

Conflict of Interest Policy

Document record

| | |
|------------------------------|-------------------------------------|
| Maintained by: | Governance and Secretariat |
| Approved by | Council |
| Approval date: | November 2023 |
| Next review by: | November 2026 or sooner if required |
| Location of master document: | LINK |

Version control

| Document version | Amendments | Date |
|------------------|------------|---------------|
| v.1.0 | | November 2023 |

Conflict and Declaration of Interest Policy

1. Principles

- 1.1 Brunel encourages its Members to engage in a wide variety of external activities. These might include serving on government, business and community boards; providing expert advice; media commentary; professional practice; schools outreach; and international projects. It also encompasses collaborations with the commercial world – including consultancy; collaborative research and development; and commercialisation of intellectual property (IP) through licensing and ‘spinout’ companies.
- 1.2 Staff and students who are particularly active in this sphere will almost certainly find themselves in the position of having a conflict of interest at some stage in their careers. This policy sets out guidance on identifying, monitoring and managing potential and actual conflicts of interest. Conflicts of interest are not discouraged and recognising a conflict of interest doesn’t imply improper conduct or lack of integrity. It is, however, important that
 - 1.2.1 conflicts of interest (actual, potential or perceived) are always identified and disclosed;
 - 1.2.2 a conflict of interest management plan is put in place to prevent damage to the reputation of the staff member or student in question, or Brunel as an institution;
 - 1.2.3 where conflicts cannot be managed the activity giving rise to the conflict is prohibited.
- 1.3 In addition to the duty to identify and disclose possible conflicts, certain individuals are required pursuant to paragraph 10 to submit an annual declaration of interest form as set out in Annex 1.
- 1.4 This policy should be considered alongside Brunel’s policies and procedures including, but not limited to:
 - 1.4.1 Anti-Bribery and Corruption Policy
 - 1.4.2 Code of Research Ethics
 - 1.4.3 Gifts and Hospitality Policy
 - 1.4.4 Intellectual Property (IP) Policy
 - 1.4.5 Policy for the Acceptance of Donations
 - 1.4.6 Procurement Policy
 - 1.4.7 Relationships at Work Policy and Guidelines
 - 1.4.8 Whistleblowing Policy and Procedure

2. Recognising a Conflict of Interest

- 2.1 A conflict of interest is any situation in which a person's direct or indirect interests could, or could be seen to, prevent them from deciding only in the best interests of the University.
- 2.2 A conflict of interest may arise where the commitments and obligations owed by an individual to the University or to other bodies, for example a funding body, could be compromised, or could be seen to be compromised, by:
- 2.2.1 that person's personal gain, or gain to Immediate Family (or an individual with whom the person has a Close Personal Relationship), whether financial or otherwise; or
 - 2.2.2 the commitments and obligations that person owes to another individual or body. Section 0 contains further descriptions and examples of conflicts of interest.

Conflicts of loyalty are also conflicts of interest. They don't involve money or personal benefits. They arise when Members of the University have a personal sense of loyalty to another person or organisation that conflicts with the Member's loyalty to the University. They can happen when a Member of the University is asked to make decisions linked to them, for example, their Immediate Family, Close Personal Friend, Close Personal Relationship or other organisations they are linked to. Section 4 contains further descriptions and examples of conflicts of loyalty.

- 2.3 The test which is applied when considering whether a Member has a conflict of interest is *whether the fair-minded and informed observer, having considered the facts, would conclude that there was a real possibility of bias.*

So, it is not a question of whether the Member is biased or whether it is felt that they would not be able to act fairly; it is a question of whether the facts show that there is a real possibility that the Member *could* be biased.

- 2.4 It is important, therefore, for all staff and students when evaluating a potential conflict of interest to consider how it might be perceived by others, and to declare such possible conflicts.

3. Definitions

- 3.1 For the purpose of this policy the following definitions apply:

Approver: the individual in the relevant escalation route outlined in either section 7.1 or 0 of the Policy above to whom the Reviewer is accountable, save in the case of a conflict disclosed by the Vice-Chancellor in which case the Approver will be the Chair of Council or if necessary the Ethics Advisory Committee.

Close Personal Relationship is a relationship that could give rise to an interest and extends to but is not limited to unmarried partner, parent, sibling, grandparent, grandchild, parent-in-law, sibling-in-law, partner of a child, the (unrelated) child of an unmarried partner, adopted child, half and step members of family.

Close Personal Friend is a relationship that could give rise to an interest and extends to fellow employees, members of the same organisation, association of religious group, clients, customers, former clients, former customers, friends with whom you socialise.

