



## CONFLICT OF INTEREST POLICY

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# **Introduction**

## **Purpose and Policy Statement**

The policy aims to protect the integrity of the College decision-making process, to enable stakeholders to have confidence in the College's integrity and to protect the integrity of members of the College Corporation and its employee body.

The policy protects those concerned from any appearance of impropriety and demonstrates the importance placed within the College in relation to integrity, honesty and transparency.

This policy provides clear and transparent expectations in relation to all employees, Corporation members and other College representatives.

## **Definition**

Conflicts of interest may arise where an individual's personal or family interests and/or loyalties conflict with those of the College. These interests may be financial or emotional. Such conflicts may create problems, as they can:

- inhibit free discussion;
- result in decisions, or actions, that are not in the best interests of the College;
- risk the impression that the College has acted improperly;
- compromise commitments and obligations.

Conflicts of interests can be financial and non-financial, and a potential gain can be personal or a benefit to someone with a connection to a member of staff.

The issue is not the integrity of the member of staff concerned, but the management of any potential to be influenced by conflicting loyalties. Even the appearance of a conflict of interest can damage reputation and so conflicts need to be managed carefully.

## **Scope**

This policy applies to all employees of Telford College regardless of employment type or contract, members of the College Corporation, consultants and other College representatives.

## **Responsibilities**

All members of the Corporation, employees, consultants and other College representatives, have a paramount obligation to always act in good faith, in the best interests of the College and in accordance with its governing documents and the general legislative framework. .

Upon appointment, everyone will make a full written disclosure of interests, such as relationships and posts held i.e., working with close relatives. The written disclosure to be provided on Appendix 1 will be retained on file and will be updated annually or as and when appropriate. Should this require an update at any point during an employee's length of employment, the employee must complete a new Disclosure Form at their earliest convenience.

# **Process/Procedure**

## **Meetings**

Whenever a member of the College Corporation, employee or other college representative has a personal interest in a matter to be discussed at a meeting of the College or in a prospective commercial or financial dealing with an outside body, the individual concerned must, in the case of matters arising at meetings:

- declare an interest at or before discussion begins on the matter;
- withdraw from the meeting for that item unless expressly invited to remain in order to provide information;
- not be counted in the quorum for that part of the meeting;
- withdraw during any vote and have no vote on the matter.

In other dealings where individuals are acting on their own or in collaboration with external contacts in the context of a meeting, before concluding any arrangement, the matter must be discussed with an appropriate member of the College Leadership Team.

It is an individuals' responsibility to raise concerns relating to conflicts of interest directly with an appropriate person within the College, which could be the individual's line manager. If not sure what to declare, those affected should err on the side of caution and consult at the earliest possible occasion. If a conflict of interest cannot be resolved by discussion, the College will set up a panel to advise on the College position.

## **Recruitment of new employees**

Individuals involved in the recruitment and selection process must immediately declare to the Head of HR any conflict or potential conflict of interest, at which point, in the interests of fairness to all candidates, they will not be permitted to continue to participate. For example, it would not normally be appropriate for a member of staff to be a member of a recruitment panel where an applicant is a member of their spouse's family.

## **Relationships involving a supervisor or line manager**

It would normally not be appropriate for employees in a direct or indirect management or supervisory role to be involved in management activities relating to an employee with whom they have a relationship, and where this is the case, or becomes the case, then the HR Department should be informed as soon as possible.

Examples of management activities are:

- Authorisation of financial payments or expenses
- Salary payments
- Recruitment, selection or appointment including the provision of references
- Progression and promotion
- Probation
- Delegation of work
- Maintaining confidentiality
- Any other operational day-to-day management duties which could be perceived by others as resulting in unfair or preferential treatment.

## **Relationships between employees and suppliers**

Where employees have personal relationships with consultants, contractors or suppliers which provide goods or services to the College, and they are in a position to influence contracts or the tendering process, this must be disclosed to the Head of HR at the earliest opportunity. A judgment will then be made as to the appropriateness for the employee to take any part in determining the price or conditions associated with the contract. This duty of disclosure applies equally to any renewal or extension of contracts.

## **Private work**

Employees may undertake private work in their own time but this must not impair the performance of the member of staff's duties nor conflict with the interests of the College. Before accepting any work or extending any existing private work, members of staff are required to notify the Principal & CEO in writing and within 10 working days the individual will be advised if such employment or engagement is permitted or prohibited.

Under no circumstances shall stationery (printed or otherwise) bearing the College's name, address, letter heading or crest be used in connection with private work.

