

## Conflict of Interest Policy

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## **Conflict and Declaration of Interest Policy**

### **1. Principles**

1.1 Brunel encourages its

## **2. Recognising a Conflict of Interest**

2.1 A conflict of interest is any situation in which a person's direct or indirect interests could, or could be seen to, prevent them from deciding only in the best interests of the University.

2.2

**Close Personal Relationship** is a relationship that could give rise to an interest and extends to but is not limited to unmarried partner, parent, sibling, grandparent, grandchild, parent-in-law, sibling-in-law, partner of a child, the (unrelated) child of an unmarried partner, adopted child, half and step members of family.

**Close Personal Friend** is a relationship that could give rise to an interest and extends to fellow employees, members of the same organisation, association of religious group, clients, customers, former clients, former customers, friends with whom you socialise.

**Conflict Management Plan:** the conflict management plan that sets out the agreed strategy for managing a disclosed conflict, including the review dates, responsibilities of discloser, reviewer and others, and identifies any options for amendment that may be required in the future.

**Discloser:** the individual who is required to make a disclosure pursuant to section 7.1 or 0 of this Policy.

**Immediate Family** is defined as spouse or civil partner, child

**Member** in this policy is defined as the individual persons to whom this policy applies and include members of Council and its committees, salaried staff, students conducting research and staff and directors of subsidiary companies of the University<sup>1</sup>.

**Relevant Staff:** all employees of, and other individuals working at or for Brunel, including honorary staff, emeritus staff, visiting staff, as well as contractors and consultants (in circumstances where conflicts have not already been appropriately managed through their own conflict management processes), and the staff and directors of Brunel's subsidiary companies.

**Relevant Students:** all individuals who are undertaking the programme of work and training that will, if pursued to the required standard, lead to the award of a doctorate and who are registered with Brunel, via Student and Registry Services, for their degree.

**Reviewer:** the individual within the relevant escalation route in section 7.2 or 0 of this Policy responsible for reviewing a disclosed conflict and ensuring that there is a relevant Conflict Management Plan if required.

#### 4. Examples of

- 4.2.1 payments for services;
- 4.2.2 equity interests (e.g. stocks, stock options or other ownership interests); and/or
- 4.2.3

5.3 Although there is no obligation to register the interests of their Immediate Family,

6.3.5 Pro Vice Chancellor (International and Sustainability): international collaborations;

6.3.6 Pro Vice Chancellor (Enterprise and Employment): industry collaboration, commercialisation, intellectual property and consultancy

6.3.7 Pro Vice Chancellor (Research): conduct of sponsored research

### **University Secretary and General Counsel**

6.4 The University Secretary and General Counsel is responsible for ensuring that a system exists and is maintained with the purpose of holding details of disclosed conflicts, and declared interests, as described in the sections 7 and 10





- 8.6 Members including Relevant Staff and Relevant Students will be required to complete training, provided by Brunel, relating to the identification and management of disclosed conflicts and declared interests on a regular basis.
- 8.7 Where a conflict of interest relates to an externally funded research project (i.e. where the interest influences, potentially influences, or could be perceived to influence, the design, conduct or reporting of such project), any steps agreed on how to declare and manage the conflict must be compatible with the terms and conditions of the award and the associated funder's policy for dealing with the identification and management of conflicts of interest.
- 8.8 In the case of a researcher, they should additionally notify the relevant Research Ethics Committee of any potential conflict of interest when seeking ethical approval.

This is not an exhaustive list of those required to make a declaration of interest and does not preclude any member of staff or students to make a declaration.

- 10.2 Persons with grounds to inspect declarations of conflict of interest, such as the internal and external auditors, shall be allowed access at the discretion of the University Secretary and General Counsel.

## **11. The Ethics Advisory Committee of the University**

- 11.1 The Ethics Advisory Committee of the University exists to support Council and the University in ensuring the aims and the objectives of its ethical framework are fulfilled. This extends to considering issues relating to conflicts and declarations of interest that are referred to it by the University Secretary and General Counsel. The remit of the Ethics Advisory Committee is set out in Council Ordinance 5.

## **12. Review of the conflict of interest policy**

- 12.1 This policy shall be reviewed by the University Secretary & General Counsel, Executive Board and Finance Committee. Any such review will take place in the light of guidance on best practice issued by external bodies and, in any event, occur not less than once every three years.

