

Disclosure and Management of Conflicts of Interests Procedure

This procedure sits under the Disclosure and Management of Conflicts of Interest Policy

Brief Description & Purpose:	This procedure sets out the steps to be taken to comply with the Disclosure and Management of Conflicts of Interest Policy. Declarations of personal relationships in the workplace should follow the policy and procedures outlined in the Code of Conduct: Relationship in the Workplace .		
Applicable to (list cohorts):	Staff: All staff, including Governors and co-opted Board Committee Members	Students: Student Governors	Third Parties: All who are in a formal relationship with the University
Effective From:	May 2023	Last reviewed date:	17 September 2024
Executive Owner:	Georgina Bailes. Secretary to the Board and Director of Governance	Next review date:	May 2026
Business Owner:	Beth Lenney, Governance Manager	Publication External Y/N	Y
Contact for queries:	Beth Lenney		

1. How to make declarations of interest

1.1 Governors, Co-opted Board Committee members, Senior Management Group and senior staff across all Faculties and Services with significant responsibility for the negotiation of contracts and management of partnerships:

1.1.1 Governors, Co-opted Board Committee Members and Senior Management Group Members and senior staff across all Faculties and Services with significant responsibility for the negotiation of contracts and management of partnerships will be requested to complete a declaration of interests survey annually. The composition of the staff groupings identified will be reviewed annually by UE to ensure that coverage is accurate. Where people join one of the groups above during the year, they will be requested to complete a declaration of interests upon joining. Members of these groups must also declare any in-year changes to their interests to the Director of Governance and Secretary to the Board and Secretary to the Board.

1.1.2 The Register of Interests of Current Governors and Co-opted Committee Members is published on the [University website](#) as required by the Information Commissioner's Model Publication Scheme for the HE sector. The Register for Senior Management Group members can be requested from the Director of Governance and Secretary to the Board. Whilst such registers can be redacted to remove personal or sensitive information, specified information which is subject to a Freedom of Information (FoI) request may be released. It may be appropriate for a line manager of an individual of sufficient seniority to be granted access to data relevant to their staff, particularly in circumstances where a potential or known conflict exists. Data would only be made available, in confidence, for audit or other investigative purposes.

1.2 All other staff and third parties:

1.2.1 All other staff and third parties should declare any potential Conflicts of Interests using the online [Declaration of Conflict of Interests form](#) as soon as the potential for a conflict

becomes known and before commencing any procurement process involving the expenditure of public money and grants or the engaging a supplier with the intention to award a contract for goods, services or works under which public money will be spent. Disclosures should be made to the line manager in the first instance prior to the activity commencing. Disclosures will be reviewed on submission by Governance Services and any relevant Service/Team.

1.2.2 Disclosures will be reviewed annually by the Director of Governance Services and Secretary to the Board where the activity in question is still ongoing. Clarification or further information may be requested by Governance Services based on submissions made. This will assist in the identification of potential or actual conflicts of interest.

1.2.3 The discloser should notify their line manager and the Director of Governance and Secretary to the Board if there are changes before the review date which affect the interest and/or mitigations in place.

1.2.4 Details of the conflict of interest, any action taken, and review dates will be recorded on a central log maintained by Governance Services and by other relevant teams e.g. HR, Legal, Procurement, Research and Innovation Services as necessary.

2. Assessing a potential conflict of Interest

2.1 It is the responsibility of a staff member or student governor to disclose a potential conflict. They should inform their line manager as soon as the potential for a conflict is known and discuss potential mitigations. The line manager or individual may then seek independent informal guidance from relevant Services/Teams supporting the activity in question e.g., Research and Innovation Services, Legal Services, Student Library and Academic Services, and the Director of Governance and Secretary to the Board or Governance Manager to aid with an assessment of the significance of the conflict prior to submitting a declaration if required.

2.2 Where a staff member has access to student data, they should ensure that they have completed the University's GDPR online training module within the stipulated renewal timescale. The staff member's line manager will also need to complete the [Student Data Mitigation form](#).

2.2 Independent Governors and Co-opted Board Committee Members should contact the Director of Governance and Secretary to the Board directly, and third parties in a formal relationship with the University should refer to their usual University contact.

2.3 Relevant information and evidence should be supplied to the Director of Governance and Secretary to the Board by the discloser's line manager as well as the discloser themselves where there is considered to be an actual, potential or perceived conflict. This can be submitted via the online form or emailed separately to Governance Services. This should include details of the activity in question and of the circumstances which could give rise to a conflict, evidence of mitigations agreed and implemented. Examples of evidence could include statements from Faculty or Service management or related parties confirming the conflict and mitigations, and minutes of meetings where declarations have been made. For examples of possible conflicts of interest and mitigations refer to the Scenarios and Mitigations Guidance.

