

CONFLICTS OF INTEREST AND FINANCIAL DEALINGS POLICY

Introduction

St George's, University of London is concerned about conflicts of interest for the following reasons:

1. Conflicts of interest which are not effectively managed may jeopardise St George's, University of London's mission
2. St George's, University of London wishes to encourage commercial activity and take advantage of commercial research, consultancy, intellectual property and spin-out companies; this will require careful management of possible conflicts between St George's, University of London's interests and legitimate personal commercial interests
3. St George's, University of London must make good use of public funds, for example by ensuring best value in any contracts into which it enters
4. As a public body, St George's, University of London must comply with the guidelines set out by the Nolan Committee in relation to standards in public life
5. Council members owe particular fiduciary duties to avoid conflict of interests St George's, University of London is a charity, and directors of St George's, University of London's subsidiaries and spin-out companies owe similar duties
6. The Bribery Act 2010, Criminal Finances Act 2017 and other laws require that St George's, University of London has a policy on conflicts of interest and financial dealings to guide staff to avoid them being placed in difficult situations regarding activities they may undertake on behalf of St George's, University of London and that such policies and procedures be reviewed and updated from time to time to take account of changes in legislation, case law or official guidance.

Definition

There are several definitions of "Conflicts of Interest", but in broad terms this comes about when a person has a private or personal interest sufficient to appear to influence the objective exercise of their official duties for St George's, University of London.

The following are the most common forms of conflicts of interests:

1. Favouring outside interests for personal gain, such as influencing the purchase or hire of services or equipment for St George's, University of London to the advantage or gain of a member of St George's, University of London's community.
2. Engaging in a research agreement or service contract with a company or private enterprise in which the person acting for St George's, University of London has a personal interest, or is closely associated with any person with such interest.
3. Accepting significant gifts or special favours for personal gain from persons or organisations that do business with St George's, University of London without obtaining appropriate authorisation or declaring the same. Accepting small low value gifts such as pens, mugs, calendars, etc of a value of less than £10 would not ordinarily constitute a breach of this policy unless several gifts of low value were received within a relative short space of time.
4. Nepotism, in which a spouse, child, or other close relative is employed (or applies for employment) or where goods or services are purchased from such a relative or a firm controlled by a relative.
5. Gifts from friends who also do business with the person receiving the gifts. (Such gifts may include non-tangible things of value such as travel and accommodation)

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6. Using St George's, University of London employees, students, equipment or time to carry out work for an enterprise in which either the individual or an associated person has a financial or other interest.
7. Inappropriate use of information for personal or other unauthorised purposes, or unreasonably delaying publication of research results or premature announcement of results for personal financial gain

Scope

The policy applies to all members of the St George's, University of London community including but not limited to council members, employees (whether directly employed or employed by any subsidiary or spin-out company), and students.

General statement of policy

St George's, University of London is committed to furthering its business through openness and transparency in all its dealings. Any dealings that do not meet the standards set out within this policy will be dealt with rigorously and breaches will be dealt with by appropriate action including, where appropriate, disciplinary action.

St George's, University of London employees are expected to use the funds entrusted to them to the best advantage of St George's, University of London in support of its core aims of teaching and research.

Members of St George's, University of London community must not abuse their St George's, University of London positions for personal gain or to give improper benefit to their families, friends or any other person.

Procedures

1. Employees:

- (a) When a conflict of interest arises, or when a potential conflict of interest emerges, an employee has a duty to provide full written disclosure of the relevant facts to their line manager. If the employee is a member of the Executive Board they are required to provide a full written disclosure to the Chief Operating Officer.
- (b) The line manager or the Chief Operating Officer (if applicable) is required to take action as soon as he or she is made aware of the issue. They are responsible for informing the Heads of Department or Institute Heads or the Principal (as applicable) who will either (a) make alternative arrangements if necessary so that a conflict of interest is avoided or does not persist; or, (b) condone the conflict of interest if there is a reasonably justifiable case for doing so.
- (c) If the employee and their line manager cannot agree on alternative arrangements or if the Head of Department or Institute Head cannot determine a suitable alternative, the matter shall be referred for final decision to the Director of Finance or their nominee.
- (d) Allegations of violations of this policy by employees will be investigated in accordance with disciplinary procedures specified in the staff handbook and in the conditions of service of the employee or employees involved.

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2. **Students:**

- (a) The advice of the Academic Registrar and / or members of the Registry will be sought in connection with any breaches of this policy by students.

3. **Annual declaration of interests:**

- (a) Once a year all employees and office holders at St George's, University of London are required to complete and submit a statement showing potential conflicts of interest to the Finance Director and shared with Institute and Department heads.

- (b) At the start of every meeting attendees will normally be asked to disclose if there is any conflict of interest. If there is any item where a matter is being discussed in which they, their employer (in the case of a Council member) or a member of their family has an interest, the attendee must immediately declare this interest. The Chair of the meeting may decide, at their absolute discretion, that the attendee has to leave the meeting room for that particular item of business and may not be allowed vote on or participate in the decision making leading to any resolution pertaining thereto.

4. **Employee or Supplier Recruitment Panel:** if a member on the panel considers that they have a personal relationship or a conflict of interest regarding one or more of the candidates that meets the Definition in this policy, the member should bring this to the attention of the Chair of the Committee who may decide whether withdrawal is appropriate.

5. **Due diligence on third parties who perform services on behalf of St George's, University of London such as agents, intermediaries, joint-venture partners or other representatives:**

The Bribery Act 2010 and the Criminal Finances Act 2017 make St George's, University of London liable for any "associated person's" conduct, even where that person is not a UK resident, citizen, company or formation, or where the conduct takes place outside the UK. It is essential that St George's, University of London officials, staff and students are aware of the risks where St George's, University of London business is conducted by foreign nationals overseas, or foreign partners (including governments, NGOs, other HEIs, etc), especially in territories where corruption is commonplace. St George's, University of London requires reasonable due diligence to be carried out on any agents, intermediaries, joint-venture partners conducting St George's, University of London business overseas. This includes participation in research grants and delivering any teaching.

Any allegations about misconduct under this policy

Breaches of this policy should be reported without delay as follows:

Party or parties suspected:	Report to be made to:
Principal	Chair of Council
Chief Operating Officer	Principal or chair of the audit committee
Director of Finance	Principal or chair of the audit committee
Council member	Chair of Council and chair of the audit committee
Any other employees	Chief Operating Officer

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Alternatively the Whistleblowing Policy may be used instead of the reporting structure set out above.

Please also note the reporting structure under section 17 of the Gifts and Hospitality Policy which provides that staff can approach either the Finance Director or the Academic Registrar.

You should not:

1. Approach or accuse any individual directly;
2. Investigate the matter yourself; or
3. Discuss your concerns with anyone other than one of the individuals listed above.

You should make notes of all facts that you are aware of, including times, dates and names.

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