

Conflicts of Interest Policy

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1. Introduction

William College is committed to maintaining the highest standards of integrity, ethics, and accountability in all its activities. This Conflicts of Interest Policy aims to protect the reputation of the College and its staff by ensuring that any conflicts of interest are disclosed and appropriately managed.

The College values its relationships with external organisations and encourages staff to engage in outside activities. However, it is crucial to have mechanisms in place to address and manage potential conflicts of interest that may arise.

The aims of this Policy are:

- To promote transparency and accountability in the conduct of college business;
- To ensure that Interests of senior staff or other key decision-makers are periodically defined, declared and transparently reported.
- Any actual or perceived financial or non-financial conflicts of interest (arising from external activities, personal relationships or roles within William College) are identified and properly managed so that the activity can be carried out without risk to the integrity or the reputation of the College or its staff and students.
- To safeguard the College's financial sustainability and interests.
- Procedures are in place for conflicts of interest to be identified and managed in compliance with the relevant professional, legal, ethical and regulatory standards on conflicts of interest.
- Activity is avoided in cases where a conflict of interest cannot be managed; and
- All staff and students are aware of the importance of compliance with the Policy and that compliance with the Policy is monitored.

2. Policy scope

All staff and individuals associated with William College are expected to adhere to high standards of professional and ethical conduct and are required to recognise and declare any interests that conflict or may conflict with their roles or the College's business. Managing conflicts of interest effectively requires openness, and disclosure is crucial. If there is any doubt about whether an interest constitutes a potential conflict, it should be disclosed.

The following steps should be taken:

- Disclose the conflict
- Manage the conflict where required
- Prohibit the activity if necessary to protect the interests of the College

This Policy applies to all staff and individuals working for or with the College, including but not limited to:

- Employees (full-time and part-time).
- Members of College committees.
- External examiners and assessors.
- Consultants and contractors.
- Casual workers and agency staff.
- All registered students

Members of the Board of Governors are subject to equivalent duties as set out in the Management and Governance Framework.

3. Regulatory requirements

This policy forms part of the College's governance framework and supports the College's commitment to uphold the Office for Students' (OfS) public interest principles and in fulfilment of regulatory requirements, including but not limited to:

- Sections 1.4 and 3.2 of the Committee of University Chair's (CUC) Higher Education Code of Governance sets out the responsibilities of the governing body for the disclosure and management of conflicts of interests.
- Section 175 of the Companies Act 2006, which states, 'a director of a company must avoid a situation in which they have, or can have, a direct or indirect interest that conflicts, or possibly may conflict, with the interests of the company.'

4. Responsibilities

Every student, member of staff, external committee member and any other person working in the College (as defined in section 2 above) is responsible for ensuring that they comply at all times with this Policy.

It is the responsibility of each individual, including to recognise situations in which questions of conflict of interest on their part or might reasonably be seen by others to have a conflict, to disclose that conflict to their line manager and, through them, to the Director of Operations. If an individual is uncertain about how this policy might affect their activities or has any questions about its application, they should contact their line manager.

All conflicts must be recorded in a Register of Interests, which will be maintained by the Human Resources department. Staff must inform their line manager of any changes in their circumstances that may affect their conflicts of interest.

Additionally, senior staff (e.g. Senior Leadership Staff and Governors) and other key decision makers are required to declare interests annually as well as when potential conflicts arise, and to update their declarations of interest as required.

The duty to declare a possible conflict applies to the perception of the situation as well as the actual existence of a conflict. If the situation cannot reasonably be regarded as likely to give rise to a conflict of interest, then there is no duty to declare it. If there is any uncertainty as to whether there is a conflict, or if an individual is uncertain about the application of this Policy or how it might affect their activities, they should contact the appropriate person.

Heads of Division, Heads of Department and Line Managers are responsible for ensuring that staff within their divisions, departments, faculties or sections (as appropriate), students, and other associated persons are made aware of this Policy.

