

## Policy on Conflicts of Interest

**Executive Summary** This Policy details the Royal Veterinary College’s approach to the identification, reporting and management of actual or perceived conflicts of interest arising during the course of its business for our staff, our students and others working in (or for) the College.

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<b>Version</b>	1.3	Equality Impact Assessment completed and actioned	Y/ <del>N</del> / <del>N/a</del>
		Privacy Impact Assessment completed and actioned	Y/ <del>N</del> / <del>N/a</del>
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	Council 150720		
<b>Review Date</b>	March 2023 - Every three years or as required		



## **1. POLICY STATEMENT**

- 1.1** In a higher education provider where staff hold multiple roles and where external relationships are many and varied, conflicts of interest are bound to arise.
- 1.2** In order to manage the associated risks to an acceptable level, all staff, students and others working in *(or for)* the Royal Veterinary College *(including grant holders and emeritus researchers)* are required to recognise and disclose activities that might give rise to actual or perceived conflicts of interest.
- 1.3** A conflict of interest can occur when your duties to the College compete with your personal interests or your duties to other people or organisations. Actual or perceived conflicts can arise from external activities that are undertaken in addition to your College role, personal relationships, or conflicting roles within your professional or business life. They can be financial, non-financial or both.
- 1.4** If staff and students manage their activities appropriately, they can usually proceed with these as normal whilst at the same time upholding obligations to the College, meeting regulatory and other external requirements and protecting the integrity and reputation of the College and its members.
- 1.5** By contrast, if they do not, such conflicts – or the perception of conflicts – may jeopardise the College’s public standing and may cause serious damage to the reputation of the College and of the individuals concerned. This may also result in litigation or financial loss, and individuals may be subject to disciplinary procedures.
- 1.6** The aim of the Conflict of Interest Policy, and the associated processes and guidance, is to provide staff and students with the information required to be aware of the issues, to be able to recognise potential or real conflicts, and to manage them effectively if they occur.

## **2. OBJECTIVES**

- 2.1** The College’s objectives are to ensure that:
- i) any actual or perceived financial or non-financial conflicts of interest *(arising from external activities, personal relationships or roles within the 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;
  - ii) governance of the College is conducted with close regard to the risks of financial and non-financial conflicts of interest;
  - iii) 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;
  - iv) activity is avoided in cases where a conflict of interest cannot be managed; and
  - v) staff, students and others working in *(or for)* the College are aware of the importance of compliance with the Policy and that compliance with the Policy is monitored.

## **3. SCOPE**

- 3.1** This Policy applies to all staff and students of the College, to all external members of Council and its committees, and all others working in the College *(such as faculty members who hold grants but are not current members of staff of the College, retired members who are still conducting research, and teaching or research visitors)*. It also applies to the staff and directors of subsidiary companies of the College.

#### **4. RESPONSIBILITIES**

- 4.1** Staff, students and any other person working in the College (*as defined in section 3 above*) are responsible for ensuring that they comply at all times with this Policy. Each individual is responsible for recognising situations in which they have a conflict of interest, or might reasonably be seen by others to have a conflict, to declare that conflict to the appropriate person and to take such further steps as may be appropriate as set out in more detail in section 6 below.
- 4.2** The duty to declare a possible conflict also applies to the perception of the situation rather than only to 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 (*as set out in section 6*) or (*by default*) the College Secretary.
- 4.3** In addition to complying with this Policy, researchers or anyone entering into a contract that has a tangible link with the College need to be aware of and comply with conflict of interest requirements set by external funders or other bodies with whom agreements have been made. Further information is provided in Appendix A (2.3).
- 4.4** Heads of Department, Heads of Division and Directors of Professional Services departments are responsible for:
- i) ensuring that staff within their divisions, departments, or sections (as appropriate), students, and other associated persons are made aware of this Policy and associated explanatory guidance; and
  - ii) keeping records of disclosures and management plans and providing these to College Secretary and auditors (external and internal) on request.
- 4.5** The Boards of Directors of majority and wholly owned subsidiary companies of the College are responsible for ensuring that this Policy, or an alternate Policy approved by Council's Audit Committee, is implemented and maintained within those companies, and that staff, students and other relevant persons are made aware of the Policy and associated explanatory guidance.
- 4.6** Audit Committee is responsible for developing and maintaining the Conflict of Interest Policy framework, reviewing reports on compliance, providing support and guidance, escalating risks and issues, and providing recommendations to the College.

