



BUCKINGHAMSHIRE  
NEW UNIVERSITY

EST. 1891



# CONFLICT OF INTEREST

## Contents

<b>Introduction</b>	<b>2</b>
<b>Purpose</b>	<b>2</b>
<b>Scope of Policy</b>	<b>2</b>
<b>Definition of Conflict of Interest</b>	<b>2</b>
<b>Principles</b>	<b>3</b>
<b>Guidance in specific circumstances</b>	<b>4</b>
Conduct of meetings	4
Conflicts arising from outside interests	4
Use of confidential information	4
Students and personal relationships	4
Student recruitment	4
External examiners	4
Staff, Councillors and personal relationships	4
Staff recruitment	5
Suppliers of goods and services	5
Commercial conflicts of interest	5
<b>Management</b>	<b>5</b>
<b>Monitoring and Escalation</b>	<b>6</b>

Note: For other documents referred to (indicated in italics) please see the Policies page on the main University website (<http://bucks.ac.uk/about-us/governance-and-policies/policies>).

Approved by: **Resources Committee**  
Version No. **1.0**  
Owner: **Human Resources**

Date first published: **Mar-2018**  
Date updated: **Mar-2018**  
Review Date: **Mar-2023**

This document has been designed to be accessible for readers. However, should you require the document in an alternative format please contact the Academic Registry.

## Introduction

- 1 The University depends on its employees and associated persons to ensure that the highest standards of ethical conduct are maintained in all its dealings and as such requires all staff to adhere to the Nolan Principles of which Conflict of Interest is an aspect.
- 2 This policy is to enable the University to identify, manage and mitigate conflict of interest so that it can demonstrate that it is conducting its business honestly, fairly and professionally. All staff, associated persons and partner organisations have a responsibility to be aware of the potential for a conflict of interest.

## Purpose

- 3 The purpose of this policy is to protect the integrity of the University and its reputation. The policy is also designed to protect our staff by providing guidance on handling possible conflicts of interest, by defining what is meant by a conflict of interest and setting out responsibilities for managing conflicts of interest.

## Scope of Policy

- 4 This policy applies to all employees, officers and Council members of the University, and to temporary workers, consultants, contractors, agents and subsidiaries acting for, or on behalf of, the University ("associated persons") within the UK and overseas. This includes employees of partner institutions who may be delivering Bucks awards under an academic partnership agreement.
- 5 It will also apply to students when they are acting on behalf of the University, either in a paid or voluntary role. Council members must adhere to CUC governance by completing the Register of Conflict of Interests Form in June/July annually.

## Definition of Conflict of Interest

- 6 A conflict of interest is a situation in which an individual, or organisation, has competing interests or loyalties. In the case of an individual, the conflict of interest could compromise or appear to compromise their decisions if it is not properly managed. The question as to whether or not particular circumstances will give rise to a potential conflict of interest may be difficult. The general principle to consider is whether the circumstances could reasonably be perceived to affect the judgment of the individual making a decision affecting the University.
- 7 Conflicts of interest can arise in a variety of circumstances, for example:
  - When an individual has a position of authority in one organisation that conflicts with his or her interests in another organisation
  - When an individual has interests that conflict with his or her professional position where someone works for or carries out work on the University's behalf, but may

- have personal interests – paid or unpaid – in another business which either uses the University products or services, or produces similar products
- Where someone works for or carries out work on the University's behalf, who has friends or relatives employed by the University, studying at the University or taking the University assessments or examinations.

## Principles

- 8 All members of staff are required to identify and declare material conflicts of interest including personal relationships to ensure these do not, or are not perceived to influence University business.
- 9 Where staff are unclear they should contact the HR Directorate, Associate Head of School or Head of School for further information and guidance.
- 10 All staff share a duty to be open and honest in matters where a personal or business relationship may, or may be perceived to, influence the operation of University business.
- 11 All staff in positions of authority have a particular duty to be transparent in such matters as well as to ensure that material or perceived conflicts of interest involving others are properly managed.
- 12 Personal or family relationships are not a bar to employment at the University. However, **members of staff are required to declare formally personal relationships with existing members of staff, students or individuals with links to the University, such as suppliers or partners.** All declarations should be made in writing to Human Resources.
- 13 Members of staff are not permitted to receive benefits without explicit written authority in situations where their personal interests and their obligations to the University conflict or potentially conflict. Members of staff should be familiar with the University's *Anti-fraud and Corruption Policy*.
- 14 While personal privacy will be protected as far as practicable, transparency is paramount. The guidance aims to assist managers and staff to reconcile these potentially conflicting principles, in accordance with the University's Data protection policy.
- 15 Bias or impropriety arising from a conflict of interest or personal relationship, for example, breach of confidentiality such as passing on of confidential information between conflicted parties, is likely to be a disciplinary offence and may result in dismissal.

