

# Conflicts of Interest Policy

From: University Executive Board

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## Table of Contents

1. INTRODUCTION .....	1
2. POLICY SCOPE .....	2
3. POLICY PRINCIPLES .....	2
4. ROLES AND RESPONSIBILITIES .....	3
5. CONFLICT OF INTEREST DEFINITION AND EXAMPLES .....	4
6. CONFLICTS OF INTEREST PROCEDURE .....	6
7. OTHER RELEVANT UNIVERSITY POLICIES .....	8
8. CONFLICT EVALUATION AND MANAGEMENT .....	8
9. EXTERNAL CONFLICTS OF INTEREST REQUIREMENTS .....	9
10. DATA PROTECTION AND CONFIDENTIALITY .....	9
11. RAISING A CONCERN .....	9
12. FAILURE TO COMPLY WITH THE POLICY .....	9
13. POLICY REVIEW .....	10
14. VERSION CONTROL .....	10

## 1. INTRODUCTION

- 1.1 The University of Southampton ('the University') has developed this Conflicts of Interest Policy ('the Policy') to ensure that our activities, and those of our staff and individuals working for or with the University, are conducted to the highest standards of integrity, ethics and accountability, and in line with the [Seven Principles of Public Life](#).
- 1.2 The University values its links with industry and outside bodies and encourages its staff to engage in external activities (in line with [all relevant policies](#)). At the same time, it needs to put in place a mechanism for protecting itself and its staff, as well as individuals working for or with the University, from reputational damage and other liabilities, by ensuring that when conflicts of interest exist, they are disclosed and, if required, properly managed.
- 1.3 The Policy's aims are:
  - 1.3.1 To promote a culture of transparency and accountability in the conduct of the University's business, preserve its integrity and contribute to a strong reputation.

- 1.3.2 To ensure that the University's financial sustainability and economic interests are protected.
- 1.4 This Policy is supplemented by the **Conflicts of Interest Guidance** (*forthcoming*). Advice is also available by contacting [ASK\\_HR@soton.ac.uk](mailto:ASK_HR@soton.ac.uk).

## 2. POLICY SCOPE

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- 2.1 This Policy applies to all University of Southampton staff and individuals working for or with the University. For the purpose of this Policy:
- 2.1.1 'Staff' means University employees (whether full or part-time).
- 2.1.2 'Individuals working for or with the University' includes, but is not limited to:
- External members of the University Council and its committees.
  - External/lay members of the University committees.
  - Individuals with visitor status.
  - External examiners and assessors.
  - Consultants and contractors.
  - Casual workers including those appointed via UniWorkforce and agency workers.
  - Volunteers.
  - Honorary staff and Emeritus Professors/Fellows.
- 2.2 Students are not covered by the requirements of this Policy (unless they also work for the University); however, they must declare any conflicting interests in line with the principles of academic integrity. This should include both interests that conflict, or might conflict, with their research activities, and the University's business.

## 3. POLICY PRINCIPLES

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- 3.1 All staff and individuals working for or with the University are expected to comply with the highest standards of professional and ethical practice and are required to declare all interests which conflict or might conflict with their role and/or the University's business.
- 3.1.1 When in doubt, if an interest constitutes a potential conflict of interest, it should be assumed that the conflict exists and the interest should be disclosed in line with the requirements of this Policy.
- 3.2 Everyone covered by this Policy has a responsibility to respect and promote the financial interests of the University by ensuring that it receives appropriate financial benefit from the provision of research services, commercialisation of its intellectual property, and from the use of other resources and assets. Staff and individuals working for, or with, the University should not take inappropriate advantage of their position and must comply with the [Finance Regulations, Policies and Procedures](#).
- 3.3 A key aspect of minimising the effects of conflicts of interest is to be open about such situations when they arise and to manage them where required. Declaring conflicting interests supports transparency and demonstrates the integrity of the individuals concerned and the University's business.
- 3.4 This Conflicts of Interest Policy provides for a three-fold approach:
- **Always disclose.**
  - **Manage the conflict where required.**
  - **Prohibit the activity when necessary to protect the public interest or the interests of the University.**

## 4. ROLES AND RESPONSIBILITIES

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### 4.1 University Staff

4.1.1 All staff, including new staff joining the University, are responsible for:

- Disclosing and discussing their work-related conflicting or potentially conflicting interest with the Appropriate Person (see section 4.3) whenever they become aware of a new interest.
- Recording all work-related conflicting or potentially conflicting interests in the Register of Interests.
- Informing the Appropriate Person about any changes of circumstances and keeping the Register of Interests records up to date.
- Adhering to any actions agreed with respect to managing a conflict of interest.
- For staff at level 5 and above, and those in specific departments (e.g., Procurement) defined by the Head of Service (see section 4.4.1), submitting an annual declaration confirming that their conflicts of interest records in the Register of Interests are accurate and up to date.
- Following any other relevant procedure or policy as per sections 6 and 7.

