



University of
Salford
MANCHESTER

Register of Interests, Gifts and Hospitality Policy (Declaration and Management of Conflicts of Interest)

Version Number 2.0

Effective from 11 March 2019

Author: Corporate Governance Manager

Quality and Enhancement Office

| Document Control Information | | | |
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| Author | Summary of changes | Version | Authorised & Date |
| EPS | <i>Revised after policy review and to address regulatory and organisational changes</i> | v2.0 | GNEC, 11 March 2019 VCET, 19 February 2019 |
| MS | <i>New version (Management of Conflicts of Interest Policy)</i> | v1.0 | Director of LPG, 10 Dec 2015 |
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| Policy Management and Responsibilities: | | | |
| Owner: | This Policy is issued by the University Registrar & Secretary, who has the authority to issue and communicate policy on such matters and has delegated day to day management and communication of the policy to the Head of Quality and Enhancement. | | |
| Others with responsibilities (please specify): | All subjects of the Policy will be responsible for engaging with and adhering to this policy. | | |
| Author to complete formal assessment with the following advisory teams: | | | |
| Equality Analysis (E&D, HR) Equality Assessment form | 1. <i>Completed 28 February 2019.</i> | | |
| Legal implications (Legal) | 2. <i>No further review required</i> | | |
| Information Governance (QEO) | 3. <i>No further review required</i> | | |
| Student facing procedures (QEO) | 4. <i>N/A</i> | | |
| UKVI Compliance (Student Admin) | 5. <i>N/A</i> | | |
| Consultation: | | | |
| Staff Trades Unions via HR | 1. <i>N/A</i> | | |
| Students via USSU | 2. <i>N/A</i> | | |
| Relevant external bodies (specify) | 3. <i>N/A</i> | | |
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| Review due: | 2 years by March 2021 | | |
| Document location: | University Policy & Procedures webpage | | |
| http://www.salford.ac.uk/about-us/corporate-information/governance/policies-and-procedures | | | |
| The owner and author are responsible for publicising this policy document. | | | |

1.0 Purpose

The University is committed to delivering the highest standards of corporate governance when making decisions. Central to the proper conduct of public business is the need to observe the 'Seven Principles of Public Life' drawn up by the Nolan Committee on Standards in Public Life (the Nolan Principles) published May 1996: selflessness, integrity, objectivity, accountability, openness, honesty and leadership. Failure to do may leave members of the University open to suspicion of impropriety and pose a reputational risk to the University.

The purpose of this policy is to:

- assist in defining and identifying conflicts of interest;
- describe the procedures for declaring interests, gifts and hospitality, including how the University manages compliance;
- describe how the University holds and processes information about declarations of interests, gifts and hospitality;
- define the principles for managing perceived, potential or realised conflicts of interest.

In fulfilling this purpose, the policy will mitigate against bias in decision-making.

2.0 Scope

This policy applies to the following persons (hereby referred to as **members**):

- members of Council and committees of Council, including co-opted members;
- all University employees, including those engaged by subsidiary companies;
- persons affiliated to the University by way of an honorary academic title (including but not limited to emeritus professors and visiting professors or visiting researchers).

The policy statements apply whenever a member recognises, or could reasonably be expected to recognise, that a conflict of interest may arise from their activities.

Where compliance is mandatory, this is outlined in the relevant section.

3.0 Policy Statements

3.1 Definition of an Interest

- 3.1.1 It is impossible to describe a definitive set of rules on interests. Members are best placed to know their responsibilities within the University and other organisations and where these have the potential to conflict.
- 3.1.2 Conflict of interest arises when a member has an interest, either financial or non-financial, which may compromise their obligations to the University. Examples include:
- paid employment or self-employment;
 - significant consultancies;
 - directorships of commercial companies;
 - significant shareholdings;
 - elected officerships or positions in other organisations;

- remunerated or honorary positions and related connections with other educational institutions;
- trusteeships or participation in the management of charities and voluntary bodies;
- significant property holdings;
- potential for career or academic enhancement (own or others);
- access to privileged information;
- public appointments (whether paid or unpaid); or
- receipt of gifts and/or hospitality.