Failure to disclose an interest, providing an incomplete or inaccurate disclosure, failing to seek approval or failing to appropriately manage a Conflict of Interest may constitute misconduct or a breach of terms and conditions of employment (for staff) or OfS conditions of registration and may result in disciplinary action being taken by the College.

5. Defining and recognising conflict of interest

A conflict of interest arises where the commitments and obligations owed by an individual member of staff to William College or to other bodies, such as a funding or awarding body, are likely to be compromised, or may appear to be compromised, by:

- that person's personal gain, or gain to immediate family (or a person with whom the person has a close personal relationship), whether financial or otherwise; or
- the commitments and obligations that person owes to another person or body.

There can be situations in which the appearance of a conflict of interest is present even when no actual conflict exists. It is important for all staff to consider how a potential conflict might be perceived by others when evaluating a situation.

William College prohibits staff from pursuing or engaging in intimate relationships with students, particularly where professional duties may be influenced, or the student's academic or social opportunities could be affected. For example, when a member of staff has direct or indirect responsibility for, or involvement in, that student's academic studies (for example, assessor of a student's work) and/or

personal welfare (for example, academic advisor and advisee) or a member of staff interacts with a student as part of their role (including the period during which a prospective student is applying for admission, and any period of time after the completion of a degree during which the staff member maintains a direct or indirect professional role, such as mentoring or writing references for a former student).

Such relationships should be reported immediately in accordance with the procedure set out in the Staff-Student Relationships Policy so that appropriate safeguards are put in place, including changing the supervisory relationship or the relationship of direct responsibility for, or involvement in, the student's academic studies and/or personal welfare.

Staff must consider not only actual conflicts but also how their actions may be perceived by others. If there is any doubt about whether a situation could reasonably give rise to a conflict, it should be disclosed to ensure transparency and maintain trust.

A conflict of interest may arise where an individual might be seen to be influencing College matters for actual, potential or perceived personal benefit. Such a conflict may arise in a situation when a member of the College community is in a position to influence, directly or indirectly, the College business, research, education or other decisions in ways that could lead to gain for them, their family or others.

A conflict of interest may relate your own interests or a connected person which means family, relatives or business partner or business in which you hold an interest.

Conflicts of interest may be financial or non-financial, or both:

- A **financial conflict** of interest exists when there is, or appears to be, an opportunity for personal financial gain, financial gain to close relatives or close friends, or when another party might reasonably assume that financial benefits could affect a person's actions. Financial interest includes anything of monetary value, such as payments, benefits in kind, equity interests, gifts, hospitality or intellectual property rights. The level of financial interest is not the determining factor in whether a conflict should be disclosed. A financial interest should be disclosed regardless of its size if it could reasonably be perceived as influencing actions or decisions.
- **Non-financial interests** may include any direct or indirect benefit or advantage, enhancement of an individual's career or education or gain to a connected person, e.g., favouritism in hiring or promotions. Staff and other committee members should therefore consider who they are acting for, and whether there are any competing motivations or interests that could influence them or be seen to influence them. Such conflicts may include benefits or advantages such as career advancement, educational benefits, or advantages to immediate family members.

No one should be involved in making decisions in relation to their commitments to the College from which they, or anyone with whom they have a close financial or personal relationship, stands to personally benefit. In thinking about whether there is any conflict between decisions which they are making, and their own personal interests the common law test for bias is whether a fair-minded and informed observer would have any reason to suspect that an individual's impartiality might be compromised.

Such considerations apply to a wide range of activities in which conflicts may arise, including, but not restricted to, student admissions, student assessment, disciplinary proceedings, appeals, staff recruitment, staff promotion and remuneration, procurement, and assessing proposed relationships between the College and outside parties.

6. Declaring conflicts of interest

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 Head of Department (or equivalent). If the Head of Department (or equivalent) has an interest in the matter to be discussed, the declaration shall be made to the person at the next higher level of authority. In most cases, this will be to the Head of Division or the Director of Operations.