#### **5. RECOGNISING CONFLICTS OF INTEREST**

- 5.1** The identification and management of conflicts of interest has become even more important in light of the significantly-increased level of financial and reputational risk arising from complex, high-risk, commercial transactions and arrangements. Ensuring that conflicts of interest do not result in decisions or actions that can be called into question is particularly important for business propriety, supporting the College's charitable status, and conducting research that conforms to the expected ethical and academic standards.
- 5.2** In order to identify potential conflicts of interest, students and staff should consider for whom they are acting, and whether there are any competing motivations or interests that could influence them, or be seen to influence them.

- 5.3** A conflict of interest arises where the commitments and obligations owed by a member of staff or student to the College or to other bodies, for example a funding body, are likely to be compromised, or may appear to be compromised, by: a) personal gain, or gain to immediate family (*or a person with whom the staff member or student has a close personal relationship*)<sup>1</sup>, whether financial or otherwise; or b) the commitments and obligations that person owes to another person or body.
- 5.4** There can be situations in which the appearance of conflict of interest is present even when no conflict actually exists. Thus it is important for all staff and students when evaluating a potential conflict of interest to consider how it might be perceived by others. Apparent or perceived conflicts of interest can be as damaging as actual conflicts of interest.
- 5.5** In order to recognise actual or perceived conflicts of interest, key interests need to be identified. Within the scope of this Policy, there are three main dimensions to be considered:

**Dimension 1: roles and relationships**

Actual or potential conflicts generally arise from:

- roles or activities involving parties outside the College
- roles held by staff and students outside the College
- multiple roles held by staff and students inside the College
- committee membership and roles involving decision-making in or on behalf of the College, departments, faculties or other units; and
- close personal relationships.

**Dimension 2: activities giving rise to potential conflicts**

Actual or potential conflicts generally arise from:

- spinouts and other companies in which staff and students have an interest;
- intellectual property (IP);
- procurement;
- complex commercial transactions and arrangements;
- conduct and funding of research;
- external activities and appointments;
- admission and recruitment.

**Dimension 3: financial and non-financial conflicts**

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<sup>1</sup> For the purpose of this policy, 'immediate family' is defined as follows: spouse or civil partner, son, daughter. However, the 'close personal relationship' giving rise to an interest could extend to the following (this is not intended to be an exhaustive list): unmarried partner, parent, brother, sister, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, the (unrelated) child of an unmarried partner, as well as half and step members of family.

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

#### *Financial conflicts of interest*

- 5.6** A financial conflict of interest, for the purposes of this Policy, is one where there is or appears to be opportunity for personal financial gain, financial gain to close relatives or close friends, or where it might be reasonable for another party to take the view that financial benefits might affect that person's actions. A conflict will arise if the financial interest might provide, or be reasonably seen by others to provide, an incentive to the individual which affects their actions and where they have the opportunity to affect a College decision or other activity (because for example they are the decision-maker or the principal investigator on a research project).
- 5.7** 'Financial gain' or 'financial interest' means anything that has monetary value, including but not limited to:
- payments
  - benefits in kind
  - hospitality and/or gifts
  - forgiveness of debt
  - discounts, bonuses or other favourable contract terms
  - equity interests (e.g. stocks, stock options or other ownership interests); and/or
  - intellectual property rights (e.g. patents, copyrights and royalties from such rights)
- 5.8** The level of financial interest is not the determining factor as to whether a conflict should be disclosed. What might be 'not material' or 'not significant' for one person might be very significant for another. Good practice in many situations will mean the declaration of 'any' financial interest, however small.
- 5.9** For examples of conflicts involving financial interests, see the accompanying guidance online (which includes specific guidance on spinouts and procurement decisions).

#### *Non-financial conflicts of interest*

- 5.10** Non-financial interests can also come into conflict, or be perceived to come into conflict, with a member of staff or student's duties, obligations or commitments to the College. Such non-financial interests may include any benefit or advantage, including, but not limited to, direct or indirect enhancement of an individual's career or education, or gain to immediate family (or a person with whom the person has a close personal relationship).
- 5.11** For examples of conflicts involving non-financial interests, see the accompanying guidance online (which includes specific guidance for Undergraduate Admissions, Post Graduate Admissions and Human Resources).

## **6. DECLARING CONFLICTS OF INTEREST**

- 6.1** It is the duty of every member of staff or student to disclose any conflict of interest or any circumstances that might reasonably give rise to the perception of conflict of interest.

