DECLARATION OF INTERESTS POLICY

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<th>Responsibility of</th>
<th>University Secretary</th>
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<td>Approval date</td>
<td>Initial approval 7 November 2011</td>
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<td>Approved by</td>
<td>Vice-Chancellor’s Executive</td>
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<td>Initial consultation</td>
<td>UCU/UNISON</td>
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Declaration of Interests policy

1 Rationale

1.1 The Declaration of Interests Policy of the University of West London seeks to restate and consolidate those ‘conflict of interest’ elements from a range of existing relevant documents e.g. the explicit terms of the contracts of employment for academic and management staff, the implied contractual terms of employment for all staff, Financial Regulations and Academic Regulations. This Policy is relevant to all staff, including academic staff, professional services staff and management staff, whether employed on a full-time or part-time basis.

1.2 The University does not intend that this policy should undermine, or deter in any way, external activities that staff undertake in the course of their professional responsibilities e.g. engagement with relevant professional associations, external examining, delivering conference papers, public lectures etc. For the most part such activities are an integral part of an academic role. The important principle is that all external activities should be declared, whether paid or unpaid and where necessary agreed in line with this policy.

2 Summary principles

2.1 This Policy sets out the requirements by which staff must comply by declaring interests they may have that could conflict with those of the University.

2.2 All employees have a duty to make a declaration of interests in accordance with this Policy at least annually, and to notify their line managers of their interests and to seek permission from VCE where they are undertaking external activities.

2.3 All employees have a responsibility to further the interests of the University; this is implied as part of the employer/employee relationship.

2.4 There is a duty of faithfulness owed by the employee to the employer by virtue of the employment relationship which requires the employee not to act against the interests of the employer.

2.5 If an employee’s actions or decisions made during the course of their employment are considered to be motivated by personal gain including undertaking work that is in conflict with the requirements of their contract or failing to declare interests, the University is entitled to take disciplinary action against the employee (which may result in dismissal).

3 Conflict of interest

3.1 A conflict of interest is defined as follows:
Actions or situations which could lead to an individual’s obligations to the University being influenced or affected by that individual’s considerations of personal gain, or gain to the individual’s family members or friends, whether financially or otherwise.

These include but are not necessarily limited to:

- Gifts and hospitality (see Appendix 1)
- Services for personal use from people or companies who do business with the University
- Executive and non-executive directorships or other interest in a company
- Licensing of intellectual property
- Outside activities including paid work which interferes with University duties
- Consultancy
- Research projects
- University management decisions
- Relationships with students (including staff members who are students (see Appendices 2 and 3).

4 External work outside the University

4.1 Individuals are expected to fully commit all of their working time, as specified in their contract of employment, to the University. Any work, either paid or unpaid, outside the University is considered a potential conflict of interest (as defined in point 4 above) and must not interfere with a member of staff’s contractual obligations to the University. Appendix 4 outlines examples of activities which may be approved under this policy but which must be declared and permission sought.

4.2 Contracts of employment for the following categories of staff have a specific clause relating to ‘Exclusivity of Service’:

- All Management staff;
- Academic staff

4.3 The ‘Exclusivity of Service’ clause (paragraph 15) states that:

‘You are required to devote your whole time and attention to your duties during your working hours and to act in the best interests of the University at all times. Accordingly, you must not, without the written consent of the University, undertake any employment or engagement, which might interfere with the

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1 A person is considered as having a financial interest in a company or organisation if s/he is the beneficial owner of more than 5% of the issued capital, is an employee, partner, director, governor or owner.
performance of your duties or conflict with the interests of the University. Unless a potential conflict of interest is identified, such consent will not be refused.

4.4 You are required to notify your Head of School / Department of any employment or engagement which you intend to undertake whilst in the employment of the University (including any such employment or engagement which commenced before your employment under this contract). You must also declare it through MyView. Your declaration will be considered by the Vice Chancellor’s Executive (VCE). You will then be notified of the University’s consent or objection to you undertaking such additional activities or employment. Please note that such consent may only be given by VCE members. Permission will not be refused unless it is deemed to interfere with the performance of your duties.

4.5 Employees are reminded that to undertake paid work in addition to their contract with the University without written permission is a disciplinary offence and will be dealt with in line under the University’s Disciplinary Policy. For this purpose running your own company is included in the definition of paid work.

