LIVERPOOL HOPE UNIVERSITY

Declaration of Interests Policy

Approved by:	**University Council**
Date approved :	**4th July 2013**

1. Introduction

1.1 Liverpool Hope University ('the University') has adopted this Declaration of Interests Policy, based upon the following principles (**it replaces an earlier Code of Conduct**):

a. The fundamental principle is to require the earliest possible disclosure of any gift, hospitality or interest as indicated in this policy.

The onus is then on the person to whom the disclosure is made to decide whether there is any conflict of interest and, if so, to take appropriate action.

For all staff other than Rectorate Team and the Vice-Chancellor & Rector, that person is the appropriate Rectorate Team member.

For Rectorate Team members, that person is the Vice-Chancellor & Rector; for the Vice-Chancellor, that person is the Chair of University Council (via the Clerk to Council).

For all University Council Members, other than those covered by the previous sentence, that person is the Clerk to Council.

The registers for all staff and University Council Members will be maintained by the University Secretary & Clerk to Council. Access to the register and the information therein will be restricted to the person to whom disclosure was made and the Personal Assistant to the Vice-Chancellor & Rector. An annual report will protect the confidentiality of

the information but give an indication of how the system is working. For these purposes, those to whom the disclosure is made may need to take advice from the University Secretary & Clerk to University Council on good practice in University governance.

b. The University is entitled to demand of staff and University Council Members conduct of the highest standard. Confidence in integrity would be shaken were the least suspicion, however ill-founded, to arise that staff and University Council Members could in any way be influenced by improper motives. The Policy is viewed as being in the best professional interest of our University Council Members and staff.

c. The off-duty hours of staff and University Council Members are personal concerns but they should not subordinate their duty to their private interests or put themselves in a position where their duty and private interest conflict.

1.2. The guidance in this policy is based on these principles. The policy itself cannot cover all cases likely to arise in practice, but the principles do. Ultimately, the University relies on the integrity, common sense and professional judgement of individual members of staff and University Council Members. Staff or University Council Members should not hesitate, at any time, to seek advice on the interpretation of the policy, or when circumstances arise which it does not cover. Senior management will, in any case, supplement the policy by more detailed guidance where this is appropriate.

1.3. It should be emphasised that the policy is not intended to prohibit all social involvement by staff with the outside world. Nor would it be right to restrict private dealings between staff and any particular organisation. It is, however, important that staff should judge the wisdom of their actions not by any comparison with the practices which, no doubt for good reasons, are followed in the private sector, but rather by reference to the traditional higher education principles of accountability and responsibility.

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

2. Register of Interests

2.1 All members of Rectorate Team and University Council will be required to make annual declarations of interest to be held by the University Secretary. This includes negative declarations – that is, confirmation that an Employee has no interests in respect of any of the categories described below. **All other Employees are required to make a declaration as the needs arises.**

See paragraph 12 for details of how this data and that reported under paragraph 1.1a will be processed.

2.2 Information that must be declared is set out in the categories below.

a) **Remunerated employment, 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.

b) **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.

c) **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.

d) **Directorships, governorships and charity trusteeships**
Staff and members of Council must declare any directorships, governorships and charity trusteeships.

e) **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.

f) **Membership of mutual support organisations**
Staff and members of Council are asked to list any organisation of which they are a member, which are organisations whose members offer mutual support, such as trade unions.

3. Gifts and Hospitality

3.1 Gifts

3.1.1. There are two considerations where gifts are concerned: the nature of the gift in terms of value and the motivation of the giver.

3.1.2. Most organisations, as part of their normal commercial activity, distribute gifts which range from the promotional (e.g., calendars, diaries etc.) to the more expensive (e.g., spirits). The more expensive gifts are obviously distributed where they will have the greatest specific impact. All this is often commonplace and acceptable conduct in the private sector, but the requirements within higher education are different

Guidance
A reasonable balance has to be struck between accepting a modest gift (possibly a bottle of ordinary wine) and a more expensive gift. Guidance can be sought (see 1.1a.) and all gifts must be declared.

a. Generally, 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.

b. From time to time, staff and University Council Members may find themselves in a position where they consider it correct 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.

c. It is sometimes acceptable to the giver for a gift which in other circumstances would be refused as in (b) to be donated instead to charity. An arrangement of this sort should be approved by the University Secretary and declared accordingly.

3.2 Hospitality

3.2.1. 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. It is recognised that staff and University Council Members sometimes sacrifice family or other commitments to attend functions on the University's behalf. At the same time, it is very easy for such involvement to be misconstrued as providing an opportunity to bring about undue influence, and there will therefore be occasions when hospitality should be declined.

3.2.2. 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. **All hospitality must be declared.**

Acceptable
a. A working lunch.
b. Invitation to a Society or Institute dinner or function.
c. Invitation to take part in company jubilee or other anniversary celebration. d. Invitation to trade fairs or similar events where there is a general invitation to customers.
e. Invitation to cultural or sporting occasion where an element of sponsorship is involved.

Unacceptable
a. Offer of a personal holiday at company's expense.
b. Offer of hotel accommodation unrelated to any general occasion.
c. Offer of use of company flat or hotel suite unrelated to any general occasion.