**6.2** The general rule, with the exception of committee business (see paragraph 6.6), 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.

**6.2 Undergraduate students** should discuss the relevant issues with their Tutor or Senior Tutor, who, where appropriate, will consult with the Head of Department before an approach for dealing with the conflict is agreed.

**6.3 Postgraduate students** should have this discussion with their supervisor. Where the conflict of interest arises between the interests of the supervisor and the student, the student should discuss the matter with Head of the Graduate School.

**6.4 Committee chairs and members:** in addition to individuals acting in accordance with this Policy, governance of the College must also be conducted with close regard to the risks of financial and non-financial conflicts of interest. At their first meeting of the academic year, each committee within the College should have a standing item on their agenda about conflict of interest. This item should cover what a conflict of interest is and how the members of the committee should declare such an interest if and when such a circumstance arises. It is also recommended that committees adopt the practice of including a similar statement to the following in each agenda:

*'Members of [Name] Committee will be asked to declare any interest that could give rise to conflict in relation to any item on the agenda at the beginning of the meeting or at the beginning of the item in question. All interests so disclosed will be recorded in the minutes of the Committee. If the chair of the meeting deems it appropriate, the member shall absent himself or herself from all or part of the Committee's discussion of the matter.'*

It is recommended that departments also adopt a version of the paragraph above for all relevant meetings.

**6.5 Procurement, recruitment and promotion panels** and other panels, boards or working groups with significant decision making remits must also adopt this approach.

**6.6** Many situations will require nothing more than a declaration and a brief written record of that declaration, which must be held in the department's records and which should be provided to the College Secretary, the Auditors (*internal or external*) and other senior officers on request.

## **7. MANAGING CONFLICTS OF INTEREST**

**7.1** Some instances will require more than just declaration, and will need to be dealt with by agreeing how the conflict can be actively managed. One or more of the following strategies may be appropriate to manage the conflict of interest:

- not taking part in discussions of certain matters
- not taking part in decisions in relation to certain matters
- referring to others certain matters for decision
- resolving 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; and/or
- declaring an interest to a sponsor or third party

**7.2** The approach adopted should be documented and copies provided to the relevant parties. A copy of the final plan must be held in the department's records, reviewed and updated as necessary, and provided to the Chief Operating Officer and other senior officers on request.

**7.3** If the above strategies are not sufficient to manage a particular conflict, it should be avoided. Further guidance can be sought at any time from the College Secretary.

**7.4** Examples of situations that are frequently encountered and which may give rise to conflicts requiring special action are set out in the accompanying guidance.

**7.5** There are, however, some particular instances where the general procedure is varied and further specific steps are required such that approval is obtained not only from the Head of Department (or equivalent) but from a designated College official, as set out in the table in Appendix A.

**7.6** It is the responsibility of those involved in the area of conflict to comply with the management approach that has been agreed.

**7.7** Any unresolved matter shall be referred to the College Secretary for advice. In cases of particular difficulty, the College Secretary may refer their recommendations to the Chief Operating Officer and Secretary to Council in the first instance and thence to the Chair of Audit Committee for advice or resolution.

## **8. ANNUAL DECLARATIONS**

**8.1** In addition to declaring any conflict or potential conflict in accordance with the procedure above, the following post-holders are required to submit an annual declaration of interests (See Appendix A) to the College Secretary:

- the Principal
- the Vice Principals
- the Chief Operating Officer and Secretary to Council
- the Director of Finance (and their authorised nominees)
- the Director of Human Resources (and their authorised nominees)
- Members and officers regularly in attendance at
  - Council
  - Audit Committee
  - Finance and General Purposes Committee (F&GPC)
  - Senior Staff Remuneration Committee
  - Nominations and Fellows Committee
  - Safety Committee



- Ethics and Welfare Committee
- Directors of subsidiary companies of the College

**8.2** All members of staff at Grade 9 are also required to complete a declaration of interests return (See Appendix B) by human resources.

**8.3** Persons with grounds to inspect declarations of conflict of interest, such as Auditors, shall be allowed access at the discretion of the College Secretary.