3.1.3 Conflict of interest may also arise from a personal connection with the member. That is anyone with whom the member has a relationship which could reasonably be said to appear to influence the member's objectivity. This includes, but is not limited to, spouses, partners or close family members (e.g. parents, siblings, children).

3.1.4 Section 5 of the University Charter permits members of the Council to receive remuneration and/or other financial benefit from the University provided that this is approved in accordance with the University Ordinance 17 'Ordinance for Conferring Benefits on Council Members'. In such instances the remuneration/financial benefit should be declared as an interest.

3.1.5 Conflicts of interest can be **perceived**, whereby a reasonable person would consider an interest likely to compromise objectivity, **potential**, whereby a situation could develop into a perceived or realised conflict or **realised**.

3.2 Definition of Gifts and Hospitality

3.2.1 Section 15 of the Financial Regulations prescribes the financial definitions and monetary values of, and procedures related to, the receiving of, gifts and/or hospitality (see also Section 5: Related Documentation).

3.3 Declaring an Interest, Gifts and Hospitality

3.3.1 On appointment to the University members will be asked to read and comply with this policy.

3.3.2 Thereafter, formal declaration, requiring the completion of a Declaration of Interests Form, including nil declaration (no interests to declare) is mandatory for the following:

- members of Council and committees of Council;
- members of Senate and committees of Senate;
- members of the Executive (Senior Officers);
- senior managers reporting to the Executive;
- members of the Board, Executive and senior managers of the subsidiary companies;
- the University Professoriate.

3.3.3 There will be an annual invitation to make a mandatory declaration of interests, issued on behalf of the University Registrar and Secretary.

- 3.3.4 Other members, who, in their normal role, are required to purchase goods or services on behalf of the University, or are involved in discussing or reaching decisions, and who believe that they have or may have, a conflict of interest should complete a Declaration of Interests Form.
- 3.3.5 Any changes to the circumstances of members, including new interests, should be declared and updated at the earliest opportunity.
- 3.3.6 Where the conflict of interest arises from a committee agenda item, the University's Standing Orders stipulate the procedure for disclosure.
- 3.3.7 If a member is in any doubt about a conflict of interest, they should make declaration.
- 3.3.8 Declaration of gifts and hospitality can be made using the University's online form.
- 3.3.9 Formal declaration of gifts and hospitality, requiring the completion of a Declaration of Gifts and Hospitality Form, including nil declaration (nothing to declare) is mandatory for members of Council and committees of Council. Invitations will be issued concurrently with the annual invitation to make declaration of interests.

3.4 Holding and Processing of Information

- 3.4.1 A register of interests declared (the **Register of Interests**) will be maintained by the University Registrar and Secretary.
- 3.4.2 Access to the Register of Interests will be restricted to those who require it to fulfil their University responsibilities (for example, procurement or line-management) and to the University audit service providers. Internal application to inspect the Register of Interests should be addressed to the University Registrar and Secretary.
- 3.4.3 A register of gifts and hospitality declared (the **Register of Gifts and Hospitality**) will be maintained by the Executive Director of Finance.
- 3.4.4 Access to the Register of Gifts and Hospitality will be restricted in the same manner as prescribed in 3.4.2 above, except that internal application for inspection should be addressed to the Executive Director of Finance.
- 3.4.5 Under the provision of the General Data Protection Regulations (2016) individuals (staff members) have the right to a copy of the data held on them by the University. Application can be made under the procedure stipulated in the University's Data Protection Policy.
- 3.4.6 Application for public inspection of either register can be made through the University's process for requesting data information, regulated by the Freedom of Information Act (2000).

3.5 Managing a Conflict of Interest

- 3.5.1 For independent members of Council and its committees, the Chair of Council, upon advice from the University Registrar and Secretary, shall determine where a material conflict of interest exists and how this should be managed/resolved.
- 3.5.2 In resolving such a conflict of interest, the Chair of Council may require the individual concerned to relinquish the position/shareholding from which the conflict arises.

