

Conflicts of Interest Policy

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Links to other internal policies / procedures	<ul style="list-style-type: none"> • Financial Regulations – specifically provisions relating to Gifts & Hospitality • Procurement Procedures • Protocols for companies in which the University holds a stake • Anti-bribery and Corruption Policy • Counter Fraud Policy • Whistleblowing ('Public Interest Disclosure') Policy and Procedure • Contracts of employment • External Work for Lecturing Employees Policy and Procedure • Governor Code of Conduct
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A PDF copy of the final approved version should be forwarded to governance@leedsbeckett.ac.uk for inclusion in the policy register and consideration to the Publication Scheme. The original master copy should be retained on file by the policy owner.

Conflicts of Interest Policy

Introduction

1. The purpose of this policy is to set out how actual, perceived and potential conflicts of interests can be identified and how they should be managed.

Purpose and Scope

2. The University recognises that colleagues have varied interests outside of their role within the University and does not discourage involvement in external activities. However, this policy and associated procedures are designed to provide protection to the University and colleagues from reputational damage and other liabilities should conflicts of interest not be managed appropriately.
3. The existence of an actual, perceived or potential conflict of interest does not imply that there has been any wrongdoing. However, it is important that any private, personal or commercial interests which could give rise to a conflict of interest are recognised and disclosed at the earliest opportunity so that they can be properly managed.
4. This policy applies to all University colleagues, including members of the governing body, and it is designed to provide information required to be aware of the issues, to be able to recognise potential or real conflicts, and to manage them effectively if they occur.

Responsibilities

5. Colleagues are responsible for:
 - (a) Ensuring that they have read, understood and comply with this policy at all times.
 - (b) Conducting themselves and carrying out their role with honesty and integrity.
 - (c) Recognising when they have an actual or potential conflict of interest and reporting it in line with this policy.
6. UET, Deans and Directors are responsible for ensuring that their staff are aware of and comply with this policy.

Recognising conflicts of Interest

7. A conflict of interest can arise where your duties to the University compete with a personal interest or with your duties to other people or organisations. Conflicts of interest may be financial, non-financial or both.
8. **Financial conflicts of interest** - these arise where there is or there appears to be opportunity for personal financial gain or financial gain for close relatives or friends.

8.1 Financial gain means anything of monetary value, including (but not limited to):

- Payments for services.
- Award of contracts.
- Benefits in kind.
- Hospitality and/or gifts (these should be managed in line with the guidance set out in the University's Financial Regulations).
- Stock and Shares and Stock and Share Options.
- Intellectual Property (e.g. patents, copyrights and royalties).

8.2 A conflict can arise where the financial gain might provide or be perceived to provide an incentive to an individual that affects their actions. The level of financial gain is not a determining factor as to whether a conflict of interest should be disclosed.

9. **Non-financial conflicts of interest** – these include but are not limited to direct or indirect enhancement of an individual's career (e.g. promotion) or education or gain to immediate family (or a person with whom the person has a close personal relationship).
10. It is important to keep in mind how actions and relationships may be perceived, whether or not a conflict of interest actually exists. Perceived conflicts may undermine trust and can be as damaging as an actual conflict. Care should be taken to identify any actual, perceived or potential conflict of interest and ensure that they are appropriately disclosed and managed where relevant.

Disclosure of conflicts of interest

11. Where a colleague recognises that they have an actual conflict of interest or that a conflict may be perceived, they should notify their Dean of School or Director of Service (or equivalent) in writing.
12. In addition to individuals acting in accordance with this policy, the University has governance procedures in place where it maintains a register of interests for:
- Board of Governors.
 - Senior Management Group.
 - Resource Centre Managers.
 - University nominated directors on subsidiary and associated companies.
13. HR has a policy in place which governs external work for academic staff which requires permission to be obtained from their Dean and a written record kept of such requests and their approval.
14. The Senior Staff Remuneration Committee oversees any external work commitments approved by the Vice Chancellor for senior post holders.

15. Procurement procedures require colleagues with purchasing authority to declare to the Head of Procurement any personal interest which may impinge or might reasonably be deemed by others to impinge on their impartiality in any matter relating to their duties. The declaration must be recorded and approved before conducting the business.
16. Protocols are in place for the appointment of colleagues to University subsidiary or associate companies which requires the approval of the Governance and Nominations Committee.

