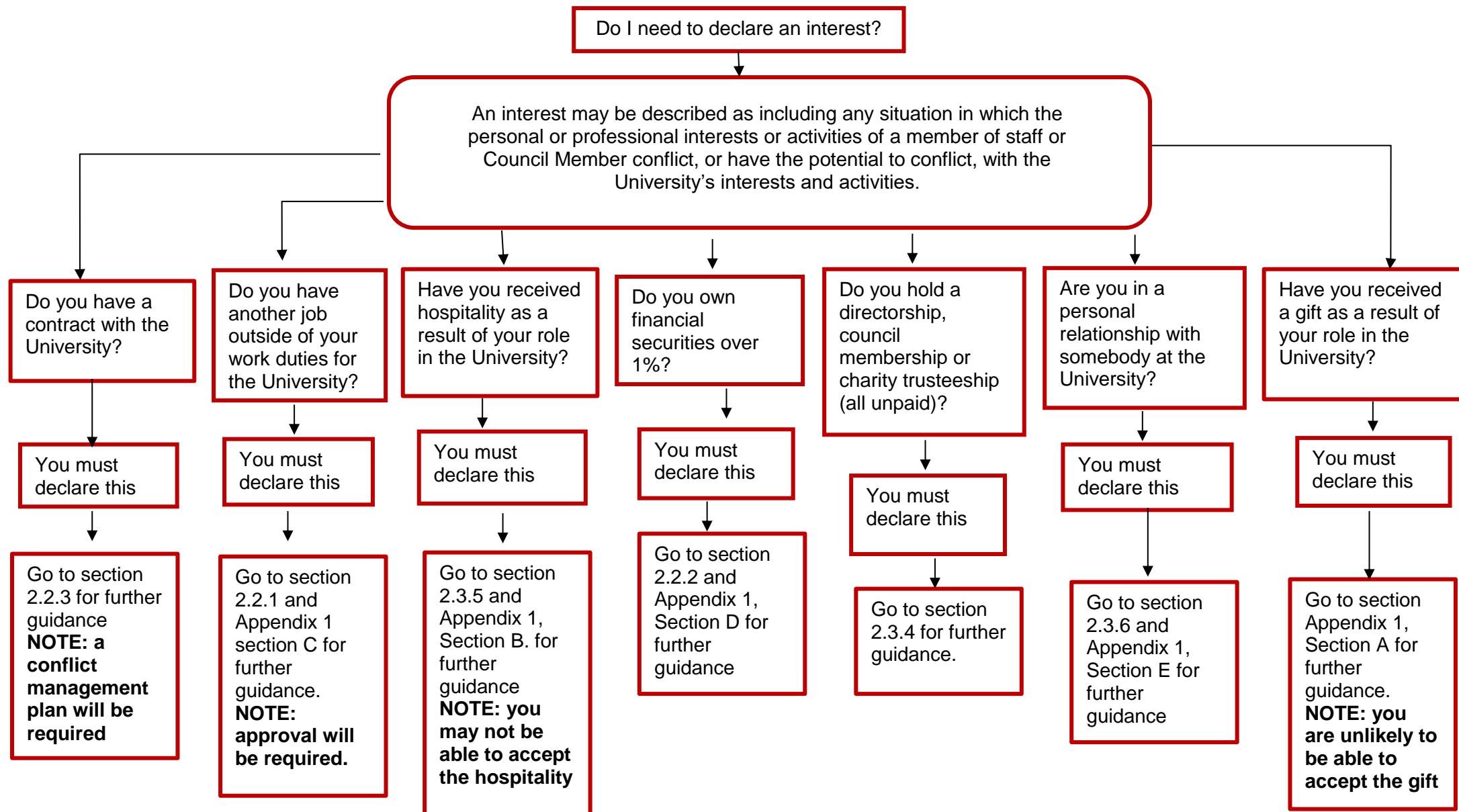


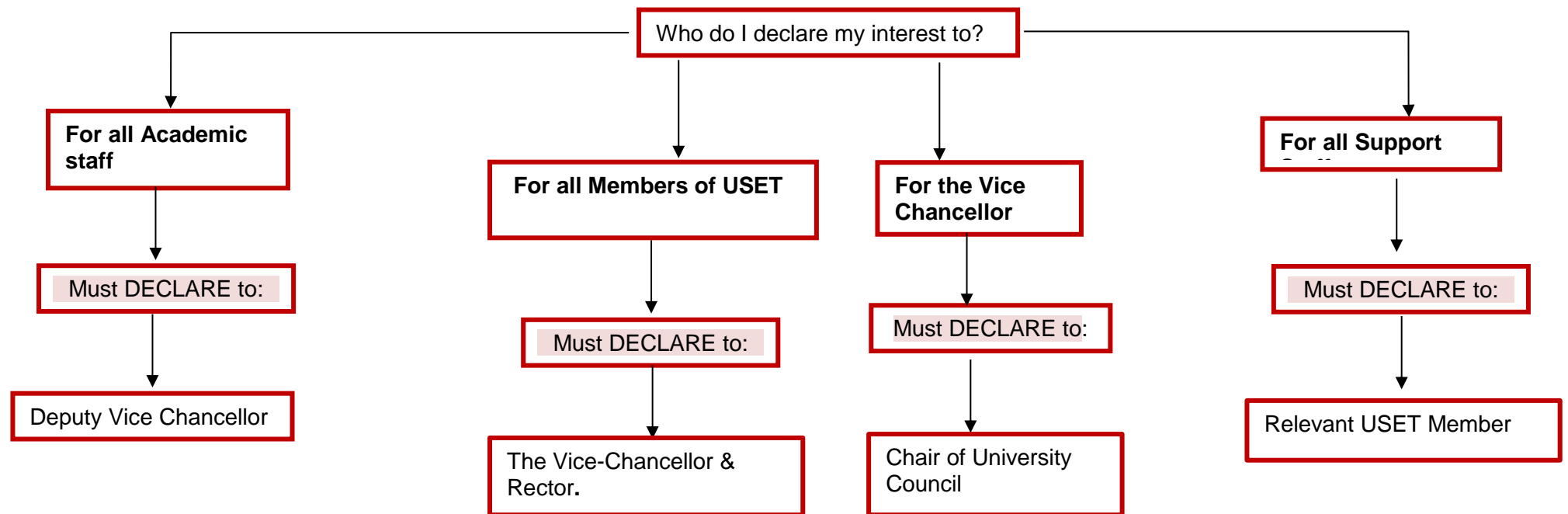
LIVERPOOL
HOPE
UNIVERSITY

Est. 1844

Declaration of Interests Policy

Responsibility for Policy:	Head of Legal Services
Approved by and date:	University Council 6 th July 2021
Frequency of Review:	Every Five Years
Next Review date:	2025
Related Policies:	Anti-Bribery and Corruption Policy Whistleblowing Policy
Minor Revisions:	
EIA:	





1. Introduction

1.1. This document describes the University's Policy in relation to declarations of interests. The purpose of this Policy is to provide a framework to ensure that staff and Council Members do not place themselves in a position where their professionalism, integrity, impartiality and honesty might be questioned or where the activities of the University are brought into disrepute. It also sets out the procedures for disclosing potential or actual conflicts of interest. Any non-compliance with the Policy will be treated seriously by the University and may be considered under disciplinary procedures.

1.2. This Policy covers four main areas:

- 1.2.1. The annual declaration of interests exercise for those specified roles (see section 4.3.).
- 1.2.2. A process for declaring and managing adhoc declarations of interest for any member of staff or Council member.
- 1.2.3. Guidance on what types of conflicts must be declared and steps for managing conflicts of interest.
- 1.2.4. Principles and procedures for offering, accepting and recording gifts and hospitality.

1.3. The University encourages its staff to participate in a wide range of external activities that are complementary to its strategic goals and serve the public interest. These may include for example council memberships, trusteeships and voluntary work. However, sometimes these activities can give rise to actual, potential or perceived conflicts of interest and staff and council members must ensure that these are properly declared to the University. The off-duty hours of staff and University Council Members are personal concerns but they should not put themselves in a position where their duty and private interest conflict. Conflicts of interest are not discouraged and recognising a conflict of interest doesn't imply improper conduct or lack of integrity. It is important that

- Conflicts of interest (actual, potential or perceived) are always disclosed;
- A conflict of interest management plan is put in place to prevent damage to reputation; and
- Where conflicts cannot be managed the activity giving rise to the conflict is prohibited.

1.4. All members of staff and Council members have a responsibility to:

- 1.4.1. **Identify** situations where they have a conflict of interest, or situations where there is potential for a conflict of interest or the perception of a conflict of interest to arise;
- 1.4.2. **Disclose** those situations to the University as soon as they are

identified. Failure to disclose a conflict of interest may result in disciplinary action; and

- 1.4.3.** If required, take appropriate measures to **manage** those situations under the procedures identified in paragraph 3.6.

