



PRIFYSGOL
BANGOR
UNIVERSITY

**POLICY ON
DECLARATIONS OF INTEREST**

Date	Purpose of Issue/Description of Change	Equality Impact Assessment Undertaken
	Initial Issue	
10 th June 2011	Revision 1	
5 th June 2017	Revision 2	N/A
28 th January 2019	Review and re-approval	
22 September 2022	Review and Re-approval	
22 nd June 2023	Revision resulting in minor amendment to job titles	Welsh Language and Equality Impact Assessments completed

Policy Officer	Senior Responsible Officer	Approved By	Date
Head of Legal Services	University Secretary	Compliance Task Group	22 September 2022

This policy will be reviewed in 3 years

Policy on Declarations of Interest

1. Introduction

This document sets out the University's Policy in relation to possible declarations of interest and provides guidelines for its members¹ in assessing whether, in relation to a proposed activity, a conflict of interest exists. It also outlines the procedures for disclosing actual or potential conflicts of interest.

This Policy applies to all staff (including honorary staff) employed by the University.

This Policy should be read in conjunction with the *Policy on Personal Relationships for Staff and Students*, the *Recruitment & Selection Policy* and the *Policy on Consultancy Services*.

Bangor University considers that the establishment of links between its members and outside bodies, such as government departments, commercial companies and industry, is not only in the public interest but also of benefit to the University and the individuals concerned. It is possible however that such links may give rise to a conflict of interest which involves such issues as commitment and loyalty. The University is committed to the principle that the activities of its members should not result in undeclared or unmanaged conflicts of interest.

Members of staff and members of Council owe their primary commitment and allegiance to the University. However, membership of Committees, Boards, Advisory Groups etc. (External Appointments) may impose an obligation (and sometimes a statutory duty) to act in the best interests of the external body. As a result, a conflict of interest may arise. Potential conflicts of interest can also arise when a member of staff is engaged in legitimate internal University activities, for example in relation to their role in managerial, financial, strategic or operational decision-making or with regard to their research interests, the marking of examinations or the supervision of students. It is the duty of members of the University to disclose any actual or potential conflict of interest as defined in this Policy.

Rather than seek to prohibit all activities that might give rise to a conflict of interest, this Policy provides for a three-fold approach:

- Always disclose the conflict as soon as it is known;
- Manage the conflict where practicable;
- Prohibit the activity when necessary to protect an individual or the public interest or the interests of Bangor University.

2. Definitions

For the purpose of this Policy, the following definitions apply:

2.1 "Conflict of interest" is defined as:

An action or situation, actual, potential or perceived, that could lead an individual to be influenced by considerations of personal gain, or gain to immediate family or close associate, whether financial or otherwise.

¹ Staff, honorary staff, consultants, volunteers and members of Council,

- i) Such situations may include but are not limited to: -
 - Executive and Non-Executive Directorships / Trustees
 - Outside Activities, commercial research and Consultancies

- ii) Other specific conflicts of interest may arise from
 - Research projects
 - Equity Interests
 - Teaching and Assessment of close associate ²
 - Procurement

The term includes conflict of duty (where, for example, an individual's duty to the University conflicts with that person's duties as a director of a spin-out company³, rights, obligations, interests and similar conflict whether as an individual or as a representative of Bangor University). It also includes both direct and indirect conflicts of interest.

2.2 "Immediate family" is defined as a spouse or civil partner and / or children.

However, for the purposes of this Policy a close associate conflict of interest could extend to the following other examples - partner, parent, brother, sister, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, and step members of family.

2.3 "Financial" conflict of interest might include, but not be limited to commission, consultancy fees, equity interests, debt, property, royalties, intellectual property rights, procurement processes and / or contract / consultancy negotiations.

3. Declarations

3.1 Members of Council, the University Executive, Deans, Heads of School and Directors of Professional Service Departments

All members of Council, along with all senior University staff including members of the University Executive, Deans of College, Heads of School and Directors of Professional Service Departments are required to declare any external interests on an annual basis, at the start of each academic year.

For all senior University staff such declarations must be entered on to the online Register overseen by the Head of Legal Services and includes the name of each individual, as well as the information supplied on the declaration form. A link to the Register will be sent to all relevant staff on an annual basis.

Members of Council will be asked to complete the Declaration of Interest Form prior to the first meeting of the academic year.

All new members of the Council shall complete a Declaration of Interest form within three months of

² The University's Policy on Staff and Student Relationships gives further guidance on this matter

³ For the purpose of this Policy a spin-out company is a company established or (if it is to all intents and purposes dormant) made active with a view to commercialising IP originating at the University (whether on its own or with other IP).

the start of their period of office as members of the Council. All members of the University Executive, along with Deans, Heads of School and Directors of Professional Services must complete a declaration within three months of taking up their posts as Senior Officers of the University.