**9. Related Policies and Procedures**

- Anti-Bribery Guidelines and Policy
- Charitable Funds and Donations
- Expenses Policy
- Gifts and Hospitality Policy
- Good Research Practice Policies (Including research integrity)
- Client engagement procedures (LBIC)
- Sponsorship and Corporate Relations Policy
- Public Interest Disclosure Policy & Procedure
- Relationships at Work Policy

**COUNCIL, COUNCIL COMMITTEES & SENIOR OFFICERS OF THE RVC  
DECLARATION FOR REGISTER OF INTERESTS – 2019/20**

*Please note returns should cover both the College and the Animal Care Trust*

*Please complete the following in either typescript or block letters and return as below:*

All Personal Data provided will be held / processed in accordance with the Data Protection Act 2018

SECTION A: PERSONAL DETAILS	
1. Surname AND Forename/s – including Title:	
2. Decorations and/or Degrees:	
3. Full Address for Correspondence	
4a. Telephone (Landline): 4b. Mobile: 4c. Fax: 4d. E-mail:	a: b: c: d:
5a. Employing Organization (if relevant) 5b. Position Held 5c. Are you a Member of RVC <b>Council</b> ? 5d. Are you a Member of any <b>RVC Council Committee/s</b> ? If Yes, please list. 5e. Are you an Attendee at either RVC Council or any RVC Council Committee/s? If Yes, please list. Also state if you are Committee Secretary.	a: b: c: d: e:
SECTION B: CATEGORISED DECLARATION OF INTERESTS	
6. <b>ALL</b> Directorships of Private or Commercial Companies or PLCs. a. Please give details for <b>yourself</b>  b. Please also give details in respect of immediate family members or members of your household.	a.  b.

<p>7. <b>ALL Ownership, part-ownership or substantial shareholdings including companies currently doing business with the College, or seeking or likely to seek to do business with the College.</b></p> <p>a. Please give details for <b>yourself</b>.</p> <p>b. Please also give details in respect of immediate family members or members of your household.</p>	<p>a.</p> <p>b.</p>
<p>8. <b>ALL Trusteeship or Position of authority in any charity or voluntary body.</b></p> <p>a. Please give details for <b>yourself</b></p> <p>b. Please also give details in respect of immediate family members or members of your household.</p>	<p>a.</p> <p>b.</p>
<p>9. <b>Is any immediate family member or member of your household employed by or registered as a student with the College, or seeking to be so employed or registered?</b></p> <p>If so, please give details.</p>	
<p>10. <b>Any other relevant and material interest relevant to RVC.</b></p> <p>a. Please give details for yourself.</p> <p>b. Please give details in respect of immediate family members or members of your household.</p>	<p>a.</p> <p>b.</p>

**SIGNATURE:**

**DATE:**

All Personal Data provided will be held / processed in accordance with the Data Protection Act 2018

PLEASE RETURN TO THE Governance Administration Manager

Hawkshead Lane, North Mymms, Herts AL9 7TA Tel: +44 (0) 1707 666673, Email: [governance@rvc.ac.uk](mailto:governance@rvc.ac.uk)

## STAFF DECLARATION FOR REGISTER OF INTERESTS

SECTION A: PERSONAL DETAILS	
1a. Name	
1b. Job Title	
1c. Department	
SECTION B: CATEGORISED DECLARATION OF INTERESTS	
<p>2. <b>Directorships of Private Companies or PLCs</b></p> <p>a. Please give details for <b>yourself</b></p> <p>b. Please give details in respect of immediate family members or members of your household.</p>	
<p>3. <b>Ownership, part ownership or substantial shareholdings in companies currently doing business with the College, or seeking or likely to seek to do business with the College</b></p> <p>a. Please give details for <b>yourself</b>.</p> <p>b. Please give details in respect of immediate family members or members of your household.</p>	
<p>4. <b>Position of authority in any charity or voluntary body in the medical research, animal welfare or education sectors, or any other charity or voluntary body.</b></p> <p>a. Please give details for <b>yourself</b></p>	

<p>b. Please give details in respect of immediate family members or members of your household.</p>	
<p>5. <b>Is any immediate family member or member of your household employed by or registered as a student with the College, or seeking to be so employed or registered?</b></p> <p>Please give details.</p>	
<p>6. Total earnings from sources external to RVC for the period 1<sup>st</sup> August 20XX -31<sup>st</sup> July 20XX</p> <p>For yourself:</p> <p>a. External CPD</p> <p>b. Consultancies</p> <p>c. Locum</p> <p>d. Other paid activity</p>	
<p>7. <b>Any other relevant and material interest relevant to RVC</b></p> <p>a. Please give details for <b>yourself</b>.</p> <p>b. Please give details in respect of immediate family members or members of your household.</p>	

**SIGNATURE:**

**DATE:**

All Personal Data provided will be held / processed in accordance with the Data Protection Act 2018