requirements as laid down by the appropriate University Research Ethics Committee. Researchers should contact the Chair of the Research Ethics Committee if they have questions about those requirements. This aspect should remain separate from the process outlined in the Declaration of Interests Policy as this is a requirement of the University Research Ethics Policy.

2.3 Requirements of funding bodies: some funding agencies set requirements relating to conflict of interest. They may, for example, require direct notification of certain interests to them; reserve the right to review the proposed plan for managing the conflict of interest; and/or prohibit grant holders from undertaking certain activities. Researchers need to be aware of and comply with those specific requirements. Researchers should contact Research Support and Development Office [RSDO] if they wish to seek advice on any aspect of funding terms and conditions.

2.4 Areas such as biomedical or clinical research projects may attract particular attention particularly where members of staff and researchers have a financial interest in a company conducting such research. Colleagues need to be aware of the potential for significant financial consequences of research outcomes and the potential harm to members of the public engaged in clinical trials or under treatment. The circumstances of the research and the nature of the involvement will determine whether there is a conflict of interest, not the outcome. Staff and students who have a financial interest in a company that may reasonably appear to be affected by the results of proposed biomedical or clinical research must disclose that interest to the Deputy Vice Chancellor [Research] for review/approval. A conflict of interest plan/approach designed to protect the integrity of the research and the reputation of the academic(s), their research group(s) and the University must be developed.
2.5 If a student receiving support from a company in which his or her supervisor has a financial interest, or where the outcomes of the research are related to the activities of such a company: to preserve the integrity of the research the student and academic must disclose the conflict to both the Head of the Academic/Service Area and the Secretary to Council for review/approval of a conflict of interest plan/approach.

Spin-outs and licensees of University IP

3. Staff or students may have a financial interest or other personal interest in a spin-out or in an organisation to which the University has licensed or is seeking to license University IP or may have personal IP with which they are intending to create a start-up company.

4. In such cases:

4.1 They should normally play no executive role in any decisions made between the University or its subsidiaries and such spin-outs or IP licensees. If it is believed that there are exceptional circumstances to argue for such involvement, prior permission must be sought from the Head of the Academic/Service Area and then from the Deputy-Vice-Chancellor (Research). The proposed conflict of interest plan/approach to be put to the Head and then the Deputy-Vice-Chancellor (Research) must aim to protect the reputation of the academic(s), their research group(s) and the University and ensure compliance with company law.

4.2 If they wish to undertake a consultancy for that spin-out, they must seek prior permission from the Head of the Academic/Service Area, and in turn from the Deputy-Vice-Chancellor (Research). The proposed conflict of interest plan/approach to be put to the Head of the Academic/Service Area and then the Deputy-Vice-Chancellor (Research) must aim to protect the reputation of the academic(s), their research group(s) and the University and ensure compliance with company law.

5. Staff wishing to buy or subscribe for shares in a spin-out at any stage prior to the listing of the shares in the company on a recognised Stock Exchange must seek permission in advance from the Head of the Academic/Service Area and then from the Secretary to Council.

Sale, supply or purchase of goods or services

6. Staff must ensure the probity of all financial transactions. The sale or supply of goods by the University or the purchase of goods or services by the University must be carried out in accordance with the University’s Financial Regulations. Staff should not normally be involved in supply or purchase decisions in relation to any external organisation in which they or any members of their family or any person with whom they have a close personal relationship have a financial interest or in any way have the capacity for personal gain. If there are exceptional circumstances that prima facie require such involvement, the following process should be followed:

6.1 The person should disclose, in writing to their Head of the Academic/Service Area, the nature of the transaction, the potential conflict and the method proposed to manage the conflict.
6.2 They and their Head of the Academic/Service Area must formulate a proposed plan/approach that protects the University and ensures compliance with the law and the integrity of the transaction(s) and the individuals involved.

6.3 The Head of the Academic/Service Area must then seek approval of that plan from the Secretary to Council.

Summary of the procedure for managing situations in particular circumstances:

**Research Students**

If a student were to receive support from a company in which the proposed academic supervisor has a financial interest, or where the results arising from, or IP generated in the course of, the research project are related to the activities of a company in which the proposed supervisor has a financial interest.

Refer to Head of the Academic/Service Area and the Secretary to Council-Para. 2, Appendix B

**Biomedical/Clinical Research**

Staff or students who have a financial interest in a company that may reasonably appear to be affected by the results of their biomedical or clinical research.