### 4.2 Individuals working for or with the University

4.2.1 All individuals working for or with the University are responsible for:

- Disclosing and discussing their University-related conflicting or potentially conflicting interests with the Appropriate Person (see section 4.3) whenever they become aware of a new interest.
- Appropriately recording all University-related conflicting or potentially conflicting interests.
- Informing the Appropriate Person about any changes of circumstances.
- Adhering to any actions agreed with respect to managing a conflict of interest.
- Following any other relevant procedure or policy as per sections 6 and 7.

### 4.3 Appropriate Person

4.3.1 For the purpose of this Policy, staff and individuals working for or with the University should declare their conflicting or potentially conflicting interests to the Appropriate Person as follows:

- Staff: Individual's Line Manager.
- President and Vice-Chancellor: Chair of Council.
- Members of the University Committees: Committee Chair.
- Committee Chair: Committee Deputy/Vice Chair or (where the conflict is recurring) Chair of the body which the Committee reports into (if applicable).
- Consultants and contractors: Commissioning Manager.
- Casual workers and agency workers: Commissioning Manager.
- External examiners and assessors: Head of Programme or Head of Faculty Graduate School.
- Individuals with visitor status: Head of Service or their representative.
- Volunteers: Head of Service or their representative.
- Honorary staff and Emeritus Professors/Fellows: Head of Service or their representative.

4.3.2 The Appropriate Person is responsible for:

- Receiving disclosures of interests.
- Conflict evaluation and management (see section 8).
- Raising non-compliance with the requirements of this Policy (see section 12).

#### 4.4 Heads of Service

4.4.1 Heads of Service (Deans of Faculties and Directors of Professional Services) are responsible for:

- Ensuring that all staff and individuals working for or with the University within their Faculty or Professional Service are aware of this Policy and its requirements.
- Leading on implementation of this Policy in their Faculty or Professional Service, to create a culture of reflection and declaration of conflicting or potentially conflicting interests.
- Verifying that all staff at level 5 and above, and those in specific departments as defined by the Head of Service within their Faculty or Professional Service, submit an annual declaration confirming that their conflicts of interest records in the Register of Interests are accurate and up to date.

### 5. CONFLICT OF INTEREST DEFINITION AND EXAMPLES

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5.1 A **Conflict of Interest** is a set of circumstances that create a risk that an individual's duties to the University conflict or could be influenced by a secondary interest e.g., a personal interest or duties to other organisations or people.

5.2 'Interests' include both **direct** and **indirect** interests of staff and individuals working for or with the University. Indirect interests are where the conflict involves the interests of a **Connected Person**.

5.2.1 A **Connected Person** is anyone with whom an individual has a personal or business relationship. This can include but is not limited to:

- Spouse/partner.
- Close relative (e.g., sibling, parent, grandparent, child or grandchild).
- Close friend.
- Business partner.
- A financial relationship (e.g., a pension) with an individual/business seeking to obtain funding.

5.3 A conflict of interest can be **actual** or **potential**.

5.3.1 An **actual** conflict is an existing situation or relationship that could compromise an individual's impartiality, objectivity, or professional judgement in relation to their responsibilities to the University.

5.3.2 A **potential** conflict is a situation that currently does not constitute a conflict of interest but could evolve into an actual conflict situation.

5.4 Interests may be **financial** or **non-financial** in nature.

5.4.1 A **financial interest** is where an individual receives, or may receive, a direct or indirect benefit of monetary value. Good practice is to disclose 'any' financial interest, however small.

5.4.2 Examples of financial interests include but are not limited to: salary, commission, honorarium, consultancy fees, gifts and hospitality, equity interests, property, stocks and shares, forgiveness of debt, licensing income or intellectual property rights (e.g., patents, copyrights and royalties from such rights).

5.5 A **non-financial interest** is where an individual receives, or may receive, a direct or indirect non-financial benefit.

5.5.1 Examples of non-financial interests include but are not limited to: enhancement of professional reputation, status or career; any personal benefits not directly linked to professional career; access to privileged information, facilities or property.

5.6 Other examples of situations that may give rise to conflicting or potentially conflicting interests include, but are not limited to:

#### 5.6.1 **Serving with External Organisations**

- This can include being a trustee or member of an editorial board, research council committee, grant review panel, government agency or NHS Trust.

#### 5.6.2 **Conflict of Commitment and Loyalty**

- A conflict may arise when a member of staff or the individual working for or with the University undertakes external commitments (e.g., additional employment) which interfere or might interfere with obligations arising under their contract of employment or appointment with the University.