5 Declarations of interest

5.1 All employees have a duty to make a declaration of interests in accordance with this Policy through MyView for consideration by VCE and to notify their line managers of their interests.

5.2 Employees must make a full declaration when asked to do so even where it will be a nil return. Failing to make a declaration will be dealt with under the University’s Disciplinary policy.

6 Purchase or supply of goods and services

6.1 Employees may, on occasions, be in a position where a conflict of interest arises such as if:

- The supplier is a personal friend
- The supplier is related to the employee
- The employee has a financial interest in the organisation
- The employee may be perceived as having been offered present or future benefit

6.2 If the employee believes that a conflict of interest is possible s/he must declare that interest. If in doubt the employee should seek guidance from the University Secretary, the Director of Finance or the Head of Procurement.
7  **Relationships**

7.1 The University recognises the importance of preserving the integrity of professional relationships between staff and students and between members of staff.

7.2 Where a personal relationship exists between members of staff who also have direct or indirect line management or a supervisory relationship, the existence of the close personal relationship must be disclosed to the Head of School / Department.

7.3 Staff who have such personal relationships must not be involved in the recruitment, selection, appraisal, promotion or other process whereby unfair advantage may be gained over another member of staff or where conflict of interest might exist.

7.4 Professional relationships between staff and students will include teaching, assessing or supervising. Where a member of staff has both a professional and personal relationship with a student, it is the responsibility of the member of staff to inform his or her line manager immediately (see extract from the Assessment Supplement at Appendix 2 and extract from regulations for staff studying at the University Appendix 3).

8  **Gifts and hospitality**

8.1 Staff who are offered gifts or hospitality must declare these in line with the Financial Regulations. The relevant section of the Financial Regulations is attached at Appendix 1.

9  **How to make declarations of interest**

9.1 Declarations of interest should be made online through MyView. All staff are expected to make a return, which should be updated as and when circumstances change, and at least annually thereafter.

9.2 Where staff members wish to undertake paid work or consultancy with another employer, or run their own company, they should seek approval from VCE as required in the contract through declaration on MyView. They should inform their Head of School / Department that they have sought such permission. Written approval must be given by VCE prior to the commencement of any such work.

9.3 In the event of an undeclared conflict of interest being discovered, the matter will be subject to an internal investigation and, if found to have substance, could lead to dismissal.
9.4 The data will be kept securely in electronic format and strict confidentiality will be maintained.

9.5 The data will be considered by VCE and any conflicts of interest, including paid work outside the University, must be approved by VCE and endorsed by the Head of School/Service.

Marion Lowe
University Secretary and Chief Compliance Officer
April 2017
Appendix 1: Relevant extracts from the Financial Regulations:

2.3 Declarations of interest

2.3.1 The University Secretary and Chief Compliance Officer maintains a register of declarations of interest.

2.3.2 Governors and staff are responsible for ensuring that entries in the register relating to them are kept up to date regularly and promptly. Failure to inform the University Secretary is a disciplinary matter.

2.3.3 Interests which must be reported to the University Secretary include, but are not limited to:

i) Employment outside the University

ii) Appointment of a supplier where the member of staff/Governor has both an input to the decision and a financial or personal connection with the supplier

iii) Acceptance of gifts, see section 2.16

2.3.4 Guidance on whether a matter is reportable should be sought from the University Secretary and Chief Compliance Officer. Further details can be found at:

http://www.uwl.ac.uk/the_university/University_policies.jsp

2.3.5 The Boards of Directors of the University's wholly-owned subsidiary companies are required to adopt the University's Regulations and procedures for the declaration and registration of interests, benefits and gifts.

2.16 Gifts, donations and hospitality

2.16.1 The offer of a gift, favour or hospitality from whatever source (contractors, suppliers' service providers, students and others) is to be treated with extreme caution to protect:

i) The reputation of the University.

ii) Staff and Governors personally.

as, even if offered and accepted in good faith, others may misunderstand the intention behind the gift, favour or hospitality which may lead to questions of impropriety and/or conflict of interest.

2.16.2 Governors and staff are personally responsible for ensuring that they conduct themselves with integrity, impartiality and honesty at all times to ensure that
their conduct does not create suspicion of any conflict of interest between official duty and private interest.

2.16.3 Staff acting in an official capacity who have regular contact with other organisations where such offers form part of normal business practice and/or are involved in negotiating contracts are particularly vulnerable as refusal can cause misunderstanding or offence.