Refer to Deputy-Vice-Chancellor (Research)-Para. 2, Appendix B

**Spin-out and licensees**

Staff or student who has a financial interest or other personal interest in a spin-out or in an organisation to which the University has licensed or is seeking to license University IP, wishing to:

(i) be involved in the negotiation of any contract between the University or its subsidiaries and such spin-outs or IP licensees; or

(ii) undertake a consultancy for that spin-out or organisation.

Refer to Head of the Academic/Service Area and the Deputy-Vice-Chancellor (Research)-Paras. 3 and 4, Appendix B

**Sale, supply or purchase of goods/services**

Staff seeking approval to be involved in University supply or purchase decisions in relation to any external organisation in which they have a financial interest or in any way have the capacity for personal gain.

Refer to Head of the Academic/Service Area and the Secretary to Council-Para. 5, Appendix B
Appendix C

BRUNEL UNIVERSITY LONDON

DECLARATION OF INTERESTS

GUIDANCE NOTES

The main purpose of the declaration form is to create a Register and provide information on any interests which might reasonably be thought by others to influence the actions, comments, or votes in meetings of those responsible for discharging the business of the University. Colleagues are required to keep this overall purpose in mind when registering their interests.

The Secretary to Council or Council’s Ethical Advisory Committee may require any employee or member of the University to complete the declaration form if it is considered a conflict or potential conflict of interest may exist which should be recorded on the Register. In addition to this, the following postholders shall be required to submit an annual declaration of interests to the Secretary to Council:

- The Vice-Chancellor;
- the Deputy-Vice-Chancellors;
- the Pro-Vice-Chancellors;
- the Chief Operating Officer;
- all members of Council;
- all members of Audit Committee;
- the Deans of Colleges
- the Directors of Research Institutes;
- the Director of Finance;
- members of the Ethics Advisory Committee;
- the Secretary to Council and University Secretary.

This is not an exhaustive list of those required to make a declaration of interest and any member of staff may also be required to make a declaration. Staff are advised to read the full Conflict and Declaration of Interest Policy which, along with the University’s policy on Gifts and Hospitality set out in the University’s Anti-bribery Policy, is available through the following link:

http://www.brunel.ac.uk/about/administration/policies-and-other-important-documents

Persons with grounds to inspect declarations of conflict of interest, such as the internal and external auditors, shall be allowed access at the discretion of the Secretary to Council.
Relevant interests are any pecuniary, family [see note below] or other personal interest which might be pertinent to the conduct of the University’s affairs including the work of Council. Where the interest is of relevance to the business of Council or one of its committees, the declaration shall be made as soon as practicable either at the meeting or in advance to the Chair or Secretary of Council. Council may be required to authorise any declaration of interest. Members of Council are asked to note the details set out in Council Ordinance No.2 ‘Members of Council’.

Named postholders and anyone required by the Secretary to Council or Council’s Ethical Advisory Committee to make a declaration are requested to complete the attached form to declare any and all interests outside the University that they have. Payments received should include cash, kind or services.

If you have any doubts as to whether to declare a certain interest or not or have any questions relating to the completion of this questionnaire, please contact the Secretary to Council.

**Paid employment**

This includes self-employment and offices held.

**Trustee benefits**

Trustee benefit is any instance where money or other property goods or services which have monetary value are received by the trustee [Council Member] from the charity [the University]. The law says that trustees cannot receive a benefit from their charity unless they have an adequate legal authority to do so. This does not include:

i. Reasonable expenses that Council Members are entitled to claim;

ii. remuneration and salary-related benefits that are provided for in the employment contracts of members of staff who are also Council Members.

**Directorships**

All paid directorships and unpaid directorships should be declared.

**Clients**

Other than those identified above, clients to which services are provided (or through his or her employer or company) that arise out of Council membership or University employment should be declared.

**Gifts, Hospitality or Services**

This includes financial or other material support, benefits or hospitality. Named postholders and anyone required by the Secretary to Council or Council’s Ethical Advisory Committee to make a declaration are asked to register any such gift received personally or by those close to him or her from a source which in any way arises out of membership of Council or University employment. If it is not easy to decide between what is and what is not acceptable in terms of gifts or hospitality, the offer should be declined or advice sought from the Secretary of Council. For the protection of those involved, the Director of Finance will maintain a register of gifts.
and hospitality received where the value is in excess of £50. Those in receipt of such gifts or hospitality are obliged to notify promptly the Secretary of Council and the Director of Finance.

**Land**

Other than a home used solely for personal accommodation, named postholders and anyone required by the Secretary to Council or Council’s Ethical Advisory Committee to make a declaration are asked to register all land and property within a 10-mile radius of University premises.

