

Conflict of Interest Policy

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	Committee		
	Board		
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Linked policies/ documents	<ul style="list-style-type: none"> • Complaints Policy • Whistleblowing Policy 		

Conflict of Interest Policy

1. Policy Statement and Purpose

This policy aims to ensure that:

- Everyone to whom the policy applies understands what a conflict of interest is
- Everyone to whom the policy applies understands their responsibility to identify and declare any conflicts of interest
- Every potentially relevant conflict of interest, or perceived conflict of interest, is identified, recorded and prevented
- Decision-making isn't affected by conflicts of interest
- There are clear procedures for managing conflicts of interest where these arise.

Purpose

The College aims to ensure that decisions taken by the Board of Governors and Staff are free from personal bias and don't unfairly benefit any individual or company connected to the College or University Centre Newbury (UCN).

This policy does not form part of any employees' contract of employment. It may be amended at any time.

Scope

This policy applies to:

- All members of the Corporation
- Members of Staff
- Volunteers working for the College or UCN

2. Definitions

A conflict of interest is any situation in which a member of the Corporation or College staff has a business or personal interest or loyalty which could, or could be perceived to, prevent them from making a decision only in the best interests of the College. Conflicts of interest can be actual, potential or perceived. They may be financial, professional, personal or indirect. E.g. If a member of staff is related to a student whose work they assess, there is a conflict of interest as they have a personal interest in their relative's achievement.

The following extract applies to members of the Corporation Board:

Newbury College Standing Orders Section 16 – Interests of Members

- A register of direct and indirect Interests of Members shall be maintained by the Clerk to the Corporation in the form decided by the Corporation.
- Any Member having an interest in any matter under discussion shall disclose that interest, shall not take part in any discussion nor form part of the quorum, and shall not vote on any such matter.

2. Responsibilities

Activities related to managing a conflict of interest:

- Staff are trained in managing boundaries and related conflicts as part of their induction.
- Where there is potential for a conflict of interest, the awarding body will be notified, and their agreement requested prior to the start of the course.
- Any agreed conflict of interest will be recorded on a central log maintained by the examinations team.
- Development is provided for students on key policies during their induction and new policies or procedures are introduced in Tutorials. Disclosure:

Disclosure:

Governors must declare:

- Directorships, partnerships, and employments with businesses
- Trusteeships and governorships at other educational institutions or charities
- Material interests arising from relationships with other members, or local governors (including spouses, partners, and close relatives)
- Material interests arising from relationships with employees (including spouses, partners, and close relatives)
- Business or personal interests of their spouses, partners, and close relatives, where there's a possibility that the College will have dealings with that person.
- If an individual isn't sure whether something constitutes a conflict of interest, or needs to be declared, they should err on the side of caution and declare it.
- Senior employees, and governors who are staff members, must declare an interest in relation to matters of their own pay and appraisal, and must not participate in discussions or decisions about these.

Staff should declare:

- Any friendship or family relationship where there is a potential conflict of interest, for example a relationship between staff members, involvement in recruitment involving friends or family members etc.
- Any current business interest in a company that could stand to gain from their position as a member of the College staff
- Any relevant interest in any contract the College holds or proposes to enter into
- Business interests of their spouses, partners and close relatives, where there is a possibility that the College will have dealings with that person
- Governance roles in other educational institutions
- Any friendship or family relationship where there is potential for a conflict of interest. Staff must be aware of potential conflicts of interest when recruiting.

Staff members who need to declare potential conflicts of interest include:

- Tutors involved in the preparation of exam papers – i.e. tutors who see question papers before an exam is taken
- Tutors who mark public exams
- Staff involved in checking examination materials prior to the exam (e.g. exams officers, lab technicians for practical assessment, etc.)

- Tutors involved in the marking and moderation of internally assessed coursework

The College will:

- Contact all members of staff to ascertain any conflict of interest
- Record any confirmed or suspected conflicts and any steps taken to mitigate it
- Share with the relevant staff member any steps taken to mitigate conflicts of interest, so they are aware of actions in place and any additional requirements they need to adhere to
- Inform any awarding bodies of any relevant conflicts of interest
- Any member of staff who needs to declare a conflict of interest relating to exams should do so in writing

4. Procedures

Register of interests

The College requires each member of Senior Staff and Governors to complete a declaration of interests form at the beginning of each academic year.

New members of staff and governors will also be asked to complete a declaration of interests form if they join after the start of the academic year.

