

## Conflicts of Interest: How To Guide

### Procedure

It is the duty of every member of staff to accurately and promptly disclose:

- a change in status of an existing actual, perceived, or potential conflict of interest and/or commitment.
- a new actual, perceived, or potential conflict of interest and/or commitment.

Apparent or perceived conflicts of interest can be as damaging as actual conflicts of interest. Most minor conflicts should be self-managed but staff should consult their line manager if they are uncertain about whether a situation or activity presents a conflict of interest. Where conflicts cannot be self-managed, the line manager shall evaluate the activity or situation and advise on the most appropriate course of action.

The general rule, with the exception of committee business, 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 line manager. If the line manager 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 Dean/Director of Service.

Disclosure in all cases shall include the type of potential conflict (conflict of interest or commitment), the nature of the activity, a description of all parties involved, the potential financial interests and rewards, possible violations of legal requirements, and any other information which the employee feels necessary to evaluate the disclosure.

All staff will be asked to confirm whether they have any **major** declarations of interest to make to the University on an annual basis, through the completion of a new section on iTrent under the Sensitive Information tab. This process replaces the previous mechanism where staff were asked to complete a word document and send it via email. Annual monitoring of declarations will now be reported to and overseen by the Ethics Committee. The Committee will have responsibility for reviewing the nature and volume of declarations across the institution, including the failure of individuals to respond where a known conflict is not reported.

### **Approach to Managing and Recording Conflict**

The record on iTrent includes a section to evidence:

- declaration of a potential, perceived or actual or alleged **major** conflict of interest
- the date of the declaration
- confirmation of the date of discussion with the direct line manager
- the likely duration of the conflict
- a summary of the potential conflict and action taken

Some instances will however need to be dealt with by agreeing how the conflict can be actively managed to eliminate the conflict, safeguard against prejudice toward University activities and provide continuing oversight. It is the job of the individual with the conflict to take responsibility for resolving the conflict. The role of the manager is to support an individual in resolving – not to resolve it for them. The approach to resolution of **major** conflicts should be documented in a management plan and copies provided to the relevant parties. A copy of the final plan must be uploaded to the individual's iTrent record; this will be accessible to School management. One or more of the following strategies may be appropriate to manage the conflict of interest:

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

It is the responsibility of those affected to comply with the approach that has been agreed. Reminders will be prompted by an annual request via iTrent but staff should declare as and when a change of status occurs.

There are however some particular instances where further specific steps are required such that approval is obtained not only from the Dean/Director of Professional Services but from a University Council member.

#### External Committee / Council declarations

External committee members and consultants to the University are also required to divulge any personal or family financial holdings or situations that could create a conflict of interest and/or introduce bias into their professional judgement. Such disclosures should be made to the University's Academic Registry or School contracting for the service, and appropriate determination shall be made on the management of any conflict.

Chairs of Committees and Council members are required to request that members of staff or attendees declare any private interests which he/she may have in an item to be discussed, and certainly before any discussion of the item itself. This will usually occur during the induction process for new members. A simple declaration of the conflict of interest and withdrawal from the discussion and any decision making will normally be all that is required, unless there is actual or perceived advantage to be gained by the member of staff as a result of the conflict of interest, in which case the conflict needs to be managed formally. The Chair of the meeting has the final decision on the appropriate course of action to be taken, e.g. whether the person should be permitted to take part in the discussion or not.

**REMEMBER: THE OVERRIDING PRINCIPLE IS THAT IF IN DOUBT, DISCLOSE.**

### **Non-Compliance**

Failure to follow the procedure set out in this policy or failure to comply with any stipulated management plan for managing the disclosed conflict could be considered a serious matter and may ultimately be managed in accordance with the appropriate disciplinary procedure which, in serious cases, may lead to dismissal.