3.2.3. 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.

3.2.4. In any case of doubt about the interpretation of these paragraphs, the University Secretary should be consulted.

4. Other Employment

4.1. Guidelines on Outside Work

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 you intend to work or provide a service for any other person or organisation you must discuss this first with your manager, and where necessary seek written consent.

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.

Such consent will not be unreasonably withheld, but permission is usually conditional upon four criteria:

i. That the outside work does not conflict with your work for Liverpool Hope

a) in terms of a conflict with Hope's interests

b) in terms of the outside work rendering you unfit or unable to undertake your contracted duties at Hope effectively

c) in terms of the outside work occurring during normal Liverpool Hope working time as determined by the manager or by the Vice-Chancellor

ii. 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.

iii. 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.

iv. 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.

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.

5. Disclosure of Official Information

5.1 The University has a **Code of Practice on Whistleblowing** which encourages employees to raise legitimate concerns internally. The Code states that employees are subject to an implied contractual term of confidence and trust, which seeks to prevent them from disclosing their employer's confidential information, either personally, as part of a group or via third parties on their behalf. Disclosure outside the employer body is often classed as gross misconduct which justifies summary dismissal, though recent case law on disclosure has given support to those deemed to meet certain criteria "in the public interest". Employees will be expected to abide by the University's Code of Practice on Whistleblowing.

5.2. No member of staff or governor shall communicate to the public the proceedings of any Committee meeting, etc., nor the contents of any document relating to the University, unless required by law or expressly authorised to do so.

5.3. Information concerning a member of staff's or University Council Member's private affairs shall not be supplied to any person outside the service of the University, or to unauthorised persons within it, unless the consent of such member of staff or University Council Member is first obtained.

5.4. Information which is confidential should not be disclosed to third parties, except in response to a request from any approved source e.g., Inland Revenue, Home Office.

5.5. Staff and University Council Members should not when acting in a private capacity comment publicly on the University's policy or a specific decision. There may be occasion, exceptionally, where public comment is appropriate, e.g. statements issued on behalf of recognised trades unions, professional bodies or authorised spokespersons, but prudence and discretion should be exercised. The Code of Practice on Whistleblowing still applies in such circumstances.

5.6. Advance knowledge of any impending University decision, particularly those relating to investment decisions, should not be used to further private interests.

5.7. All staff and University Council Members should be extremely circumspect about the circumstances in which privileged information which they possess may be divulged to others.

6. Disclosure of Pecuniary Interest

6.1. Staff and University Council Members are required to disclose pecuniary interests whether direct or indirect in any contract with which the University is concerned. In particular:

a. 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 University Secretary of the fact that they are interested therein.

b. A member of staff shall not, under cover of their office or employment, accept any fee or reward whatsoever other than their proper remuneration.

6.2. 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.

Guidance

a. All members of staff and University Council Members should disclose a relevant pecuniary interest in a contract to the University Secretary.

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, are receiving remuneration from an organisation which is dealing with the University.

6.3. "Remuneration" includes commission, honoraria, dividends, agency fees and interest as well as salary, wages or fees.

7. Non-Pecuniary Interest

7.1. 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.

8 Use of Services of Organisations Dealing with the University

8.1. Staff and University Council Members should be extremely cautious when using the services of organisations which they know to have dealings with the University.

8.2. It is worth drawing attention here to the Bribery Act 2010 and the separate policy developed by the University.

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. Nor should a member of staff or University Council Member 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 University Secretary immediately.

8.3. 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.

9. Use of University Facilities

9.1. 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.

10. Professionalism

10.1. Staff and University Council members should behave in an appropriate professional manner during their professional lives and should not put themselves in a position at work which compromises the University's or the individual's reputation for professional standards. This relates most obviously to appropriate interaction with students, on which further guidance will be made available.

10.2 Members of staff and University Council members should be conscious of these guidelines when using social media including, but not limited to, Twitter, Facebook and You Tube. Members of staff and University Council members should remember that information published on the Internet can spread very quickly and by seen by many more people than the original target audience. Libel and defamation laws apply just as much to on-line publication as they do to printed media.

11. General Conclusion

11.1. A register of declarations of interest, including gifts, hospitality, other employment, pecuniary and non-pecuniary interests, will be maintained by the University Secretary (see 1.a.).

11.2. Failure to comply with any section of this policy may lead to disciplinary proceedings.

12. How information will be processed

12.1 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. The Data Controller will be Liverpool Hope University and the University Secretary will be the point of contact for queries and complaints.

12.2 The University Secretary will maintain the register

12.3 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.

12.4 The Register will be used solely to ensure that the interests of the University and the person making the declaration are fully protected in the context of the procurement by the University, or its subsidiaries, of goods and services, or the proper administration of its business.

12.5 A person making a declaration may at any time request a copy of their current declarations on application to the University Secretary. The data will be kept securely either in electronic or hard copy formats.

12.6 All staff and members of University Council are assured that any declaration of interest will be processed in compliance with the data protection principles as set out in the Data Protection Act 1998. The data will be processed only to ensure that the University's procurement and contracting activity is fair to all parties involved and will not be used for any other purpose.