#### 5.6.3 **Conflict of Research Integrity**

- Researchers should maintain the highest standards of integrity and ethics while conducting research and adhere to the University's [Code of Conduct for Research](#). Research funding or the potential for personal gain should not jeopardise the integrity of research activities, including the choice of research, its design and the validity, interpretation, and dissemination of results.
- Where researchers feel that there is a conflict between the University policies and external funding requirements, this should be raised with the Appropriate Person in the first instance who might then escalate to the appropriate level of management (see section 9).

#### 5.6.4 **Conflict of Educational Mission**

- One of the University's primary objectives is to educate and train students. University staff involved in teaching, supervising or directing the work of students should ensure that their interests (see sections 5.1 to 5.5.1) do not influence the education they provide or, for example, the choice of a student's research project and the direction of that research.

#### 5.6.5 **Institutional Conflict of Interest**

- An institutional conflict of interest may occur when staff and individuals working for or with the University are involved in projects which have, or might have, conflicting objectives, e.g., the same individual or research group working on similar projects with two or more organisations which are in direct competition with each other.

### 5.6.6 Receiving Gifts or Hospitality

- It is recognised that there exist cross-cultural differences when it comes to giving and accepting gifts. However, receiving personal gifts and hospitality above a certain value, especially outside of normal working practices and hours, can lead to a conflict of interest (see section 7.1.1).

### 5.6.7 Conflicts of Interest in relation to Personal Relationships

- A personal or intimate relationship can lead to conflict of interest (see section 7.2.1).

## 6. CONFLICTS OF INTEREST PROCEDURE

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### 6.1 University Staff

6.1.1. All staff must disclose and discuss their work-related conflicting or potentially conflicting interests with the Appropriate Person (see section 4.3) whenever they become aware of a new interest.

- Where the Appropriate Person has an interest in the matter disclosed, it must be raised with a person at the next higher level of authority.
- Where a member of staff reports to more than one individual, all managers should be informed about the work-related conflicting or potentially conflicting interest where relevant.

6.1.2 All work-related conflicting or potentially conflicting interests must be recorded in the Register of Interests.

6.1.3 Staff are responsible for informing the Appropriate Person about any changes of circumstances and keeping their Register of Interests records up to date.

6.1.4 Where it is determined that a conflict of interest exists, a **Conflict Management Plan** should be prepared and communicated to all relevant internal and external parties (see section 8.2).

- It is the responsibility of the member of staff affected to comply with any actions agreed with respect to managing a conflict of interest and to inform the Appropriate Person about any changes of circumstances.

6.1.5 All new staff joining the University must declare and discuss their work-related conflicting or potentially conflicting interests with the Appropriate Person and record them in the Register of Interests as part of the induction process.

6.1.6 All staff at level 5 and above, and those in specific departments defined by the Head of Service must submit an annual declaration to confirm that their conflicts of interest records in the Register of Interests are accurate and up to date.

### 6.1.7 Additional Employment

- Any additional employment undertaken by a member of staff must meet the terms and conditions of the individual contract of employment.
- Staff at level 4 and above must receive prior written consent from the Head of Service, or their representative, before undertaking any work which may either compromise or give rise to a conflict with their role or the University's interests.

- Where additional employment is allowed, staff must continue to fulfil their commitments to the University. Any assets, intellectual property or other materials generated at the University of Southampton should not be used for other purposes without appropriate permission.

6.1.8 Members of staff should follow any other relevant procedure or policy as per sections 6 and 7.

## 6.2 Individuals working for or with the University

6.2.1 All individuals working for or with the University must disclose and discuss their University-related conflicting or potentially conflicting interests with the Appropriate Person (see section 4.3) whenever they become aware of a new interest.

- Where the Appropriate Person has an interest in the matter disclosed, it must be raised with a person at the next higher level of authority.
- Where an individual working for or with the University reports to more than one individual, all managers should be informed about the University-related conflicting or potentially conflicting interest where relevant.

6.2.2 Individuals working for or with the University are responsible for informing the Appropriate Person about any changes of circumstances.

6.2.3 Where it is determined that a conflict of interest exists, a **Conflict Management Plan** should be prepared and communicated to all relevant internal and external parties (see section 8.2).

- It is the responsibility of an individual working for or with the University to comply with any actions agreed with respect to managing a conflict of interest and to inform the Appropriate Person about changes of circumstances.

6.2.4 Individuals working for or with the University should follow any other relevant procedure or policy as per sections 6 and 7.

6.2.5 Individuals with visitor status should declare any conflicting or potentially conflicting interests to their host during the visitor registration process.

## 6.3 University Committee Members

6.3.1 Where a conflict of interest relates to an individual's role on a University Committee, it should be disclosed to the Appropriate Person at the earliest possible time and before the discussion of the relevant item, regardless of whether that interest has been already recorded as per this Policy.