Conflict Management Plan: the conflict management plan that sets out the agreed strategy for managing a disclosed conflict, including the review dates, responsibilities of discloser, reviewer and others, and identifies any options for amendment that may be required in the future.

Discloser: the individual who is required to make a disclosure pursuant to section 7.1 or 0 of this Policy.

Immediate Family is defined as spouse or civil partner, child

Member in this policy is defined as the individual persons to whom this policy applies and include members of Council and its committees, salaried staff, students conducting research and staff and directors of subsidiary companies of the University¹.

Relevant Staff: all employees of, and other individuals working at or for Brunel, including honorary staff, emeritus staff, visiting staff, as well as contractors and consultants (in circumstances where conflicts have not already been appropriately managed through their own conflict management processes), and the staff and directors of Brunel's subsidiary companies.

Relevant Students: all individuals who are undertaking the programme of work and training that will, if pursued to the required standard, lead to the award of a doctorate and who are registered with Brunel, via Student and Registry Services, for their degree.

Reviewer: the individual within the relevant escalation route in section 7.2 or 0 of this Policy responsible for reviewing a disclosed conflict and ensuring that there is a relevant Conflict Management Plan if required.

4. Examples of Conflicts of interest

4.1 A conflict of interest is as defined in Paragraph 2 above, and often arises where there is or appears to be opportunity for financial gain or other benefit for the individual, their close relatives or Close Personal Friends, or where it might be reasonable for another party to take the view that financial benefits might affect that person's actions.

4.2 Financial gain means anything of monetary value, for example:

¹ Note this definition of Member is not the definition used in Council Ordinance 15.

- 4.2.1 payments for services;
 - 4.2.2 equity interests (e.g. stocks, stock options or other ownership interests); and/or
 - 4.2.3 intellectual property rights (e.g. patents, copyrights and royalties from such rights).
- 4.3 The amount of monetary value is not the determining factor as to whether a financial conflict has arisen and should be managed in accordance with this policy. What might be 'not material' or 'not significant' for one person might be very significant for another. 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 they have the opportunity to affect a University decision or other activity (because for example they are the principal investigator on a research project). For examples of conflicts that might arise see Appendix 1.
- 4.4 A trustee benefit (Council member 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). By law, trustees cannot receive a benefit from their charity unless they have an adequate legal authority to do so. This does not include:
- 4.4.1 reasonable expenses that Council members are entitled to claim;
 - 4.4.2 remuneration and salary-related benefits that are provided for in the employment contracts of members of staff who are also Council members.
- 4.5 Conflicts of loyalty can arise when a Member's obligations or commitments to the University conflict with their obligations or commitments to other bodies, such as a professional body or a charitable organisation of which they are a trustee. Such obligations or commitments 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 conflicts that might arise see Appendix 1.

5. Scope of the policy

- 5.1 This policy applies to members of Council and its committees, salaried staff, students conducting research and staff and directors of subsidiary companies of the University. Students not involved with research, Emeritus Professors, Visiting Professors, Visiting Lecturers, Visiting Researchers and non-salaried staff may wish to consider declaring a conflict with the University, but they will not usually be in a position where conflicts will arise. It is anticipated that any specific obligation to declare an interest will be specified in the contract of engagement or related documents.
- 5.2 It is the responsibility of each individual to recognise situations in which there arises or may be perceived to arise a conflict of interest, 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 section below (see section 6-8 and Appendix 1-4). 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).

- 5.3 Although there is no obligation to register the interests of their Immediate Family, those living in the same household and other connected persons (other than for gifts and shares), Members 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 Member concerned should not take part in any University business or discussion connected with that connected person and in respect of University committee matters, should normally withdraw from both the discussion and vote on the particular item in question.
- 5.4 If an individual Member 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 section 6) or the University Secretary and General Counsel).

6. Roles and responsibilities

Relevant Staff and Relevant Students

- 6.1 Relevant Staff and Relevant Students are responsible for ensuring that they comply at all times with this Policy, and act in a transparent way that is consistent with the principles of public life.

Pro Vice Chancellors, Director of HR, Executive Deans, Heads of Division, Heads of Department and Heads of Professional Services

- 6.2 Pro Vice-Chancellors, Executive Deans, Heads of Division, Heads of Department and Heads of Professional Services are responsible for:
- 6.2.1 ensuring that Relevant Staff and Relevant Students are aware of and comply with this Policy;
 - 6.2.2 ensuring appropriate plans for managing conflicts of interest disclosed are agreed with the relevant individual (section 7 below).