N.B. Here and elsewhere in this document 'organisation' includes 'individual' or 'individuals'.

2. What is a conflict of Interest?

- 2.1.** The scale and scope of the University's activities do not make it possible for this Policy to exhaustively define all the circumstances in which a conflict of interest may exist. However, for the purposes of this Policy a "conflict of interest" may be described as including any situation in which the personal or professional interests or activities of a member of staff or Council Member conflict, or have the potential to conflict, with the University's interests and activities. This can include situations where the commitments and obligations owed by the staff member or Council member to the University or to other bodies, for example a funding body, are likely to be compromised, or may appear to be compromised, by:

- 2.1.1.** personal gain, or gain to immediate family (or a person with whom the staff member has a close personal relationship)*, whether financial or otherwise; or
- 2.1.2.** the commitments and obligations that a person owes to another person or body.

*For the purposes of this Policy this could include their spouse or civil partner, child, step-child, parent, step-parent, grand-parent, grandchild, brother, sister, father-in-law, mother-in-law, brother or sister in law, aunt, uncle, niece, nephew or first cousin.

- 2.2.** Information that must be declared is set out in the categories below (with further detail in Annex 1).

- 2.2.1. Remunerated employment, consultancies, office, trade, profession or vocation**
Staff and members of Council must provide an adequate description of any employment or office from which they derive an income, and of any trade, profession or vocation carried out for profit or gain other than that from the University or any of its subsidiaries.
- 2.2.2. Financial securities**
Staff and members of Council must give the names of any companies or other bodies corporate in which they own securities (e.g. shares, bonds etc.) for their own benefit where the holding represents more than 1% of the issued capital of the relevant organisation.
- 2.2.3. Contracts with the University**
Staff and members of Council must give a brief description of the nature of any contract (other than their contract of employment or consultancy arrangements) which they have with the University or

any of its subsidiaries.

2.3.4. Directorships, Council memberships and charity trusteeships

Staff and members of Council must declare any directorships, Council memberships and charity trusteeships.

2.3.5. Gifts eg reportable gifts such as substantial travel, hospitality or other forms of valuable benefit.)

See further details in Annex 1, Section A.

2.3.6. Personal relationship interests

Staff and members of Council must declare any personal interests in the form of relationships with other Employees, students or members of the Council, for example, where a member of staff is married to or has a relationship with another member of staff. This also includes any staff recruitment or student admission process. If staff or Council members are uncertain about whether they need to declare a personal relationship then they should seek confidential guidance from the Head of Legal Services, Governance & Risk.

3. Making Declarations

- 3.1.** Council Members must make a declaration to the Clerk to University Council as soon as it becomes apparent that they have an actual or potential conflict of interest.
- 3.2.** For all staff other than the University Senior Executive Team (USET) and the Vice-Chancellor & Rector, the appropriate person to declare any interest is the relevant USET member for a particular working area. For academic staff this is the Deputy Vice Chancellor.
- 3.3.** For USET members, all declarations of interest shall be reported to the Vice-Chancellor & Rector; for the Vice-Chancellor, that person is the Chair of University Council (via the Clerk to Council).
- 3.4.** All declarations of interest must also be sent to the Company Secretary. The registers for all staff and University Council Members will be maintained by the Company Secretary.
- 3.5.** The person receiving the declaration is responsible for managing the declaration including ensuring that the information is gathered 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.
- 3.6.** The onus is on the person receiving the declaration to decide (with guidance) whether there is any conflict of interest and, if so, to take appropriate action.
- 3.7.** The record of any declaration made 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.
- 3.8.** Some instances of conflict will require more than just disclosure and will need to be addressed by agreeing how the conflict can be actively managed through a Conflict Management Plan (Appendix 2). Those to whom the

disclosure is made may need to take advice from the Head of Legal Services, Governance and Risk on good practice in University governance

Declarations

All staff must declare interest as and when they arise

See Page 1 for examples of interests that need to be declared.

Annual Declaration

the University has designated certain roles of being at greater risk of claims or perceptions of a conflict of interest.

People in these roles must make an Annual Declaration of Interests.

Council members must submit a form at least once per year and as and when an interest arrives to Clerk to University Council

Members of USET and the Vice-Chancellor and Rector must submit a form at least once per year and as and when an interest arrives

Anyone who sits on a University Committee of council or Senate

All members of ALT and OLT

Staff members who in their normal role are involved in negotiating or have a material influence on, or have access to highly sensitive and commercial information (including contracts for goods or services) or partnerships on behalf of the University.