In all cases, members of Council and senior University staff must include any personal, financial or beneficiary interests which might - or could, if publicly known - be perceived as interfering with their responsibilities as members of Council or senior members of University staff to act solely in the best interests of the University. This will include registering relevant known interests of spouses, partners or children. They are also advised to disclose any properties (whether freehold or leasehold) that are adjacent to any property owned by or in use by the University. They are further advised, to inform the Head of Legal Services as soon as possible of any substantive changes to their circumstances which require to be entered on the Register and are also required to provide updated information on request. In addition to declarations made from time to time under the terms of this Policy, records are updated regularly and members of Council and the Executive are required to provide updated information on request.

Declarations of interest relating to members of Council and senior University members of staff will be made publicly available on the Governance & Management pages of the University's web pages.

3.2 Online Register of Interest

The Register of Interest is a public document, inspected on occasion by the auditors and HEFCW. The requirements of the Data Protection Act 2018 must be adhered to in relation to all personal information. The Register is held securely on the Bangor University network, and overseen by the Head of Governance and Compliance.

The online Register will hold the declarations of interest for the group outlined in 3.1 above only, for other members of staff who wish to declare a conflict of interest the procedure outlined in 3.3 below will apply.

An annual audit of the online Register is undertaken by the Head of Legal Services Services however the University also reserves the right to monitor and undertake random auditing of compliance with this Policy. The outcome of any audit of the Register will be reported to the Compliance Task Group at its next meeting, and the Council will be informed under normal governance processes.

The declarations on the Register are kept for 6 years following the completion of the relevant appointment.

3.3 Other Members of Staff

Any member of staff, who is not already required to complete an annual declaration under Section 3.1 above, and who is aware of an actual or potential conflict of interest, as defined in section 2.1 of this Policy, must, in the first instance, raise the matter in writing at the earliest opportunity with their Head of School (where they are members of staff of an academic department), who should also inform the Dean of College, with the Dean of College (where they are members of staff in a College) or with the Director of the relevant professional service. In particular it would be relevant for members of staff making financial decisions on behalf of the University e.g. those relating to contracts, agreements, procurement etc., to make a yearly declaration using this procedure.

The Head of School / Director of Professional Service is responsible for managing the declaration including ensuring that the information is raised, where relevant prior to any decisions being made,

and ensuring that an accurate record is made of the declaration and any decisions made to manage the conflict.

The record of any declaration made by a member of staff, along with the decisions made to manage the conflict, should be retained on record within the appropriate school or department, reviewed periodically with the member of staff, and once the matter is no longer relevant confidentially destroyed.

In the case of a member of staff, failure to disclose could result in disciplinary action.

3.4 University Committees and Task Groups

Declaration of interest should be a standing agenda item for all relevant University committees, boards and task groups. Any member of the Court, Council, Senate or any University Committee or Task Group, including Exam Boards, who has disclosed an interest in any matter under consideration, or who has an interest in the matter being discussed, shall immediately declare this interest. It would then be the Chair's decision to decide whether the individual withdraws just from the decision, or whether the matter warranted the individual withdrawing from the room whilst the matter which has engendered the declaration of interest is being considered, and for the duration of the discussion on the matter. The interest declared and the member's withdrawal from the discussion, should be noted in the official minutes of the meeting.

However, no decision properly taken by the Court, Council, Senate or any University Committee or Task Group shall be invalidated by the failure of an individual to declare an interest in the meeting at which the decision was taken.

3.5 Admissions and Recruitment Processes

The University also recognises that staff involved with staff recruitment, and student admissions processes may, on occasion, have to consider applications from individuals with whom they have a personal relationship (e.g. a close relative). In the interest of fairness and transparency, in these circumstances staff are asked to declare the relationship to their line manager, and remove themselves from the decision-making process wherever possible.

3.6 Academic Quality Decisions

Where an academic quality process relates in any way to an external partner, any person with an interest in the external partner cannot play a part in that process in an advisory or decision-making capacity. Examples include, but are not limited to: University groups making academic decisions, approval/re-approval processes, including approval panels, and audit panels.

Any person acting in an advisory or decision-making capacity who has disclosed an interest in relation to the external partner, or who has an interest in relation to the external partner, shall immediately declare this interest, and must withdraw from the process.

Where a member of staff with an interest in the external partner is otherwise involved in an academic quality process (for example presenting a proposal on behalf of an academic School), they must immediately declare this interest. All the persons acting in an advisory or decision-making capacity must be informed, and the interest must be noted in any relevant minutes or reports. At the discretion of the Chair or officer responsible for the process the member of staff concerned may be asked to withdraw from the process.

4. Compliance

All members of Council, the University's Executive, Deans of College, Heads of School and Directors of Professional Service Departments, along with other members of University staff (where it is relevant for them to do so) must ensure that they comply with all aspects of this Policy.

Any issues of non-compliance should be reported, in the first instance, to the Head of Legal Services. In consultation with the University Secretary and the Director of Human Resources further action may be considered. Any non-compliance with the Policy will be treated seriously by the University and may be considered under disciplinary procedures.

5. Equality Impact Assessment

A review of the Policy has been undertaken and it has been determined that an Equality Impact Assessment is not required.

6. Review

This policy will be reviewed in 3 years, or earlier if required