

UNIVERSITY OF KENT

Declaration of Interest Policy – for members of staff

Preamble

1. Acting in accordance with the Higher Education Code of Governance and the Office for Students Audit requirements, the University Council has established a Register of Interests for members of Council and for all staff. It is at the discretion of individual members of staff what, if any, interests they declare. It should be noted, however, that declaration provides protection for the University and individuals against any possible allegations of impropriety.
2. Members of staff have an obligation to avoid conflicts between their private interests and personal relationships and their duty to the University, particularly where any conflict could be against the University's interests or weaken public confidence in the conduct of the University's business. Members of staff should be aware of the significant negative effects that a conflict of interest or the perception of one can have on the reputation of the University and on public trust and confidence generally.
3. The Nolan Principles, the seven principles of public life, form the basis of the ethical standards expected of all public office holders. The principles are selflessness, integrity, objectivity, accountability, openness, honesty and leadership.
4. A conflict of interest arises where the commitments and obligations owed by a member of staff to the University of Kent or to other bodies, for example a funding body, are likely to be compromised or may appear to be compromised by that person's personal gain, or gain to immediate family (whether financial or otherwise). A conflict of loyalty is where the member of staff's duty to the University may compete with a duty or loyalty that they owe to another organisation or person.
5. For the purposes of the Register an interest is defined to be any financial or other personal interest an individual may have in any relationship or proposed relationship between the University and an external body. This would include consultancy, employment, directorship or other activity within a commercial concern, shareholding, or membership of statutory and public authorities. Other education establishments and companies with which the University has an actual or potential business relationship should also be included, as should any interest that a family member might have that could give the appearance of a conflict, even where no actual conflict exists.

The existence of a conflict of interest does not reflect on the integrity of the affected member of staff as long as it is properly addressed.

Policy

6. There is a general duty on all members of staff to disclose at the earliest possible stage any financial or other interest they may have in any transaction, or proposed transaction, between the University and a third party. The disclosure of such an interest should be made in writing to the Head of the member of staff's School, Department or Unit (or if the member of staff concerned is the Head of the section, to their line manager). All declarations should also be returned annually to the Secretary of the Council who will maintain a register of declared interests.
7. (a) Members of staff must draw any declared interests to the attention of the Chair of the meeting or anybody in whose business they are participating when it is relevant to that business or when they are in any doubt that it might be relevant.

(b) Members of staff must declare an interest to the Chair if in the course of the business of a meeting they become aware that they have or may have a financial or other beneficial interest in a specific item of business to be transacted at the meeting.

Notes

i. The University encourages staff to engage in appropriate external activities but it is necessary to have mechanisms to protect staff and the University of Kent from reputational damage or other liabilities. It is very important that if a member of staff has a private interest, financial or otherwise, which could overlap with their duties as an employee of the University of Kent, that this interest is disclosed and managed properly. Private interests may arise from relationships such as consultancy, employment, directorship or other activity within a commercial concern, (whether paid or not), shareholding and/or membership.

ii. It is the responsibility of each individual to consider whether there are interests they should declare. There can be situations in which the appearance of conflict of interest is present even when no conflict actually exists. It is the responsibility of each individual to recognise this and disclose if appropriate. If a person is in doubt as to whether to register an interest, it probably means that it should be registered. Interests could be regarding business or personal interests and could include interests of family members, such as a spouse, partner or other close family member. The list below (not exhaustive) gives examples:

Company – any relationship with a named company with which the University might do business, including the University's own subsidiaries.

Shareholding above 3% notifiable level for directorships, paid employment, partnership, consultancy or close family connection.

Self-employment (accounting for more than 5% of annual income).

Property – freehold or leasehold ownership of any properties in which the University might have an interest.

Charities – trusteeship or governorship or employment with.

Public appointments – paid or unpaid.

Memberships – professional bodies, trade or other associations, external bodies.

Close family links to any of the above.

iii. Conflicts of interest may be financial or non-financial or both. Financial interest refers to anything of non-trivial monetary value, including, but not limited to, pay, commission, consultancy fees, equity interests, forgiveness of debt, property, royalties and intellectual property rights. Non-financial interest refers to any non-financial benefit or advantage, including, but not limited to, enhancement of an individual's career, education or professional reputation; access to privileged information or facilities.

iv. Membership of an external body brings with it an obligation (and sometimes a statutory duty) to act in the best interests of that external body. Such obligations may overlap with those required from an employee to the University of Kent, leading to a conflict of loyalty. The employee should ensure that they continue to give their primary commitment and allegiance to the University of Kent. External bodies

include statutory and public authorities, other education establishments and charities, companies with which the University itself has an actual or potential business relationship (for the provision of services or research or for investment) and membership organisations.

- v. The Register is updated in November each year and members of staff are invited to send declarations (or subsequently any updates to these) to the Secretary of the Council at any time during the year. Forms for the declaration of interests are available online at:
<https://www.kent.ac.uk/governance/register-of-interests/Declaration-of-Interests-Policy.html>
- vi. Disclosure of an interest does not replace the need for a member of staff to seek appropriate permission to undertake external work and consultancy according to the University's agreed procedures. Approved external work, including consultancies, should be disclosed as interests in accordance with paragraph iv above.
- vii. Copies of schedules of suppliers of goods and services to the University and of the University's current investments can be made available for consultation on request to the Secretary of the Council.
- viii. Confidential advice on this Policy may be sought from the Secretary of the Council, but in considering whether and what interests to declare, individuals may wish to ask themselves whether members of the public knowing a particular piece of information about an individual might reasonably conclude that the relevant interest could influence his or her judgement. If they might so conclude, the best protection for the individual and for the University would be for the interest to be declared in the Register.
- ix. This Policy is approved by Council and reviewed every three years unless amendments are required sooner.

Related Policies

The following policies are available at: <http://www.kent.ac.uk/governance/policies-and-procedures/index.html>

Anti-Bribery and Corruption Policy
Ethical Conduct and External Activity
'Whistleblowing'
Fraud Prevention and Response Policy
Policy on Personal Benefit

Policy approved 7 December 1995; last updated 11 August 2015

KJL/JLP/hap/11.08.2015

Amendments – JLP - 5 July 2019, 27 August 2019