



# Policy for the Management of Conflicts of Interests

**Human Resources Department and Research and Enterprise Services**

Lead Director: Director of Human Resources, Organisational Development and Student Support
Date ratified by Council: 30 October 2008
Procedure issue date: 30 October 2008 Reviewed: November 2014
Procedure to be reviewed every 2 years or earlier if there is a change in relevant legislation. Date of next review: 2017/18

## 1. SCOPE

- 1.1 This document sets out the University's Policy on the management of conflicts of interest. It is supported by the accompanying *Procedure and Guidelines for the Management of Conflicts of Interest* which provide some practical advice to University staff and managers on how potential or actual conflicts of interest may be managed. This Policy supports Keele University's Financial Regulations.
- 1.2 Accordingly, it is a condition of employment or association that University staff must comply with the requirements of this Policy. This Policy applies to all staff and also Honorary, Visiting and Emeritus titleholders (hereafter referred to as "University staff"). There is a separate procedure in place to assess and manage any potential conflicts of interest in relation to Council members (see Annex C).
- 1.3 This Policy and the accompanying *Procedure and Guidelines for the Management of Conflicts of Interest* accord with the *Seven Principles of Public Life*<sup>1</sup> established by the Nolan Committee and similar policies are common in most universities and other publicly-funded bodies. The Policy recognises that some University staff will have business and other external interests outside of the University and it has no wish to discourage these. In many cases the University would wish to facilitate relevant opportunities. However in so doing, the University has a responsibility to identify and mitigate against any perceived or actual conflict of interest and any associated damage to reputation and/or other liabilities.
- 1.4 The main purpose of this Policy is to ensure that staff are made aware that they should avoid putting themselves in a position where their duty to the University and their private interests might conflict.

## 2. BACKGROUND

- 2.1 Universities and their staff engage in a wide range of activities. The traditional staff roles are nowadays often supplemented by external professional activities and commercial collaborations including consultancy, commercial research and development, intellectual property licensing and involvement in 'spin-out' companies. In addition, the University recognises that some members of staff engage in private or freelance work entirely separate from their roles at the University, or have other external interests in the public or private sector (for example non-executive directorships) or other external professional or business interests. Staff engaging in external consultancy and other activities for which they receive payment are also subject to the University's *Additional Earnings and Consultancy Policy and Procedure*.
- 2.2 Keele University recognises that involvement in University endorsed commercial activities carries many advantages, including the practical application of new technologies, the provision of an additional source of research funding and insights into commercial and societal needs and the receipt of royalty income for the University and its Schools and Research Institutes. Contemporary attitudes are captured by the fact that the Government and HEFCE have created a permanent stream of funding to encourage and resource these 'third-mission' activities (complementing funding provided for teaching and research).

- 2.3 Keele University encourages individual staff to develop their own balanced 'portfolio' of activity, including professional activities and external collaborations of one kind or another. However, by engaging in such external activities, staff can sometimes place themselves in a difficult position in which an outside interest may conflict, or appear to conflict, with their duties to the University. The member of staff may then be open to question that decisions they take as a member of University staff are influenced by personal and/or financial interests. It is important to note that potential conflicts may arise with any type of external organisation, including those in the public sector and third sector, and not just with private sector/commercial organisations.
- 2.4 External activities can produce positive benefits, but they also have the potential for diverting Keele University and its staff from their primary educational, research, and service missions. In particular, conflicts of interest can arise when the interests of a commercial venture, from which a member of University staff derives direct benefit, differ from the interests and primary obligations of the University as a whole, or when the commercial venture consumes an undue share of the member of staff's attention. The University believes it to be essential that its staff should manage or avoid, and be seen to manage or avoid, such conflicts. Moreover, many funding agencies, in the UK and elsewhere, are now seeking assurance that universities are properly managing potential conflicts as a condition of grant funding.

### **3. DISCLOSURE OF INTERESTS**

- 3.1 The full prior disclosure of interests is clearly an important (and in many cases, sufficient) mechanism for the management of any potential conflicts of interest. This Policy requires all members of University staff, who are engaged in external business, professional or financial activities, to prospectively disclose their external interests to the University, as and when they arise, or on a retrospective basis where these have not already been disclosed. The University will also undertake audits on a periodic basis.
- 3.2 The accompanying *Procedure and Guidelines for the Management of Conflicts of Interest* set out full details of the procedures governing the disclosure and management of business and external interests and provide guidance on the different types of potential conflicts of interests, together with advice on how to manage them.
- 3.3 University staff will not be professionally disadvantaged by making a disclosure. However, if a member of staff does not make a disclosure and it subsequently transpires that there is a conflict of interest, the University reserves the right to take appropriate action, which could result in disciplinary action.
- 3.4 New members of staff and Honorary, Visiting and Emeritus Titleholders will be required to disclose any conflicts of interests in accordance with the Procedures on appointment.
- 3.5 Disclosures will be subject to the provisions of the Data Protection Act 1998 and, where appropriate, to the Freedom of Information Act 2000.

*Approved by Keele University Council 30/10/2008*

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<sup>i</sup> The Seven Principles of Public Life: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty, and Leadership