## **Gifts, vouchers, points or payments**

All employees should make a declaration at the earliest opportunity if they receive a gift, payment or voucher from a parent, student or supplier over the value of £10, to the HR team and their line manager using the Conflict of interest Disclosure Form.

No gifts or monies are to be accepted above this value on behalf of the organisation as this may be an offence under the provision of the Bribery Act 2010.

The disclosure should still take place even if the gift was declined (Appendix B). If an employee is uncertain they can accept a gift, they should seek advice from the Head of Finance.

Gifts, vouchers, points or payments received personally by an employee from suppliers or their agents, because of a College purchase, belong to the College rather than to the person placing the order, and must be disclosed to the Head of Finance. Low value items such as calendars, diaries, pens and mugs may be retained without disclosure.

In addition, members of staff should disclose to the Head of Finance any preferential prices or discounts offered by suppliers when purchasing goods or services on behalf of the College, as these should be announced to other employees.

The overarching principle is that any gift or benefit should not give the impression to any third parties that you may have been influenced to show favour to any other person.

At any point, should an employee be concerned by a gift involving them or somebody else (parent/student/placement provider) at Telford College other than employee, they should report this to the BeSafe Team. Further guidance is in the Safeguarding policy and procedure are available.

The content of this policy is not exhaustive and there may be other occasions which may pose a real or perceived conflict of interest. Individuals have a responsibility to use their judgement and if in doubt discuss the issue with the Head of Finance or Head of HR as appropriate.

Failure to follow the guidance set out in this policy may be considered a serious matter and potentially could lead to disciplinary action under the College's disciplinary procedures.

## Appendix A - Conflict of Interest Staff Disclosure Form



<b>Name:</b>	
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**Please provide answers to the following questions:**

If you are a College employee, what is your job title and to whom do you report?	<b>Job Title:</b>
	<b>Line Manager:</b>

Is a member of your immediate family or a person with whom you are in a personal relationship employed by the College?	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input type="checkbox"/>
Is <b>yes</b> , please provide the name, relationship to you, and job title and department for each such person;	

Do you, or does a member of your immediate family or a person with whom you are in a personal relationship, have or propose to have a business or financial relationship with Telford College, either directly or through another entity in which you or the family member has a significant interest?	<b>YES</b> <input type="checkbox"/> <b>NO</b> <input type="checkbox"/>
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If <b>yes</b> , for each such relationship, please provide the following information.	
a. The name of the person involved (either yourself or the individual and their relationship to you)	
b. The name of the entity	
c. The entity's business or financial relationship to the College (e.g. supplier of goods or services)	
d. The date this relationship was established	
e. Who, if anyone, approved and monitors this relationship on behalf of the College	
f. The nature of your or the individual's interest in the entity (e.g. employment, board seat, ownership interest), and the approximate monetary value, if any, of that interest	

Please list below any organisations for which you serve as a Director, Officer, Employee or other Agent. Only in cases where you serve on behalf and at the behest of the College, please indicate any compensation (in whatever form, including, e.g. Director's fees, salary and stock options) that you have receive in connection with this service. In all other cases, the salary or fees do not have to be provided.

Please be advised that your service for these organisations is conducted in your private capacity outside the interests of the College unless you have been asked by the College to serve as its designated representative within said organisation. Such private activities are disclosed solely for conflict of interest (including conflict of duty and loyalty) assessment and the College will not extend any indemnification for these activities.

**Please details as above:**

I certify that I have read and understand the College's conflict of interest policy and that the foregoing information is true and complete to the best of my knowledge. I agree that if there is a material change in any statement or information provided above, I will immediately notify the College and complete an amended disclosure form.

I further agree that I will refrain from participating in the College's consideration of any proposed business or financial relationship in which I or a member of my immediate family may be interested, except to respond to questions or to provide further information.

**Signature:**

**Print Name:**

**Date:**

## Appendix B - Gift Disclosure Form



<b>Employee Name:</b>	
<b>Job Title:</b>	

Please provide answers to the following questions:

<b>Item gifted:</b>	
<b>Gift received from:</b>	
<b>Monetary value of gift:</b>	
<b>Gift rejected or received?</b>	<div>Rejected</div> <div>Received</div>

<b>Reported to line manager:</b>	<div>Yes</div> <div>No</div>
<b>Employee Signature and date:</b>	

To be completed by Line Manger:

<b>Notes from Line Manager (any further action taken):</b>	
<b>Line Manager Signature and date:</b>	

Please send completed form to [humanresources@telfordcollege.ac.uk](mailto:humanresources@telfordcollege.ac.uk).