4. The Annual Declaration

- 4.1.** Certain staff members and all Council members are required to make an annual return to the University's central Register of Interests held by the Company Secretary - including in all cases where no such conflict of interest exists.
- 4.2.** The University has designated certain roles within the University as being at greater risk of claims or perceptions of a conflict of interest. These are primarily roles that involve contract and procurement decisions. Those holding such roles are required to make a compulsory annual declaration of interest. This annual declaration is required even if it is a 'nil' return and is in addition to the requirement to make a declaration as soon as an actual or potential conflict of interest becomes apparent.
- 4.3.** The categories of people who must make an annual declaration are as follows
 - 4.3.1.** All members of University Council
 - 4.3.2.** All members of USET
 - 4.3.3.** All members of ALT and OLT
 - 4.3.4.** Anyone who sits on a University Committee of council or Senate
 - 4.3.5.** Staff members who in their normal role are involved in negotiating or have a material influence on, or have access to highly sensitive and commercial information (including contracts for goods or services) or partnerships on behalf of the University.
- 4.4.** The Annual Declaration will be received by the appropriate USET member and the Company Secretary. The USET member will be responsible for dealing with any potential conflicts as per section 3.5 -3.8.
- 4.5.** The Company Secretary will maintain a register of all interests declared. In accordance with good practice and guidance from the Committee of University Chairs, the register containing the interest of Council members will be publicly available upon request. All other entries in the register of interests shall be dealt with in accordance with section 6.1. below.

5. Requirements of good governance

- 5.1.** A standing item shall be included on the agenda of every meeting of the Council and its committees to enable members to declare any actual or potential conflicts of interest with matters to be discussed at the meeting. The Chair would then 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.

6. How information will be processed

- 6.1.** Apart from the roles covered in 4.3.1 above where greater rules of transparency might apply, all information held on the Register of Interests will remain confidential subject to the provisions of the Data Protection Act and the

Freedom of Information Act and the good management of this Policy. The Head of Legal Services, Governance and Risk will be the point of contact for queries and complaints.

- 6.2.** As a public authority, the University may be subject to requests made under the Freedom of Information Act either to provide this Policy or for information from the Register. Wherever possible, the University will answer any such requests without revealing the names of any individual who has made a declaration. If personal details of those who have made declarations are requested, the University will consult those individuals before disclosing any information.
- 6.3.** A person making a declaration may at any time request a copy of their current declarations on application to the Company Secretary. The data will be kept securely either in electronic or hard copy formats and it will be deleted six years after the person has left their role at the University.

ANNEX 1

GUIDANCE ON WHAT SHOULD BE DISCLOSED AS A CONFLICT OF INTEREST

A. Gifts

1. There are two considerations where gifts are concerned: the nature of the gift in terms of value and the motivation of the giver.
2. Staff and Council members should be aware that acceptance of gifts, made by contractors, suppliers, service providers, students and others, might place them in a vulnerable position in regard to perceptions of their professional integrity. Even when offered and accepted in innocence, other people or organisations may misconstrue the intention behind such hospitality or gifts.
3. Although it is an accepted convention in some parts of the private sector, and in other countries, for business people to give gifts, this is not considered to be a normal practice by the University for any business conducted on its behalf. All offer of gifts (other than those of intrinsic / modest value), must be politely declined.
4. The University requires that all gifts are declared to the relevant USET member or Vice Chancellor as per section 3 of the Policy regardless of value, however only those that comply with A.5 below will be recorded in the Register of Interests.
5. A reasonable balance has to be struck when deciding whether it is appropriate to accept a modest gift (possibly a bottle of ordinary wine) and a more expensive gift. Receipt of a modest gift is acceptable provided that they do not have an intrinsic financial value greater than £50 and they are:
 - I. token or promotional in nature and are given to a wide range of people and not exclusively to the staff member or Council member (e.g. pens, calendars, diaries or memory sticks etc.).
 - II. given collectively to teams within the University to mark events such as Christmas or other festivities (e.g. confectionary or cakes etc.).
6. Staff or Council members should decline repeated offers of gifts from the same source that may cumulatively exceed £150 within a period of 12months
7. Staff and University Council Members should refuse any personal gift of any significant value whatsoever offered to them by any person or organisation who has or seeks dealings with the University.
8. From time to time, staff and University Council Members may find themselves in a position where they consider it incorrect to refuse and/or return gifts. This requires diplomatic handling and staff and University Council Members should not behave in ways which donors of gifts might regard as impolite or unnecessarily critical of their normal practice.
9. It is sometimes acceptable to the giver for a gift which in other circumstances would be refused as in A8 above to be donated instead to charity. An arrangement of this sort should be approved by the Vice Chancellor.