6.3.2 If a Chair has an interest in a matter under consideration by a Committee, a Deputy/Vice Chair who does not have a conflict of interest should be appointed to review the conflict and decide about any further steps required.

- If a Chair has a recurring conflict, it should be reported to the Chair of the body which the Committee reports into, if applicable.

6.3.3 If the conflict of interest is substantial and cannot be managed, the individual should no longer participate in any discussions or decision-making process.

6.3.4 Conflicts of Interest should be a standing item on agendas for all University Committees.

## 6.4 Members of the University Council and Committees of the Council

- 6.4.1 In addition to section 6.3, in accordance with Council Standing Orders, all Council members and external members of Council Committees are required to make an annual declaration of interests by completing the Register of Interests Form provided by the Governance Services team.

## 7. OTHER RELEVANT UNIVERSITY POLICIES

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### 7.1 Gifts and Hospitality

- 7.1.1 When receiving gifts or hospitality refer to the [Receipt of Gifts or Hospitality Policy](#).

### 7.2 Personal Relationships

- 7.2.1 Personal or intimate relationships should be declared in line with the **Personal Relationships Policy** (*forthcoming*).

### 7.3 Consultancy

- 7.3.1 Any consultancy activities must take place in line with the [Consultancy Policy](#).

## 8. CONFLICT EVALUATION AND MANAGEMENT

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### 8.1 Conflict Evaluation

- 8.1.1 All disclosures of conflicting or potentially conflicting interests should be evaluated by the Appropriate Person in an objective manner, and as soon as reasonably practicable. The Appropriate Person should:

- Ensure that all pertinent facts regarding the interest(s) have been provided to allow for thorough and objective evaluation.
- Determine if the interest disclosed constitutes a conflict of interest, and what risks (if any) it might pose to the University, or the individual concerned.
- Where relevant, seek confidential advice from more senior colleagues and/or relevant Professional Services teams.

### 8.2 Conflict Management

- 8.2.1 Where the Appropriate Person determines that an interest gives rise to a conflict of interest, appropriate actions should be taken to manage the conflict where possible. This should include creation of a **Conflict Management Plan** which should be communicated to all internal and external parties affected and should specify:

- All activities in which the individual concerned should not participate (e.g., attending meetings, decision-making process) and any responsibilities they should not undertake.
- All relevant internal and external parties which should be notified about the conflict of interest. Internal parties include University Faculties and/or relevant teams which are directly or indirectly affected by the conflict situation.
- Any other appropriate conflict management approach.



- 8.2.2 Where it is not possible to manage the conflict, the Appropriate Person should advise the individual concerned that the conflicting interest must be prohibited to protect the public interest, or the interests of the University.

## 9. EXTERNAL CONFLICTS OF INTEREST REQUIREMENTS

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- 9.1 Staff and individuals working for or with the University should be aware that external organisations (e.g., funders, journals or collaborators) might have their own conflicts of interest requirements, which might be broader than the University's Conflicts of Interest Policy.
- 9.2 If there is a conflict between the University Conflicts of Interest Policy and requirements of an external body, this should be raised with the Appropriate Person in the first instance who might then escalate to the appropriate level of management.

## 10. DATA PROTECTION AND CONFIDENTIALITY

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- 10.1 The University is committed to processing all personal data in compliance with data protection legislation.
- 10.2 Access to personal data is restricted to those who require it to comply with the requirements of this Policy.
- 10.3 Further information on data protection can be found in the University [Privacy Notice](#).
- 10.4 All information shared with the relevant parties under this Policy must be kept confidential as far as possible.

## 11. RAISING A CONCERN

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- 11.1 If a member of staff has any concerns about the management of conflict situations, they can raise them under the University's [Grievance Procedure](#).

## 12. FAILURE TO COMPLY WITH THE POLICY

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- 12.1 Non-compliance with the requirements of this Policy is treated seriously by the University and will result in appropriate action being taken.
- 12.1.1 Any breaches of this Policy by a member of staff may result in disciplinary action under the University's relevant procedures, up to and including summary dismissal.
- 12.1.2 Any breaches of this Policy by an individual working for or with the University may result in termination of their engagement with the University.
- 12.2 Any concerns about non-compliance with the requirements of this Policy should be raised with HR by contacting [ASK\\_HR@soton.ac.uk](mailto:ASK_HR@soton.ac.uk).

### 13. POLICY REVIEW

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13.1 This Policy will be reviewed at least once every 3 years to ensure that its terms remain fit for purpose and are in line with national and international requirements and best practice.

### 14. VERSION CONTROL

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1.1	February 2018	RIG Team	Clarification of wording in section 4.1.	RIG Manager
2.0	June 2022	RIG Team	Changes in response to the KPMG audit recommendations.	RIGC, UEB, Senate