## Guidance in specific circumstances

The guidance below is not exhaustive. If in doubt, members of staff should seek advice from the HR Directorate.

### Conduct of meetings

- 16 Any committee member who has a clear and substantial interest in a matter under consideration by the committee should declare that interest at any meeting where the matter is to be discussed. At the discretion of the chair, the member concerned should withdraw from the meeting during the relevant discussion or decision.

### Conflicts arising from outside interests

- 17 A conflict may arise when an employee undertakes external commitments which interfere with obligations arising under his or her contract of employment with the University. Where an employee wishes to undertake substantial commitments outside the University, advice should be sought from the HR Directorate at an early stage.

### Use of confidential information

- 18 Individuals covered by this policy should not use for personal gain any confidential information obtained through their involvement with the University. They must also be mindful of their responsibilities under the Data Protection Act.

### Students and personal relationships

- 19 Where there is a family or personal relationship between a member of the academic staff and a student, the staff member should inform Human Resources and his or her Associate Head of School or Head of School. The member of staff should take no part in the academic assessment of the student nor in any other decision relating to the student. If the staff member attends a meeting of the board of examiners where the student is being assessed, the interest should be declared.

### Student recruitment

- 20 Where there is a family or personal relationship between a member of staff and a student applicant, the member of staff should declare the interest to either the Associate Head of School or the Head of School. They should take no part in the decision whether or not to offer a place to the applicant or advise on the nature of the offer.

### External examiners

- 21 Former members of staff and students of the University or of an institution with which Buckinghamshire New University has / had a collaborative partnership should not act as external examiners within five years of leaving the University.

### Staff, Councillors and personal relationships

- 22 Where there is a family or personal relationship between staff, or Council members, at any level within the University, neither member of staff, or Council member should be involved (directly or indirectly) in any decision or process affecting the other, including, but not restricted to: promotion, performance review, remuneration, discipline, grievance, timesheets or expense claims. There should be no personal relationship

which amounts to manager/subordinate relationship. Should any case be found in existence, line management responsibility should be immediately reassigned.

### **Staff recruitment**

- 23 Any member of staff or member of Council who has a family, personal relationship or social connection with any of the applicants should take no part in the selection process.

### **Suppliers of goods and services**

- 24 All purchases for the supply of goods or services should comply with the University's procurement arrangements. Where a conflict of interest could occur, those responsible for making the decision should inform the Procurement Manager and if applicable a substitute would be appointed to assist with the process. Individuals should in any event be able to demonstrate value for money, in accordance with the University's *Value for Money Policy*.

### **Commercial conflicts of interest**

- 25 Particular difficulties may arise in the commercial exploitation of intellectual property, whether this takes the form of a spin-out company or commercial research or consultancy. Members of staff should consult the University's *Intellectual Property – Policies and Procedures* document.

## **Management**

- 26 Associate Head of Schools, Head of Schools and Professional Services Directors are ultimately responsible for communicating the *Conflict of Interest Policy* to all relevant individuals within their areas of responsibility.
- 27 Line managers are responsible for ensuring that all new staff are familiar with the *Conflict of Interest Policy*.
- 28 Any potential or actual conflict of interest must be documented to HR and the records available for audit purposes. The line manager must either resolve the issue or, for issues that cannot be resolved at this level, report the issue to the relevant Associate Head of School, Head of School or Director.
- 29 Individuals within the University have responsibility for ensuring that they are familiar with the *Conflict of Interest Policy*, any guidelines and complete any required conflict of interest training.
- 30 An individual must disclose any activity that might give rise to a potential conflict of interest, erring on the side of disclosure if in any doubt. Where staff are unclear they are to contact HR, Associate Head of School or Head of School for further information and guidance.
- 31 An individual may wish to raise concerns relating to conflict of interest directly with the Human Resources Directorate. Any such reports will be thoroughly and promptly investigated in the strictest confidence.
- 32 A staff member must not take on any such activities that could be deemed to compete or conflict with the University's activities. They should also ensure that any such

activities do not conflict with their obligations under their contract of employment with the University and if in doubt they should contact the HR Directorate. Any staff member considering paid or unpaid work outside the University should inform the HR Directorate.

- 33 Prior to each examination series, any member of staff with relatives or friends entered into University examinations and other assessments must notify their line manager accordingly.

## **Monitoring and Escalation**

- 34 The University is committed to reviewing on an ongoing basis the effectiveness of its policies and procedures in relation to conflict of interest every five years or earlier if changes in legislation or significant organisational change require it.
- 35 The application of this policy will therefore be subject to regular review by the SMT and reported to the Audit Committee through the HRD Report.