B. Hospitality

1. Contacts established socially can be helpful in the University's interests. It is therefore appropriate in certain circumstances for staff and University Council Members to accept invitations for social involvement with persons or bodies, including those who have, or may seek to have, business dealings with the University.
2. Offers of hospitality which are on a scale significantly greater than the University would be likely to provide in return, **MUST** be refused.
3. All hospitality must be declared to the relevant person as per section 3 of this Policy.
4. It is generally more acceptable to join in hospitality offered to a group, than to accept something unique to the individual. When a particular person or body has a matter currently in issue with the University (e.g., an arbitration arising from a contract), an offer of hospitality should clearly be refused even if in normal times it would be acceptable.
5. Where hospitality in various forms is offered to staff and University Council Members as representatives of the University, it may be accepted where it appears reasonable in all the circumstances to do so. Where, however, hospitality is offered to individual employees, special caution is needed where the host is seeking to do business with the University or to obtain a decision from it. It is important to avoid any suggestion of improper influence. Again, it is a matter of judgement, but the following examples are intended to give general guidance.
6. Acceptable forms of Hospitality
 - I. A working lunch.
 - II. Invitation to a Society or Institute dinner or function.
 - III. Invitation to take part in company jubilee or other anniversary celebration.
 - IV. Invitation to trade fairs or similar events where there is a general invitation to customers.
 - V. Invitation to cultural or sporting occasion where an element of sponsorship is involved.
 - VI. demonstrations of products or services of interest to the University
 - VII. ceremonies such as the opening of buildings or the launch of a new initiative
 - VIII. dinners or functions held by learned and professional societies or business associations
 - IX. functions or ceremonies at other academic institutions or partner organisations
 - X. business meetings and networking events
7. Unacceptable
 - I. Offer of a personal holiday at company's expense.
 - II. Offer of hotel accommodation unrelated to any general occasion.
 - III. Offer of use of company flat or hotel suite unrelated to any general occasion.

- IV. substantial hospitality offered in substitution for fees for broadcasts, speeches, lectures or other work undertaken
 - V. repeated acceptance of hospitality from the same source where the cumulative value of the hospitality would exceed £150 in any 12 months.
8. It is permissible to accept travel, accommodation and subsistence costs from third parties if these are consistent with the duties of a member of staff or Council member and reflect reasonable and actual costs incurred. Examples of such professional duties would include external examining, speaking at conferences or serving on editorial boards. Staff or Council members must not accept offers of accommodation or travel at the expense of a third party for purposes that cannot be reconciled with their professional duties.
 9. In any case of doubt about the interpretation of these paragraphs, the Head of Legal Services should be consulted.

C. Other Employment - Guidelines on Outside Work

1. Undertaking paid work for other organisations outside the Contract of Employment must be regarded in the context that members of staff are employed and remunerated by Liverpool Hope. If any staff member intends to work or provide a service for any other person or organisation, they must discuss this first with your manager, and where necessary seek written consent through the declaration of interest process in section 3.
2. *Examples of outside work include: one-off guest lectures, part-time bar work, part-time lecturing at another institution such as the Open University, consultancy work.*
3. Staff employed on a full-time basis are expected to devote their primary professional commitment to the University and to ensure that any time devoted to external activities does not adversely affect their ability to meet their responsibilities to the University. Staff employed on a part-time basis are expected to ensure that their professional commitment to the University is not compromised by their other sources of employment or professional or personal interests.
4. Such consent to continue with the outside work will not be unreasonably withheld, but permission is usually conditional upon four criteria:
 - a. That the outside work does not conflict with your work for Liverpool Hope in terms of:
 - i. a conflict with Hope's interests
 - ii. the outside work rendering you unfit or unable to undertake your contracted duties at Hope effectively
 - iii. the outside work occurring during normal Liverpool Hope working time as determined by the manager or by the Vice-Chancellor
 - iv. compliance with the Working Time Regulations.
 - b. That a satisfactory performance review has been conducted in the previous year. Managers may use discretion in the case of new staff. Any renewal of the permission will be conditional on annual performance review considering the impact of any outside work.