2.4 The Director of Governance and Secretary to the Board or Governance Manager will review all declarations, seek further clarification where required from the discloser in the first instance and may call on further information from other interested parties, informing the individual making the disclosure or the subject of the disclosure that this will occur. In rare circumstances where a disclosure is made by a third party and where there is reasonable

suspicion of impropriety or wrongdoing requiring investigation, the individual holding the interest may not be notified of the investigation at the fact-finding stage of the process.

2.5 In most cases, for low significance or low impact conflicts, it is expected that the interest held by both the individual and the University can continue to operate as normal, in the confidence that the interest has been properly managed and understood by all parties. The approach adopted to manage the conflict should be documented with evidence that the conflict has been appropriately managed or resolved.

2.6 Where there is concern over the mitigations identified or difficulties identifying mitigations to manage a significant conflict of interest, the Director of Governance and Secretary to the Board (or appropriate member of the Senior Management Group) will undertake the following two activities:

- seek the advice of the relevant line manager and other stakeholders in determining whether the activity giving rise to the potential conflict of interest may be authorised;
- where concerns relate to the Procurement Act 2023, invite the relevant Head of School or Faculty Executive representative, a senior HR officer, the General Counsel, and the Director of Procurement to make an independent assessment and recommend an outcome (see 2.7 below)
- where the concern relates to Competition and Markets Authority or Student Data a Director of Student Library and Academic Services, to make an independent assessment and recommend an outcome (see 2.7 below)

2.7 The following recommendations may be made as an outcome of the assessment of the conflict:

- to authorise the activity giving rise to the potential conflict of interest with no amendments to the nature or extent of the individual and University's involvement in the activity;
- to authorise the activity giving rise to the potential conflict with specific adjustments to the interest on the part of the individual to mitigate the actual, potential or perceived conflict;
- to request that the individual extricates themselves or withdraws from either the activity or the interest which has given rise to the conflict.

2.8 The Director of Governance and Secretary to the Board or appropriate member of the Senior Management Group will confirm the outcome of the independent review within five working days from the point at which all relevant information has been provided. Where a meeting is required to discuss the outcome with the individual disclosing the interest this will be convened as soon as practicable. The individual will be entitled to be accompanied by a work colleague or trade union representative, at this meeting should they wish.

2.9 In the circumstances of 2.6 above, the individual concerned will be required to confirm that they have met the conditions requested to mitigate or eliminate the conflict of interest. Failure to do so will be considered a disciplinary matter and dealt with accordingly.

2.10 If the circumstances or nature of the interest or the activity change, the individual concerned should repeat the process described at 2.1 above and notify the Director of Governance and Secretary to the Board of any changes.

3. Appealing a Decision

3.1 An appeal of any decision can be made where the appellant considers the decision to be incorrect, inappropriate or inconsistent with this Policy, related policies or legislation. An appeal will be considered under the following authority:

- the Vice-Chancellor and Chief Executive for all staff members, students and those contracting with the University;
- the Chair of the Board of Governors for the Vice-Chancellor and Chief Executive and Governors.
- the Senior Independent Governor (SIG) in respect of interests of the Chair of the Board of Governors.

3.2 The appealing authority may confirm, rescind, reverse or modify the recommendation made under 2.7. The appeal decision is final.

4. Related Procedures, Guidance and Other Resources

The following relevant policies and procedures are available on the [University Policy Page](#)

- Disclosure and Management of Conflicts of Interests Policy
- Disclosure and Management of Conflicts of Interests Policy – Related Parties Guidance
- Scenario and Mitigations guidance
- Financial Regulations
- Gifts & Hospitality Policy
- Public Interest Disclosure “Whistleblowing” Policy
- Reportable Incidents Policy
- General Data Protection

[Declaration of Conflict of Interest Form](#) (staff access only)

[Due Diligence Framework](#) (staff access only)

[Staff Code of Conduct](#)

[Declaration of Personal Relationship in the Workplace Form](#)

[Disciplinary Procedure \(Staff access only\)](#)

[Instrument of Government](#)

[Articles of Government](#)

[Managing External Work](#) (staff access only)

5. Key Contacts

Service/Team	Responsibility
Faculty or Service management	Initial advice and guidance; consultation with Governance Services or other services as required.
Activity related Service/Team	E.g. Research Innovations Services, Legal Services, Student Library and Academic Services – advice on conflicts of interest and mitigations relating to specific activities
Governance Services	Advice on declarations and management of conflicts of interest policy and procedures