

Policy on Higher Education Provision with Others

Annex 2: Guidance on Conflict of Interest

Introduction

1. The processes for the initial approval and subsequent review of educational collaborative arrangements – particularly the associated due diligence procedures - are designed to ensure that the University does not enter into or renew educational partnerships with unsuitable partner organisations, including organisations which are deemed to be incompatible with its ethos and values.
2. In addition to considerations at an institutional level, there is a need to take into account potential conflicts of interest in connection with individual staff employed by the University who are involved in the negotiation, delivery, approval or review of educational collaborative arrangements with external partners. This Annex therefore sets out guidance on how the University's framework for managing educational collaborative arrangements aligns with its regulations concerning conflict of interest.

Nature of Relevant Interests

3. The University's **Conflict of Interest Regulations**¹ state that:

“The potential conflict may result from personal, social, financial or business interests or ethical considerations...The general principle to consider is whether the circumstances could reasonably be perceived to affect the judgement of the individual making a decision affecting the University.” (Section 8)

Conflicts of interest may therefore take various forms in relation to the University's educational partnerships:- for example, where there is a family or personal relationship between a member of University staff and a member of staff at the partner organisation, where one or both are involved in the negotiation, delivery or oversight of the collaborative arrangement; or where a member of University staff has a current or former paid or voluntary position or contract with the partner organisation (e.g. Trustee, consultant etc), or receives goods or services in an individual capacity from the partner institution.

Disclosure

¹ <http://www.bristol.ac.uk/secretary/legal/conflict/>

4. Staff have an obligation to disclose potential or actual conflicts of interest, as stated in the University's **Code of Conduct**² as follows:

“All those to whom the Code applies should declare any relevant conflict or potential conflict of interest between their affairs and those of the University, arising in the course of their duties, to their Head of School or Division, Dean, Registrar or to the University Secretary or the Vice-Chancellor, as appropriate.”

5. Where a member of staff who is involved in University activity relating to one of its educational partners identifies that s/he has a potential conflict of interest concerning that partner, s/he should notify the Academic Registrar promptly in writing.³ S/he should similarly provide notification of any relevant subsequent change of circumstances with respect to the partner organisation which might necessitate a review of the conflict of interest.

Action to be taken following a Disclosure

6. The Academic Registrar should invite an appropriate nominee, normally the Chair of the Academic Quality and Standards Committee, to consider the implications of the disclosed conflict of interest on their behalf and recommend any action. This action will refer to the role and responsibilities specifically relating to the educational partnership that are currently held by, or proposed for, the member of staff concerned. In particular, it may not be appropriate for the member of staff:
 - a) To be nominated as the University's Academic Lead for the partnership, or to continue in that role if a conflict of interest is subsequently identified;
 - b) To serve on the joint Board or Committee established to manage the operation of the partnership; or
 - c) To participate in a University panel or group making an approval or review decision with respect to the establishment or renewal of the partnership.
7. The Academic Registrar will make a final decision as to whether it is appropriate for the member of staff to carry out particular duties with respect to the educational partnership, in light of the disclosed interest.

² <http://www.bris.ac.uk/secretary/legal/conduct/>

³ This course of action should be followed whether or not the relevant interest is already listed on the University's Register of Interests. The University's Conflict of Interest Regulations and Code of Conduct give further information about the Register of Interests, which applies to staff on Grade M, and is maintained by the University Secretary.