2.16.4 In determining what to do in a given situation the following principles should be followed:

i) The Head of School or Director of the department must maintain a record if the gift is estimated at costing more than £30.

ii) Gifts of over £50 should be declared and recorded in the Gifts Register by the University Secretary and Chief Compliance Officer.

iii) If in any doubt err on the side of caution and if necessary seek advice from their line manager, the University Secretary or the Executive Director of Finance.

iv) Staff must not give the impression to any member of the public, to any organisation with whom they deal or to their colleagues, that they have been, or may have been, influenced by a benefit to show favour or disfavour to any person or organisation.

v) If an unsolicited gift of a substantial nature is received from a contractor it should be immediately returned to them with a polite explanation that the University's rules do not allow their acceptance.

vi) Offers of hospitality exceeding conventional hospitality (for instance attending, in an official capacity, a social event organised by another body for promotional or influential purpose) should be declined. The following forms of hospitality, in particular, should be avoided:

- Inducements that could lead to a contractual position between the University and a supplier, contractor or consultant
- Substantial offers of social functions, travel or accommodation
- Repeated acceptance of meals, tickets and invitations to sporting, cultural or social events, particularly from the same source
- Significant hospitality offered in substitution for fees for broadcasts, speeches, lectures or other work done

2.16.5 Occasionally, exceptional circumstances arise where there may be a case for an individual to accept the gift or favour on behalf of the University. In such circumstances the University Secretary will make the final decision on the advisability of accepting or refusing such gifts or favours. Such gifts or favours
should remain the property of the University and be used wherever possible to support the work of the University.

2.16.6 In exceptional circumstances, the University Secretary may determine that it is not possible to use a gift or favour to support the University's work. In such instances retention of the gift may be authorised by the Vice-Chancellor, or, in the case of the Vice-Chancellor, by the Chair of the Board of Governors. If retention of the gift is authorised the recipient may be asked to make a cash bequest to the University or, alternatively, the University Secretary may arrange for the gift to be presented to a local charity. Whatever the outcome the central register referred to in 2.16.7 below must record what happened to the gift or favour.

2.16.7 To protect individual members of staff and avoid accusations of conflict or impropriety, the University Secretary will maintain a central register of gifts, favours including donations and hospitality, as a record of instances regarded as exceptional. In addition, the Executive Director of Finance is responsible for maintaining financial records in respect of gifts and donations made to the University and initiating claims for recovery of tax where appropriate.

2.16.8 The payment of a donation or gift to any charity or other worthy cause by the University is not normally acceptable and such payments require the approval of the Vice-Chancellor.

2.16.9 The University may take disciplinary and/or other appropriate action against any member of staff who accepts any benefit as an inducement or reward that leads them in an official capacity to:

i) Take any action, or not to take action or ii) Show favour, or disfavour, to anyone
Appendix 2: Extract from the Assessment Supplement

4 Policy statement on Staff/Student Personal Connections or Relationships

From time to time students of the University are, or become, personally connected with, or related to, members of staff of the University. In order to ensure that personal or other relationships do not call into question the academic integrity of the University, it is incumbent upon all full- and part-time staff of the University to make an immediate and confidential written declaration of such relationships. For teaching and other academic staff this should be made to the Head of School (or equivalent) responsible for the course of study which a student with such a relationship attends, and for nonteaching staff to the Academic Registrar. If a declaration is made in this regard arrangements will be made to ensure that a student with a relationship with a member of staff will be seen, if enquiries were to be made, not to have been capable of being advantaged in respect of her/his academic performance, examination or assessment because of that relationship.
Appendix 3 Staff who study at the University: avoiding conflict of interest
(Paper approved at Academic Board 15 June 2011 forwarded to HR
to link Regulations and Guidance to Staff Development requests)

Introduction

A number of staff undertake study on credit-bearing University courses; sometimes as a requirement (e.g. the PG. Cert in Academic Practice). The University encourages all staff to update qualifications as part of continuing professional development - for example to develop research skills or to gain higher qualifications in a subject where the staff member is a professional practitioner. Studying at the University is often the most suitable, practical option.

Potential conflicts of interest (including potential or perceived favouritism) may occur where the member of staff who is studying on a particular course would be taught by close colleagues, relatives or partner, or, in an exceptional case, if the member of staff were studying on a course to which he or she contributed to teaching, management, administration, personal tutoring or other support to students. Such potential conflict may occur in subject areas where expertise is highly specialised, for example in postgraduate research.

