

Declarations of Interest Policy and Procedure

1 Introduction

This policy is to provide a source of guidance to those in scope. Whilst the University expects compliance with this policy, it does not confer contractual rights or form part of any contract of employment and may be amended by the University or replaced at any time following consultation with representatives of recognised trade unions.

Breach of this policy may be addressed via the University's Disciplinary Policy and Procedure or the Code of Conduct for Governors, External Committee Members, University Officers and Senior Post Holders.

This policy will be reviewed by the Board of Governors every three years or amended in response to changes in legislation and/or case law.

2 Ownership

The Clerk's Office owns and manages this policy on behalf of The University of Northampton.

3 Scope

This policy applies to:

- Governors of the University of Northampton
- External members of the University of Northampton's committees
- Members of the University of Northampton's senior management team
- Employees of The University of Northampton who are responsible for the selection of suppliers
- All employees (and workers, as applicable) who by not making a declaration of interest, may result in breach of Section 7.26 of the Code of Conduct

Note that the policy on employees of the University of Northampton accepting work from other organisations is covered in the University's Code of Conduct for Staff.

4 Definitions

Conflict of interest

A personal and/or professional interest, loyalty, connection or duty which could, or could be seen by others to prevent someone from making a decision only in the best interests of the University.

Where an individual could, or could be seen by others to derive a personal benefit by taking a particular decision or choosing a particular course of action. A conflict may occur for example where a governor is also a director of a company which is a major supplier or customer.

Benefit

Money, property, goods or services which have a monetary value

Connected Person

Members of the extended family and persons known professionally and socially to those in scope of this policy.

External Committee Member

A person appointed as an external member of one of the University's committees

Governor

A person appointed as a member of the Board of Governors of the University and members of the University of Northampton Higher Education Corporation.

Indirect interest

The interest, duty or loyalty of a connected person

Member

A person appointed to serve on a committee who has a right to vote and to participate in its decision making

Senior post holder

A person defined under University Bye-Law 12.3

University officer

A person appointed to act on behalf of the University, such as the Chancellor and Pro-Chancellor

5 Policy Statement

5.1 The purpose of this policy is to:

- Ensure that the business of the University is conducted with probity, transparency and in accordance with the Seven Principles of Public Life
- Provide clarity and understanding on what constitutes a conflict of interest and on how these may be addressed

- Protect the University and its employees and other post-holders from any accusation or perception of undue influence from a third party in decision making
- 5.2 The University expects those in the scope of this policy to declare their interests to the best of their knowledge and belief and as set out in this policy
- 5.3 Data will be requested and held in accordance with the University's General Data Protection Regulation (GDPR) Policy and Procedure

6 Key Principles

- 6.1 When acting in their capacity as an employee or holder of another post in the University, those in the scope of this policy owe their duty to the University. Whilst acting for the University, they should not therefore allow a conflict of interest to arise which might interfere, or be perceived to interfere, with the exercise of their independent judgement
- 6.2 Any such interest or change in interest should be declared as soon as possible through the process as outlined below
- 6.3 Nothing in this policy precludes those in scope from having interests which are outside the University
- 6.4 Governors, external committee members, University officers, senior post holders and members of the senior management team are expected to make a comprehensive declaration of interests and to update this annually
- 6.5 Employees responsible for the selection of suppliers of goods or services to the University are expected to declare any interest in an exercise to select a supplier
- 6.6 Declarations made as above should also cover the indirect interests of connected persons to the best of the knowledge and belief of the person making the declaration
- 6.7 In accordance with the University's Bye-Laws, where a conflict or potential conflict of interest becomes apparent during a meeting, the member should declare it immediately. Unless the Chair allows otherwise, the member should:
- a) withdraw during discussion of that item, or
 - b) if permitted to remain, abstain from voting on that matter, and not be counted in the quorum for voting

If the Chair considers that it is in the interests of the University to authorise the participation of the conflicted member, he or she will invite the member to remain and this will be recorded in the minutes accordingly

- 6.8 Conflicts of interest can arise which do not involve financial benefit. Those in scope are encouraged to disclose relationships and affiliations that may be, or may be seen to be, conflicts of loyalty or duty, for example serving on other boards. It is accepted that such relationships and affiliations have potential for both conflicts of loyalty and for collaborative benefits. Open acknowledgement of such situations protects both the individual and the University
- 6.9 Compliance with this policy is the personal responsibility of those in scope. Accordingly, those in scope should keep their other interests in mind and ensure that they make a full declaration

7 Process

- 7.1 Reflecting that three distinct groups are covered by this policy, there are three processes for declaring interests
- 7.2 Governors, external committee members, University officers, senior post holders and members of the senior management team are expected to make an annual declaration of their interests in accordance with instructions issued by the Clerk to the Board. This will be permanently retained by the Clerk's Office.
- 7.3 Employees (and workers, as applicable) making a declaration of interest to avoid a breach of Section 7.26 of the Code of Conduct will disclose the facts to the Clerk to the Board. This will be retained by the Clerk's Office for a period of three years from the date of declaration.
- 7.4 Employees involved in the selection of suppliers are expected to make a declaration of interests to the Head of Procurement and Commercial Services before entering into any negotiation. Such a declaration will be made in accordance with instructions issued by the Head of Procurement and Commercial Services. A written record of such declarations will be retained in the Procurement Office whilst the relevant procurement exercise or negotiation is ongoing, and for the duration of any contract awarded as a result
- 7.5 Guidance on whether there is an actual or potential conflict of interest is available from the Clerk to the Board of Governors or the Head of Procurement and Commercial Services
- 7.6 The continued involvement of an employee declaring an interest in an exercise to select a supplier is at the discretion of the Head of Procurement and Commercial Services. Conflicts declared by the Head of Procurement and Commercial Services will be referred to the Director of Finance. In each case, there are three possible outcomes:

- a) authorise the conflict on the grounds that it is in the best interests of the University to proceed
 - b) seek further advice at a more senior level
 - c) require the employee to take no further part in the transaction or negotiation.
- A full record will be kept of such disclosures and decisions

8 Associated Documents

- Code of Conduct for Staff
- Code of Conduct for Governors, External Committee Members, University Officers and Senior Post Holders
- Disciplinary Policy and Procedure
- Whistleblowing Policy
- Anti-Fraud and Anti-Bribery Policy
- General Data Protection Regulation (GDPR) Policy and Procedure

9 Equality Analysis

An equality impact assessment must accompany this document.

10 Version Control

Version Control	Version R1	Approval record	
Author:	Clerk to the Board	Approval:	Board of Governors, 20/06/2018
Date written:	21/08/2017	Updates:	
Current status:	Final		
Record of Amendments			
Date	Details of Change	Approval	