- c. That the location of the outside work be specified, and your home address be confirmed, so that the implications of additional travel from Hope or home to the outside work are clear.
- 5. That you do not undertake outside work when you are unable to undertake work for Liverpool Hope, for example due to sickness absence, compassionate leave or emergency leave for domestic purposes.
- 6. Permission to undertake ongoing outside work must be sought on an annual basis, at the start of each academic year if possible. Should the above criteria not be met during the undertaking of outside work, you will be provided with the opportunity to discuss the situation before permission is revoked.

D. Disclosure of Financial Interest

- 1. Staff and University Council Members are required to disclose financial interests whether direct or indirect in any contract with which the University is concerned.
- 2. A member of staff shall not, under cover of their office or employment, accept any fee or reward whatsoever other than their proper remuneration.
- 3. If it comes to the knowledge of a member of staff or University Council Member that a contract in which they, or their family or close associates, have any pecuniary interest, whether direct or indirect (not being a contract to which they are themselves a party), has been, or is proposed to be, entered into by the University or any committee thereof, they shall as soon as practicable give notice in writing to the Head of Legal Services of the fact that they are interested therein and make a declaration of interest via section 3. above.
- 4. Remuneration from an organisation which has dealings with the University is a direct interest. So too is remuneration paid by the organisation to their family or close associates.

5. Guidance

- a. All members of staff and University Council Members should disclose a relevant pecuniary interest in a contract as a declaration of interest
 - b. Staff and University Council Members should carefully consider their position to avoid conflict of interest where either there is a direct pecuniary interest but no contract, or they, or their spouses, partners, family or close associates are receiving remuneration from an organisation which is dealing with the University.
- 6. "Remuneration" includes commission, honoraria, dividends, agency fees and interest as well as salary, wages or fees.

E. Non-financial Interest

- 1. There may be a conflict of interest even where no pecuniary interest or advantage exists or accrues. This covers areas where relationships might be seen to influence judgements and convey the impression of personal motive.

F. Use of Services of Organisations Dealing with the University

1. Staff and University Council Members should be extremely cautious when using the services of organisations which they know to have dealings with the University.
2. The University has an Anti-Bribery and Corruption Policy.
3. Guidance
 - a. Goods or services for private use may be bought from organisations trading with the University, providing the price offered is readily available to the general public.
 - b. Where however an employee or University Council Member has good reason to believe that an offer of preferential terms might in fact be a specific inducement, in the form of either goods or services, to promote an organisation's interests, he/she should decline to have such dealing with that organisation. A member of staff or University Council Member should not use his or her position with the University to obtain a discount. The purchase of goods and services at discounted terms under a scheme or arrangement which applies to members of trades unions as such is excluded from this paragraph.
 - c. Staff should avoid contacts with organisations engaged in "pressure selling" where inducements and discounts are offered in return for orders. The proper action is for the member of staff concerned to report the matter to the Head of Legal Services immediately.
4. To avoid any suggestion of restraint of trade and unfair discrimination against any particular organisation, staff involved should always explain diplomatically the dangers to both parties inherent in such preferential offers.

G. Use of University Facilities

1. Employees of the University are provided with facilities, including office equipment, computer facilities, transport, telephones, secretarial services to use in carrying out their official duties. University work must always be given priority, although certain facilities, such as telephones and reprography, may be available to staff for private use on agreed terms with managers.

APPENDIX 2

Conflict Management Plan

- 1.** Some disclosed conflicts will require a Conflict Management Plan to be put in place. A template for the plan can be requested from the Head of Legal Services, Governance and Risk. The relevant Conflict Management Plan will need to be approved by the appropriate person in (Section 3.6.).
- 2.** There are several strategies that may be appropriate to Conflict Management Plan, such as but not limited to:
 - a. not taking part in discussions of certain matters;
 - b. not taking part in decisions in relation to certain matters;
 - c. resolving not to act as a particular person's supervisor;
 - d. divesting or placing in trust certain financial interests;
 - e. publishing a notice of interest;
 - f. standing aside from any involvement in a particular project; and/or
 - g. declaring an interest to a sponsor or third party.
- 3.** In most cases where there is an actual conflict of interest, the decision-maker who has a conflict of interest will need to stand aside from taking the relevant decision.
- 4.** The University may determine that the only way to manage a conflict of interest is for the situation giving rise to the conflict to be avoided.
- 5.** A Conflict Management Plan will include review dates, options and responsibility.