**Shareholdings**

Named postholders and anyone required by the Secretary to Council or Council’s Ethical Advisory Committee to make a declaration are asked to register the name of all public and private companies or other bodies in which they or those close to them have a beneficial interest. Shareholdings amounting to less than 5% of the issued share capital, or where the nominal value of the holding is less than £25,000, do not need to be registered.

**Other**

This is a general section where interests are registered that do not fall into the above categories but which fall into the general purpose of the register. For example unremunerated interests, positions of authority held or other significant involvement in other organisations, e.g. charitable or political or other educational bodies. It is particularly important for members of the governing body and senior management involved in procurement to disclose interests they have in, or with, any organisation from whom the University procures goods or services.

**NOTE**

Although there is no obligation to register the interests of their immediate family members, those living in the same household and other connected persons (other than gifts and shares), colleagues should be alert to the possibility that any given matter will concern an interest of such a connected person. Where the interest is clear and substantial, the person concerned should not take part in the discussion and should normally withdraw from both discussion and vote on the particular item in question.

For the purpose of this policy, ‘immediate family’ is defined as follows: spouse or civil partner, son, daughter. However, the ‘close personal relationship’ giving rise to an interest could extend to the following (this is not intended to be an exhaustive list): unmarried partner, parent, brother, sister, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, the (unrelated) child of an unmarried partner, as well as adopted, half and step members of family.

While Council may be required to approve any conflict of interest, colleagues should feel free to withdraw from a particular discussion or vote on the grounds of an external interest without specifying the detail of that interest.

Colleagues should bear in mind that the obligation to declare an interest is a continuing one. Should colleagues realise retrospectively that they have an interest which is connected with a matter that has been considered they should notify the Secretary to Council of that interest at the earliest opportunity.
Appendix D

The Ethics Advisory Committee for the University.

Preamble

The Ethics Advisory Committee for the University will provide an overarching view of how the University embeds and develops the ethical framework, ethical values, related policies and monitors ethical business practice. The Ethics Advisory Committee will monitor ethical issues that arise from Council and Senate policy, strategic decisions and will advise specifically on the impact of ethical issues or dilemmas that are relevant to the business of the University.

The Ethics Advisory Committee can be charged with responsibility for considering matters referred to it by Council, Senate, the Vice Chancellor, the Senior Management Group or any other Committee or body within the University. The Ethics Advisory Committee acts only in an advisory capacity to Council and none of its decisions are binding on the University or any of its Committees.

Responsibilities:

- Ensuring that there is effective communication reinforcing ethical framework, ethical values and good practice in the University and censuring unacceptable practice.
- Establishing and maintaining monitoring, reporting and accountability processes to ensure that the objectives of the Ethical Framework are fulfilled.
- Conducting ethical due diligence prior to any major decision or undertaking that the University might make.
- Monitoring mechanisms used by staff to raise ethical concerns.
- Assessing reports and overseeing subsequent actions following breaches of the ethics related policies or allegations of misconduct relating to matters covered by the Ethical Framework.
- Developing and reviewing the effectiveness of and updating ethics and related policies.
- Liaising with stakeholders over ethical issues.

Membership

- A nominated independent member of Council who shall be Chair (the Chair shall not be the Chair or Deputy Chair of Council or the Chair of any of its Committees);
- A member of Council who shall not be the Chair or Deputy Chair of Council or the Chair of any of its Committees;
- a member of the senior management group;
• a member of the Audit Committee who is also an independent member of Council;
• a representative of the UBS;
• a Pro-Vice-Chancellor and a Deputy-Vice-Chancellor.

The quorum shall be the Chair of the Ethics Advisory Committee plus two other members.

The Committee shall have the power to co-opt up to two further members to deal with specific matters referred to the Committee and is able to invite other attendees on an ad hoc basis. In exceptional circumstances, and with the permission of Council, the Committee may co-opt one of these members from outside the University.

The members of the Committee shall serve for a period of not more than three years [renewable once for a period of three years]

Officers in attendance are:

• The Chief Operating Officer or his/her representative
• The Director of Finance or his/her representative
• The Secretary to Council or his/her representative shall be Secretary of the Ethics sub-committee

Meetings

The Ethics Advisory Committee shall meet at least once a year and will meet on an ad hoc basis to conduct ethical due diligence on any major decision or undertaking that might be referred to it

Procedure

The Ethics Advisory Committee shall regulate its own procedures for the conduct of its meetings and will report to Council on an annual basis.

Approved by Council 30 November 2014