

# CONFLICT OF INTEREST POLICY



## Introduction

This Policy addresses the potential for undue influence and/or perceived impropriety when judgements or decisions are made on the College's behalf. This can arise in relation to an individual's external or personal interests and relationships and includes benefits in kind such as gifts and hospitality.

The Policy's aims are:

- To promote transparency in the conduct of the College's business;
- To prevent the misuse of authority and mitigate potential bias in judgement and decision making;
- To ensure that the necessary audit trails are in place to protect the good standing of the College and of the individuals associated with it.

The College maintains a Register of Interests, which is reviewed annually by the Nominations Committee and which is held by the Clerk. Members of Council, members of its committees (including co-opted members), senior staff, heads of faculty and managers who have a significant procurement role are required to complete the Register, update it as necessary and review their entry on an annual basis.

A conflict of interest depends on the situation and not on the character or actions of the individual.

The standard that will be applied to determine whether a conflict of interest exists is that of an independent observer who might reasonably question whether the individual's actions or decisions are determined by considerations of, or result in, personal gain, financial or otherwise, or benefit to related persons.

In this Policy a 'related person' means any person with whom either a Council member or member of staff has a non-arm's length relationship, including but not limited to immediate family members and persons with whom there exists, or has recently existed, a close personal relationship.

## Conflicts of interest for members of Council and its committees

1. A conflict of interest exists when there is a disjuncture between a member of Council's personal interests, financial or otherwise, or a member of Council's professional interests, and his or her obligations to the College. Throughout this policy 'member of Council' should be taken to include all members of committees that report to Council, including staff, student and co-opted members of such committees.
2. A conflict of interest situation applies not only to a member of Council but also to all of his or her related persons.
3. Members of Council shall make full, timely and ongoing disclosure of a conflict of interest or potential conflict of interest.

4. A member of Council shall make a disclosure of a conflict of interest situation, whether actual or potential, either to the Clerk to Council or as relevant items arise during a meeting.
5. Council and committee agendas will have a standing item as the first item on the agenda for members of Council or staff attending a meeting to declare an interest on any item.
6. Members of Council or staff attending a meeting may be asked to withdraw or not participate in discussions and/or decisions where they have declared an interest.

## Conflict of interest for members of staff

7. A conflict of interest exists when there is a divergence between a member of staff's personal interests and his or her professional obligations to the College.
8. Members of staff shall seek to avoid conflict of interest situations.
9. Members of staff shall make full, timely and ongoing disclosure of a conflict of interest or a potential conflict of interest to their line manager, to the manager responsible for the situation that has arisen, or the Clerk to Council. The manager or Clerk shall consult as appropriate with the relevant Directorate member or the Chairman of Council on how to manage the conflict, in line with this policy.
10. The College may determine that the activity which constitutes the conflict of interest will be permitted and may impose such terms and conditions as it determines are appropriate.
11. The existence of an actual or potential conflict of interest does not preclude the involvement of the member of staff in the situation where the conflict has arisen or may arise, but it does mean that the conflict must be disclosed as soon as possible and resolved in conjunction with the person to whom the member of staff reports or to that person or persons set out in these procedures.
12. The following examples, while not comprehensive, are illustrative of situations which may lead to a conflict of interest and which should be disclosed. The situations pertain to an member of staff and all of his or her non arm's length relationships, including but not limited to that of a spouse or spousal equivalent, parent, child or sibling, or a person with whom there exists, or has existed, a close personal relationship.

## Guidelines on conflicts of interest

13. The following examples, while not comprehensive, are illustrative of situations that should be disclosed:
  - Entering into a business or other contract/transaction on behalf of the College with a company or firm in which the individual, or related persons, has a financial interest
  - Influencing the purchase of equipment, materials or services for the College from a company or firm in which the individual, or related persons, has financial interest
  - Accepting gifts, benefits or favours from individuals or firms with which the College does business, except as token courtesies (see College Anti-Bribery and Corruption Policy, Regulations & Procedures for more details)
  - Directing students or staff of the College to carry out work for a company or firm in which the individual has a financial interest
  - Using the College's resources or facilities for the individual's personal benefit or the benefit of related persons
  - Participating in the staff appointment, promotion or evaluation of a related person
  - Participating in the student recruitment of a related person
  - In the case of Council members, using their position as a member of Council to obtain employment with the College.

**Deputy Director**

Kevin Porter  
October 2020

**Policy reviewed by**

Nominations Committee  
October 2020

**Approved by**

Council  
25 November 2020