- 3.5.3 Where an independent member of Council is unwilling to relinquish their external interests they may prefer to resign from Council.
- 3.5.4 For employees, the Vice Chancellor, upon advice from the University Registrar and Secretary and, where appropriate, the relevant Head of School or Director of Professional Service, shall determine where a material conflict of interest exists and how this should be managed/resolved.
- 3.5.5 Where a member of staff is unwilling to relinquish their external interests, the matter will be referred to the Director of Human Resources and Organisational Development.
- 3.5.6 All actions relating to the management of material conflicts of interests will be documented in the Register of Interests.
- 3.5.7 Where the conflict of interest arises from a member who carries significant financial responsibility on behalf of the University, the matter must be referred to the Executive Director of Finance (or, in the case of the Executive Director of Finance, referred to the Vice-Chancellor) for approval before such a commitment is entered.
- 3.5.8 Where the declaration of an interest arises from a committee agenda item, the University's Standing Orders stipulate the actions or sanctions that can be taken.
- 3.5.9 The declaration of interest shall be recorded in the minutes of the meeting, along with the Chair's decision regarding any further action/sanction.
- 3.5.10 For all other declarations of interest, the appropriate Executive or Senior Manager should review the disclosure to determine if it needs to be properly managed. In all circumstances this should consider whether members of the public, knowing the facts of the situation, could reasonably conclude that the interest involved might influence the financial or non-financial material aspects of any arrangement.
- 3.5.11 In declarations of interest that are concluded to potentially influence financial aspects of arrangements, the matter should be referred to the Executive Director of Finance (or, in the case of the Executive Director of Finance, referred to the Vice-Chancellor) for approval before such an arrangement is entered.
- 3.5.12 In declarations of interest that are concluded to potentially influence non-financial aspects of arrangements, the Executive or Senior Manager should agree with the member which of their interests they should give up. This may include (please note this is not an exhaustive list):
- Not taking part in discussions in certain matters;
 - Not taking part in decisions relating to certain matters;
 - Referring to others certain matters for decision;
 - Resolving not to act as a particular person's line-manager;
 - Standing aside from any involvement in a project;
 - Declaring an interest to a third party;
 - Temporarily suspending consultancy work.

3.5.13 The steps agreed to manage the conflict of interest should be recorded in writing and specify discussions, negotiations and decisions made and be signed by the manager and the member. Where applicable, the interest may also be included in the Register of Interests.

4.0 Policy Enforcement

4.1 Responsibility for compliance with the invitation to make mandatory declaration (failure to declare) lies with the appropriate line manager or human resources contact, or in the case of the Vice-Chancellor, members of Council or committees of Council with the Chair of Council.

4.2 Ultimately, failure to make a mandatory declaration and/or failure to disclose complete and accurate information may constitute misconduct and will be handled under the University's disciplinary policies and procedures, or in the case of the Vice-Chancellor, members of Council or committees of Council, under the relevant University Ordinance.

4.3 Allegations of non-disclosure may also be raised under the University's Whistleblowing Policy.

5.0 Related Documentation (please note, not an exhaustive list)

This policy is produced under the guiding principles of the University's Ethics Framework. Information about the corporate governance of the University, including Code of Conduct for Members of Council and Senior Officers, Ordinances and Standing Orders, and the Ethics Framework is published on the University website:

<https://www.salford.ac.uk/about-us/corporate-information/governance>

Further information about the management and procedures relating to gifts and hospitality is published on the University website:

<https://www.salford.ac.uk/about-us/corporate-information/governance/registration-of-gifts,-rewards-and-hospitality>

The following documents can be found on the University's Policies and Procedures webpages:

<https://www.salford.ac.uk/about-us/corporate-information/governance/policies-and-procedures>

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| Anti-Bribery Policy | Disciplinary Procedure |
| Criminal Finances Act Policy | Employment Code of Practice |
| Consensual Relationships Policy | Financial Regulations (including Financial |
| Counter Fraud Policy and Response Plan | Delegation) |
| Data Protection Policy | Research Code of Practice |

6.0 Sources

The following source documents particularly informed the production of this policy:

Conflict of Interest Policy (Jan 2019) Imperial College London

Register of External Interests and Annual Declaration Policy (revised Jan 2019) Imperial College London.