Upon receiving a disclosure, the line manager will evaluate the situation in consultation with Human Resources as necessary. Together, they will determine the next steps for managing the conflict, which may include:

- Developing a Conflict Management Plan that outlines specific actions required to address the conflict;
- Determining whether the individual should recuse themselves from specific decisions or discussions. Actions may include recusal from specific decisions, referral to another party, or in some cases, divesting from certain interests.
- Referring the matter to another appropriate party if needed.

The line manager will ensure a record is taken of all disclosures and actions taken in the Register of Interests, maintained by Human Resources.

If the conflict of interest is complex or raises significant concerns, the line manager may escalate the matter to the Director of Operations and the Human Resources department for further review and guidance. They will provide final oversight and make determinations on any necessary actions.

7. Managing conflicts of Interest

It is important to note that considering conflicts of interest involves a spectrum of directness and significance. Several factors may need to be considered when assessing the seriousness of the conflict of interest and potential for bias. These include but are not limited to:

- The seriousness of the actual, potential or perceived conflict.
- how closely the two interests are related to each other.
- the magnitude of the actual, potential or perceived effect of one on the other.
- the nature or significance of the particular decision or activity being carried out.
- the extent to which the individual's other interest could actually affect or be perceived to affect the College's decision or activity.
- the nature or extent of the individual's current or intended involvement in the College's decision or activity.

In some situations, simply disclosing and recording the interest may be the only necessary action. In other cases, in order to ensure that decisions are made in a fair and transparent way, more active management may be required. This will depend on the nature and context of the interest, but could include:

- not taking part in discussion of certain matters and any decisions/votes relating to those matters.
- not taking part in decisions relating to certain matters but still being present for any preceding discussion.
- referring decision-making on certain matters to others.
- agreeing 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.

8. Policy review

This policy is reviewed every three years or sooner if required by our Senior Leadership Team (SLT). Any amendments require the approval of our Board of Governors.

9. Related Internal Policies

- Staff-Student Relationship Policy
- Data Protection Policy
- Abuse of Power Code of Practice
- Gift and Entertainment Policy

- Staff Disciplinary Procedure
- Anti-Bribery and Corruption Policy
- Whistleblowing Policy

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Appendix 1 - Examples of Conflicts of Interest

Situation	Declaration	Possible Management Strategy
<p><u>Teaching and/or supervision-related</u> A staff member who has a close personal or familial relationship with a student or a person connected to the student and who may be involved in decisions about the student's admission, supervision or academic progress.</p>	<p>To Head of Institution or a senior member of the HR Division</p>	<p>The student will be made aware of the disclosure and arrangements will be put in place to avoid the staff member having any professional connection with the student.</p>
<p><u>HR-related</u> A staff member who would normally be involved in the selection process for a new appointment learns that a close family member is applying for the role.</p>	<p>HR/Recruitment team</p>	<p>No member of staff may be involved in the recruitment process where a relative is a candidate. Therefore, the staff member's role in the selection process should be carried out by another member of staff.</p>
<p><u>Committee-related</u> a) External committee member who advises or sits on committees at other universities. b) A committee member who has an outside interest in an item on the agenda.</p>	<p>To HR (for register of conflicts of interests) and Chair of Committee or delegate (when the conflict relates to a particular agenda item)</p>	<p>a) Membership of other bodies which could constitute a conflict of interest should be recorded in the Institution's register of conflicts of interests. b) The individual should declare specific conflicts at the start of meetings when relevant. The Chair should decide what action may be necessary, which may include the conflicted member:</p> <ul style="list-style-type: none"> • absenting themselves from the discussion and decision of the item; or • remaining for the discussion but not the decision on the item; or • remaining for full item, but not participating in the decision. <p>The conflict and action should be minuted.</p>
<p><u>Finance-related</u> A staff member who takes part in the negotiation of a contract between the College and a supplier where they, or a person connected to them, has a financial or non-financial interest in that supplier.</p>	<p>To HR (for register of conflicts of interests) and Director of Finance/Procurement</p>	<p>The employee should declare the conflict prior to engaging the supplier, so that HR can update the register of conflicts of interests and the Director of Finance pre-authorise the engagement and/or expenses, if they are deemed appropriate.</p>