Declarations must be made as soon as possible once they are identified.

Declaring conflicts of interest and taking action (Governors)

Agendas of meetings will be circulated in advance. Governors must review any agenda sent to them and alert the Governance Professional as soon as possible if they have a conflict of interest related to any item on the agenda.

Each meeting will also include a standing agenda item to allow declarations to be made. If a conflict becomes apparent during a meeting, and governors didn't declare these prior to or at the beginning of the meeting, they must declare these immediately.

Depending on the nature of the meeting or discussion, and the interest in question, the Board will decide whether the individual needs to:

- Withdraw from the meeting
- Refrain from contributing to the discussion
- Refrain from voting on a decision
- The Board may also decide that having declared the interest, the governor is free to participate in the discussion or decision as normal

When deciding which course of action to take, the Board must:

- Always make their decision in the best interests of the College and be able to demonstrate this.
- Act to protect the College's reputation.
- Consider the level of risk related to the decision in question, and the risk that the conflict will affect the individual's ability to be impartial, or to act only in the best interests of the College.

- Be aware that the presence of a conflicted governor (even if they cannot participate in the decision or discussion) may inhibit free and open dialogue and may affect the decision in some way.

In cases of serious conflict of interest, the Board may also choose to avoid the conflict by:

- Not pursuing a particular course of action
- Proceeding with the issue in a different way
- Not appointing a particular governor or employee
- Securing a resignation from a conflicted governor

A serious conflict of interest includes situations where the conflict

- Is so acute or extensive that the individual isn't able to make their decisions in the best interests of the College or could be seen to be unable to do so
- Is present in significant or high-risk decisions
- Means that effective decision-making is regularly undermined or cannot be managed in accordance with the required or best practice approach
- Is associated with inappropriate trustee benefit
- Details of any conflicts declared, and relevant actions taken, will be recorded in the minutes.

Declaring conflicts of interest and taking action (members of staff)

Recruitment of family and friends:

- Staff will not be involved in recruitment and safer recruitment processes involving family and friends
- If a family member or friend is appointed to a role, it may be appropriate to put in place alternative line management structures to eliminate a conflict of interest.
- Confidential information obtained during work:
- Staff should not disclose confidential information to anyone, including family and friends
- If an employee is in doubt about what information can or can't be disclosed, they should speak with their line manager

Staff whose children attend the College:

- Whilst at College, the staff member's relationship with their child should follow the normal expectations that would apply with any other student. This may need to be explained to their child to ensure appropriate boundaries are maintained
- The staff member will not be involved in any behaviour management matters relating to their child. If the staff member becomes aware of an issue, this should be discussed with their line manager
- Communication regarding a staff member's child should be carried out in the usual way. A staff member should not make use of the College's internal systems to gain additional information about their child

Undertaking paid or voluntary work with students outside college hours:

- Where paid work is undertaken, it should be disclosed to the College
- Staff should ensure that confidentiality and appropriate demarcation are established

Contractors and suppliers:

- Staff should declare a relationship to any existing or potential contractor or supplier

Misuse of position:

- Staff should not use their position to gain an advantage or disadvantage with any person or organisation
- Staff must declare any personal interest that may affect their impartiality

Conflicts of Interests Identified in Relation to Examinations

The Head of Department (HoD) and/or Examinations team will take steps to manage the conflict e.g.:

- provide an alternative assessor, internal verifier, invigilator or support worker who is not related to any student
- inform the awarding body if the tutor is the only available specialist in that subject area to seek their permission and to arrange for any additional scrutiny to monitor fair and impartial approaches
- record the conflict of interest in the conflict of interest log maintained by the examinations team
- provide details of conflicts of interest to visiting External Quality Assurers and External Examiners or others associated with the awarding body for the relevant qualification.

5. Compliance and Enforcement

Failure to disclose a conflict of interest:

If a conflict of interest is identified that has not been disclosed the related examination or assessment will be invalidated and the staff or student disciplinary procedure will be activated. The qualification awarding body and the Joint Council for Qualifications (JCQ) will be notified of the conflict of interest.

If a student or staff member believes that a declaration of conflict of interest has not been managed correctly they may raise a complaint in line with the College's Complaints Policy

6. References

- Newbury College Corporation Standing Orders

7. Supporting Documents

- Newbury College Corporation Standing Orders

8. Review and Monitoring

This policy will be reviewed annually to ensure its effectiveness and compliance with relevant legislation.

Reviewed: October 2025

Next review date due: October 2026