Pro Vice Chancellors, Chief Operating Officer, Chief Financial Officer, Deputy Vice-Chancellor, Director of HR

- 6.3 The Deputy Vice-Chancellor, Pro Vice Chancellors, Chief Operating Officer (COO), Chief Financial Officer (CFO), Director of HR (or their delegates) are responsible for providing advice and guidance to Deans of Faculties, Heads of Division, Heads of Department and Heads of Professional Services on the management of conflicts of interest appropriate to their functional area. This comprises:
- 6.3.1 COO: marketing and student recruitment, estates, systems, alumni relationships and donations;
 - 6.3.2 CFO: finance, delegated authorities, procurement;
 - 6.3.3 Deputy Vice Chancellor: student supervision;
 - 6.3.4 Director of HR: staff recruitment and management;

6.3.5 Pro Vice Chancellor (International and Sustainability): international collaborations;

6.3.6 Pro Vice Chancellor (Enterprise and Employment): industry collaboration, commercialisation, intellectual property and consultancy

6.3.7 Pro Vice Chancellor (Research): conduct of sponsored research

University Secretary and General Counsel

6.4 The University Secretary and General Counsel is responsible for ensuring that a system exists and is maintained with the purpose of holding details of disclosed conflicts, and declared interests, as described in the sections 7 and 10 below.

Boards of Brunel subsidiary companies

6.5 The board of directors of each subsidiary company of Brunel is responsible for ensuring the implementation of and compliance with this Policy by staff and students working at the relevant subsidiary company. Such boards of directors will ensure that staff and students working at the relevant subsidiary company are made aware of this Policy and related guidance.

7. Disclosure of conflicts of interest

Relevant Staff

7.1 Relevant Staff should make a conflict of interest disclosure as soon as there is a risk that a conflict or potential conflict might arise, or it is recognised that a potential conflict might be perceived.

7.2 The escalation route for reviewing disclosed conflicts of interest is as follows:

7.2.1 Heads of Departments (or equivalent) will review conflicts disclosed by staff in their departments and relevant heads of professional service functions will review conflicts disclosed by staff in their departments;

7.2.2 Executive Deans will review conflicts disclosed by Heads of Departments (or equivalent) in their faculty;

7.2.3 Pro Vice Chancellors, the COO, the CFO, the Deputy Vice-Chancellor and the Director of HR will review conflicts disclosed by Deans or relevant heads of professional services functions that relate to their functional area (as outlined in section 0 of this Policy);

7.2.4 The Vice-Chancellor & President will review conflicts disclosed by Pro Vice Chancellors, the COO, the CFO, the Deputy Vice-Chancellor and the Director of HR;

7.2.5 The Chair of Council will review conflicts disclosed by the Vice-Chancellor & President; and if the person named as the reviewer of a disclosed conflict in the above escalation route also has an interest in the matter disclosed then the matter will be referred for review to the next level of authority.

Relevant Students

- 7.3 Relevant Students should make a conflict of interest disclosure as soon as there is a risk that a conflict or potential conflict of interest might arise or it is recognised that a conflict might be perceived.
- 7.4 The escalation route for reviewing disclosed conflicts of interest is as follows:
- 7.4.1 the research supervisor of the student will review conflicts disclosed by a student;
 - 7.4.2 where the conflict of interest involves the research supervisor and the student, the Head of Department (or equivalent) will review the relevant conflict.
- 7.5 The person named as the reviewer of a disclosed conflict will be responsible for determining whether a conflict needs to be actively managed by the implementation of an appropriate conflict management plan and recording the relevant Conflict Management Plan.

8. Management of disclosed conflicts of interest

- 8.1 Conflicts of interest must be disclosed in CHIME (unless the relevant person has already disclosed the interest via the annual process set out in paragraph 10). Some instances of conflict will, however, require more than just disclosure, and will need to be addressed by agreeing how the conflict can be actively managed, through a Conflict Management Plan (Appendix 4).
- 8.2 It may sometimes not be possible to effectively manage a conflict. In these circumstances the individual will be required to remove themselves from the relevant decision-making processes at Brunel and take other proportionate steps identified by the University. If for any reason they consider this is not possible or not appropriate they are required to seek further guidance from the relevant senior officer (but guidance may be sought at any time).
- 8.3 Relevant Staff and Relevant Students are required to comply with any relevant Conflict Management Plan and failure to comply may result in disciplinary action.
- 8.4 If a Head of Department (or equivalent) becomes aware that a member of Relevant Staff or Relevant Student has an undisclosed conflict they should insist the member of staff or the student makes a declaration of an interest.
- 8.5 Any member of staff who is concerned that Relevant Staff and Relevant Students may have an undisclosed conflict should raise this with the individual's Head of Department.