Management of disclosed conflicts of interest

17. In many cases, all that will be required to manage the conflict is that the declaration is made and the written record of the declaration is kept on record by the School or Service.
18. In some cases a discussion will need to occur where it is agreed how the conflict can be actively managed. A number of strategies can be employed to deal with conflicts, including:
 - Exempting person from discussion and/or decision making in certain matters;
 - Referring certain matters to others for decision
 - Standing aside from any involvement in a particular activity
 - Declaring an interest to a particular partner, sponsor or third party.
19. Where there is uncertainty about how a conflict should be managed, advice can be sought from the Registrar & Secretary's Office.

Dissemination

20. This policy will be communicated to colleagues and published on the staff intranet.

Monitoring and Compliance

21. The Registrar & Secretary's Office will keep this policy under review and will formally review it every 2 years.
22. Any material proposed changes to the policy will be referred to the Governance & Nominations Committee for approval.

Appendices

- Appendix A - Register of Interests Procedure

REGISTER OF INTERESTS PROCEDURE

INTRODUCTION

1. A Register of Interests (“the Register”) is to be completed by all relevant persons, being the Board of Governors, members of the Senior Management Group, certain members of staff including directors of University subsidiary companies and SBC Managers.
2. In accordance with the Office for Students’ Public Interest Governance Principles and the Nolan Principles of Public Life, colleagues are expected to discharge their duties impartially, objectively and with integrity, and to take steps to avoid any conflicts of interest. Occasionally, the outside interests and activities of senior colleagues, or those of their close family members, may give rise to actual or perceived conflicts of interest.
3. The purpose of the Register is to provide openness and transparency by recording these interests and ensuring that they are handled appropriately. Relevant persons are therefore asked to declare any matters which might influence, or be seen to influence, their conduct in relation to their role within the University and any material decision making.

THE REGISTER OF INTERESTS

4. On appointment to the University or the Board of Governors the Secretariat will send the relevant person a copy of this policy and a Register of Interests form to complete. The Register is then updated on an annual basis in July and August as part of the preparation of the University’s Financial Statements.
5. The Register is open to public inspection. The information collected is required to report on financial sustainability and for annual accountability returns to the Office for Students, to provide to our insurers for the purposes of arranging Directors and Officers cover, and for management purposes as part of ensuring compliance with the financial regulations and other policies and procedures.

RELATED PARTY DISCLOSURES

6. Due to the nature of the University’s operations and the composition of the Board of Governors (many of whom are involved with other local public and private sector organisations), there are transactions with organisations in which a member of the Board of Governors or senior staff, or those closely connected to them, may have an interest.
7. All such transactions are conducted at arm’s length and in accordance with the University’s Financial Regulations. In order to be open and transparent about any relevant income and expenditure, any transactions totalling more than £1,000 are summarised annually in the Financial Statements.

DECLARING INTERESTS AT A MEETING

8. Before discussion at any Board or committee meeting, members of that body are expected to declare their interest in any relevant item on the agenda, even if that interest has already been registered.
9. On the advice of the Secretary, the Chair may require a member to withdraw from any discussion, decision, or vote on a matter where a direct or indirect financial interest, or a substantial non-financial interest, exists or has been declared.

DECLARING INTERESTS IN A CONTRACT OR PROPOSED TRANSACTION

10. Per the University's Financial Regulations, no person shall be a signatory to a University contract, including the raising of a purchase requisition or the approval of a purchase order, where they also have an interest in the activities of the other party.

UNCERTAINTY ABOUT DECLARING ANY PARTICULAR INTEREST

11. Where there is uncertainty about whether a particular interest should be declared, advice should be sought from the Secretariat in the first instance.

RESPONSIBILITIES

12. Colleagues are responsible for ensuring that entries in the Register relating to them are kept up to date throughout the year and that any interests are declared at meetings as appropriate.
13. The Secretariat is responsible for keeping the policy up to date and for administering the policy in a timely and accurate way.

COMPLAINTS

14. Where there is a complaint about a failure to disclose a relevant interest, the complaint will be referred to the University Registrar & Secretary.