Regulations

1. Where a member of staff wishes to study on a course to which he or she contributes teaching or other support the member of staff will not normally be enrolled on the course or should withdraw from teaching or administering on that course, unless it can be fully demonstrated that safeguards will be put in place or that the nature of the member of staff’s interaction with the course is so limited that no conflict of interest could occur.

2. Any member of staff studying on a course in his or her School will have all assessments scrutinised by an external examiner.

3. The portfolio evidence of any member of staff applying for APEL will be scrutinised and approved by an external examiner, following an internal assessment.

4. No member of staff studying on a University course will act as student representative for that course.

5. While studying on a University course the member of staff will continue to abide by the University regulations governing staff student relationships and assessment.
 Guidance

Judging the extent to which potential conflict might occur requires first of all a declaration by the prospective student. This can be an addendum to the application form.

“I understand that as a member of staff wishing to enrol on this course I will conform to any special requirements laid down by the Head of School and my line manager.”

A decision will then be made by the Head of School in which the course sits, in consultation with the potential student’s line manager, to reflect the practical implications of regulation 1 (above).

The decision to admit staff onto a University course may require special arrangements to be put in place; for example:

- Where a member of administrative or academic staff has access to student assessment records about the course he or she is undertaking, arrangements must be in place to control access to relevant parts of the record.

- When a member of staff is studying on a course/module to be considered by an assessment or progress board, the board will confirm there is no conflict of interest in the members of the board or others present at the meeting and will ensure that the member of staff withdraws from the relevant part of the meeting.

- Where the member of staff’s work will be assessed by a close colleague, relative or partner, marking and second marking responsibilities will need to be rearranged and School administration will need to ensure that any anonymous marking arrangements are not compromised.

The programme leader, School Administrator and Academic Registrar will be informed of any special arrangements and will monitor their application.
Appendix 4: External work outside the University (to be read in conjunction with section 4 of the policy).

Guiding principles:

The employee’s contractual responsibility is to act in the best interests of the University and this must take priority at all times.

Employees undertaking work for another organisation, whether paid or unpaid, should ensure that there is no conflict of interest between the organisation that they undertake such work for, and the interests of the University.

Employees should not undertake such work, whether paid or unpaid, where this impacts on their ability to fulfil their contract of employment with the University of West London.

In line with this policy, all such work whether paid or voluntary, must be authorised by VCE and endorsed by the Head of School / Department, and this should be updated at least annually through MyView.

Such authorisation must be received before any external work commences.

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<th>Type of work</th>
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<td>Visiting Professor, External Examiner, Advisor etc.</td>
<td>The University encourages staff to engage in the activities of appropriate educational and professional bodies where there is a demonstrable benefit to the University. Where an employee undertakes such work during their normal working hours, then this must be agreed by VCE in line with this policy.</td>
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<td>Consultancy/training</td>
<td>An employee should not undertake such paid work during normal contracted hours. Where the work is of demonstrable benefit to the University, such work may be undertaken during normal working hours, but must be agreed by the VCE in line with this policy and must not be additionally remunerated.</td>
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<td>Voluntary work – including work as a School Governor or as a committee member for other such organisations</td>
<td>Staff who undertake voluntary (unpaid) work for other organisations are expected to do so outside of their normal contracted hours or to take annual leave subject to the normal line management authorisation process through MyView. Such leave will not unreasonably be refused.</td>
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<td>Special Leave provision</td>
<td>Special Leave provisions apply for staff undertaking work as Magistrates, members of Tribunals, members of Local Authorities and other public bodies, as a volunteer member of non-regular forces. Please refer to the Special Leave Policy for details of the level of entitlement and authorisation process.</td>
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<td>Clinical link work</td>
<td>Academic staff required to undertake clinical link work in order to maintain their professional accreditation etc. are provided with time to do this as part of the allocation of duties and responsibilities as determined by the academic employment framework. As this is part of their contracted time with the University, they must not receive additional payment for the work undertaken.</td>
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<td>Other professional practice</td>
<td>Academic staff undertaking unpaid work as part of their personal development plan to maintain their knowledge of current professional or industry practice, may by agreement with their line manager undertake such work during their contracted working hours, provided this does not interfere with their teaching, research or other leadership and management responsibilities.</td>
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