- 8.6 Members including Relevant Staff and Relevant Students will be required to complete training, provided by Brunel, relating to the identification and management of disclosed conflicts and declared interests on a regular basis.
- 8.7 Where a conflict of interest relates to an externally funded research project (i.e. where the interest influences, potentially influences, or could be perceived to influence, the design, conduct or reporting of such project), any steps agreed on how to declare and manage the conflict must be compatible with the terms and conditions of the award and the associated funder's policy for dealing with the identification and management of conflicts of interest.
- 8.8 In the case of a researcher, they should additionally notify the relevant Research Ethics Committee of any potential conflict of interest when seeking ethical approval. Researchers should contact the Chair of the University Research Ethics Committee (res-ethics@brunel.ac.uk) for guidance on this matter. Please see the University Code of Research Ethics for further information.
- 8.9 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 1-3.

9. Additional procedures

- 9.1 Appendix 2 sets out additional procedures to be followed in the specific scenarios described.

10. Annual declaration of interests

- 10.1 In addition to declaring any conflict or potential conflict in accordance with the procedure above, the following post holders shall be required to submit an annual declaration of interests to the University Secretary and General Counsel (using the form set out at Annex 1):
- The Vice-Chancellor and President;
 - the Deputy Vice-Chancellor;
 - the Pro Vice-Chancellors;
 - the Chief Operating Officer;
 - the Chief Finance Officer;
 - the Chief Digital and Information Officer;
 - the Chief of Staff;
 - the Directors of Research Institutes;
 - all members of Council;
 - all members of Audit and Risk Committee;
 - all members of Executive Board;
 - all members of Finance Committee;
 - all members of Governance and Nominations Committee;
 - all members of Remuneration Committee;
 - all members of Ethics Advisory Committee;
 - all staff involved in procurement;
 - the University Secretary and General Counsel.

This is not an exhaustive list of those required to make a declaration of interest and does not preclude any member of staff or students to make a declaration.

- 10.2 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 University Secretary and General Counsel.

11. The Ethics Advisory Committee of the University

- 11.1 The Ethics Advisory Committee of the University exists to support Council and the University in ensuring the aims and the objectives of its ethical framework are fulfilled. This extends to considering issues relating to conflicts and declarations of interest that are referred to it by the University Secretary and General Counsel. The remit of the Ethics Advisory Committee is set out in Council Ordinance 5.

12. Review of the conflict of interest policy

- 12.1 This policy shall be reviewed by the University Secretary & General Counsel, Executive Board and Finance Committee. Any such review will take place in the light of guidance on best practice issued by external bodies and, in any event, occur not less than once every three years.

Appendix 1: Examples of Situations

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 intellectual property 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/loyalty:

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 areas, including his or her own.
17. An individual staff member assists in the selection of students to be awarded a sponsorship/scholarship/bursary by a third-party funder. While there may in many circumstances be no conflict, the pool of students might include (for example) a friend or family member. A panel assisting with selection, rather than an individual, is preferable.

Appendix 2: Additional Procedures

1. As explained in paragraph 9, in some circumstances, additional procedures apply.

Research

2. Where any researcher has a conflict of interest, they must follow the procedures described in Section 6. 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 completed 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 Code of Research Ethics.
 - 2.3 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 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 Vice Provost (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.

Spin-outs and licensees of University Intellectual Property (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 licence

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 role in any executive 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 Pro Vice Chancellor Research. The proposed conflict of interest plan/approach to be put to the Reviewer and then the Pro 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 Reviewer, and in turn from the Pro Vice Chancellor Research. The proposed conflict of interest plan/approach to be put to the Reviewer and then the Pro 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 Reviewer and then the University Secretary and General Counsel.

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 require such involvement, the following process should be followed:
 - 6.1 The person should disclose, in writing to the Reviewer, the nature of the transaction, the potential conflict and the method proposed to manage the conflict.
 - 6.2 They and the Reviewer 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 Reviewer must then seek approval of that plan from the University Secretary and General Counsel.

Appendix 3: Declaration of Interests

Guidance Notes

1. The main purpose of the declaration form is to create a Register and provide sufficient information of 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. An up to date and detailed Register is central to identifying, monitoring and managing potential and actual conflicts of interest. Colleagues are required to keep this overall purpose in mind when registering their interests.
2. The University Secretary and General Counsel or the Ethics Advisory Committee may require any Member 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.
3. The list of postholders at section 10 is not an exhaustive list of those required to make a declaration of interest and any member may also be required to make a declaration. Members are advised to read the full Conflict and Declaration of Interest Policy which, along with the University's policy on Gifts and Hospitality and Anti-bribery & Corruption, are available [here](#).
4. 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 University Secretary and General Counsel.
5. Relevant interests are any pecuniary, family 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 University Secretary and General Counsel. Members of Council should note the details set out in Council Ordinance 2 (Council Membership).
6. Named post holders and anyone required by the University Secretary and General Counsel or Council's Ethics 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.
7. If you have any doubts as to whether to declare a certain interest or not, please declare it, or if you have any questions relating to the completion of this questionnaire, please contact the University Secretary and General Counsel.

Paid employment

8. This includes self-employment and offices held.

Personal relationships

9. You should disclose a Close Personal Relationship or Close Personal Friendship where you know or can reasonably anticipate that the University will have some dealings with that person, or an organisation with which they have significant connection (for example as an employee, or as a substantial shareholder). The most likely examples are if your child is enrolled as a student at the University, or your partner works at the University.

Trustee benefits

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:
- reasonable expenses that Council Members are entitled to claim;
 - remuneration and salary-related benefits that are provided for in the employment contracts of members of staff who are also Council members.

Directorships

11. All paid directorships and unpaid directorships should be declared.

Gifts, Hospitality or Services

12. This includes financial or other material support, benefits or hospitality. Gifts of this nature must be declined or disclosed in accordance with the University's Gifts and Hospitality Policy.

Land

13. Other than a home used solely for personal accommodation, named post holders and anyone required by the University Secretary and General Counsel or Ethics Advisory Committee to make a declaration are asked to register all land and property within a 10- mile radius of University premises.

Shareholdings

14. Named post holders and anyone required by the University Secretary and General Counsel or Ethics 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

15. 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 imperative for members of Council 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

16. 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 for 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.
17. 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.
18. Staff should bear in mind that the obligation to declare an interest is a continuing one. Should a member of staff realise retrospectively that they have an interest which is connected with a matter that has been considered they should notify the University Secretary and General Counsel of that interest at the earliest opportunity.

Appendix 4: Conflict Management Plan

1. Some disclosed conflicts will require a Conflict Management Plan to be put in place. This should be developed by the Reviewer and the Discloser. Once it has been agreed, the relevant Conflict Management Plan will need to be approved by the Approver.
2. There are several strategies that may be appropriate to a Disclosed Conflicts Management Plan, such as (but not limited to):
 - 2.1 not taking part in discussions of certain matters;
 - 2.2 not taking part in decisions in relation to certain matters;
 - 2.3 referring to others certain matters for decision;
 - 2.4 resolving not to act as a particular person's supervisor;
 - 2.5 divesting or placing in trust certain financial interests;
 - 2.6 publishing a notice of interest;
 - 2.7 standing aside from any involvement in a particular project; and/or
 - 2.8 declaring an interest to a sponsor or third party.
3. Where the disclosed conflict involves a third party organisation, the University expects that the actions agreed as part of a Conflict Management Plan are effectively mirrored in that third party organisation. For example, a conflicted member of staff would be expected not to take part in decision making in relation to certain matters within both the University and the relevant third party.
4. In most cases where there is an actual conflict of interest, the decision-maker who has a conflict of interest will need to stand aside from taking the relevant decision.
5. A Reviewer may determine that the only way to manage a conflict of interest is for the situation giving rise to the conflict to be avoided.
6. A Conflict Management Plan will include review dates, options and responsibilities.
7. For Relevant Staff, a relevant Conflict Management Plan will be retained in appropriate Departmental and College filing, alongside PDR and equivalent records and a copy kept on the Discloser's HR file. Evidence of completion of identified reviews, any required amendment to the plans etc. will be retained and recorded in the same manner.
8. For Relevant Students, a relevant Conflict Management Plan will be retained, and the existence of the plan recorded in Brightspace. Evidence of completion of identified reviews, any required amendment to the plans etc. will be retained and recorded in the same manner.
9. Executive Deans, Pro Vice Chancellors and their offices and other staff at Brunel are available to support and advise Heads of Department and other managers of staff where a Conflict Management Plan is required.

University Secretary and General Counsel

| | |
|--------------------|---|
| Document author: | University Secretary and General Counsel |
| Document approver: | Council |
| Last updated: | November 2023 |

Annex 1: Annual Declaration of Interests Form

| | |
|--|----------------------------|
| Name: | |
| | |
| Main Occupation: | |
| | |
| Directorships, partnerships, shareholdings over 25% | |
| | |
| Membership of governing bodies or other public bodies | |
| | |
| Any other interests: | |
| | |
| Declarer's Signature: | Date of Completion: |
| | |