## **Appendix 1: Examples of Situations**

### **Financial interests:**

Examples of situations in which financial declarations of conflicts of interest are made:

1. Staff of the University serving on other bodies, e.g. research council committees, grant review panels, editorial boards etc., will typically be asked by those parties to declare financial interests.
2. Authors submitting a manuscript must disclose any 'significant financial interest', or other relationship, with the manufacturers of any commercial products or providers of commercial services discussed in the manuscript and any financial supporters of the research. The intent of such disclosures is not to prevent an author with a significant financial or other relationship from publishing a paper, but rather to provide readers with information upon which to make their own judgments.

### **Research:**

Examples of situations that give rise to conflicts of interest in research include:

3. The researcher has a financial interest in the company sponsoring the research, this being exacerbated if the value of the researcher's interest may be affected by the outcome of the research. The researcher is an inventor of patents or creator of other intellectual property whose value may be affected by the outcome of the research.
4. The researcher holds a position in an enterprise (e.g. as director) that may wish to restrict (or otherwise manage) adverse research findings for commercial reasons or not wish to publish the results of the research.
5. A researcher or a related body in which the researcher has an affiliation or a financial interest may benefit, directly or indirectly, from dissemination of research results in a particular way (including any unwarranted delay in or restriction upon publication of such results).
6. A researcher conducts a clinical trial which is sponsored by any person or organisation with a financial interest in the results of the trial. A postgraduate research student conducts research on a project that receives support from a company in which the student has a financial interest or significant position.
7. Some research funding agencies set specific disclosure requirements related to financial interest. They may require, for example, direct notification to them or to University officials where a principal investigator's financial interests might reasonably appear to be affected by the outcomes of the research. Some types of research, e.g. clinical trials, also require additional declarations related to financial interest. Researchers need to be aware of and comply with those specific requirements. Further information can be found in the terms and conditions of the grant or contract. Researchers should contact the Research Support and Development Office (RSDO) if they are in any doubt as to the requirements.

### **Student supervision and teaching:**

Examples of situations that give rise to conflicts of interest in relation to student supervision and teaching include:

8. Staff with a close personal or familial relationship with a student or a student's family who may be involved in decisions about that student's admission, supervision or academic progress, or the award of any studentships, prizes or other grants to the student.
9. An academic or a non-academic member of staff who is on the Governing Body of a school who may be involved in considering a student from that school for an undergraduate place.
10. A member of staff who is in a position to judge the quality of a student's work or to evaluate a student in any way holds or proposes to take a financial stake or hold a formal position in any student-run, -owned or -controlled commercial venture whilst that student is enrolled at the University.
11. A postgraduate research student receiving support from a company in which his/her academic supervisor has a financial interest or position.

**Other examples of possible conflicts of interest/loyalty:**

12. Participating in the appointment, hiring, promotion, supervision or evaluation of a person with whom the staff member has a Close Personal Relationship.
13. A researcher has a financial interest in the licensee (or proposed licensee) of University intellectual property.
14. A staff member takes part in the negotiation of a contract between the University and a company, where the staff member or his or her family or a Close Personal Friend has a financial or non-financial interest (e.g. a directorship) in that company.
15. An academic who has an external editorial position, such as one with a commercial journal, and is also on a University committee that is responsible for recommending journal subscriptions.
16. A staff member chairs a University committee which is to consider the allocation of funds to be shared between a number of areas, including his or her own.
17. An individual staff member assists in the selection of students to be awarded a sponsorship/scholarship/bursary by a third-party funder. While there may in many circumstances be no conflict, the pool of students might include (for example) a friend or family member. A panel assisting with selection, rather than an individual, is preferable.



University IP or may have personal IP with which they are intending to create a start-up company.

4. In such cases:

4.1 They should normally play no role in any executive decisions made between the University or its subsidiaries and such spin-outs or IP licensees. If it is believed that there are exceptional circumstances to argue for such involvement, prior permission must be sought from the Pro Vice Chancellor Research. The proposed conflict of interest plan/approach to be put to the Reviewer and then the Pro Vice Chancellor Research must aim to protect the reputation of the academic(s), their research group(s) and the University and ensure compliance with company law.

4.2 If they wish to undertake a consultancy for that spin-out, they must seek prior









## Note

16. Although there is no obligation to register the interests of their Immediate Family members, those living in the same household and other connected persons (other than for gifts and shares), colleagues should be alert to the possibility that any given matter will concern an interest of such a connected person. Where the interest is clear and substantial, the person concerned should not take part in the discussion and should normally withdraw from both discussion and vote on the particular item in question.
17. While Council may be required to approve any conflict of interest, colleagues should feel free to withdraw from a particular discussion or vote on the grounds of an external interest without specifying the detail of that interest.
18. Staff should bear in mind that the obligation to declare an interest is a continuing one. Should a member of staff realise retrospectively that they have an interest which is connected with a matter that has been considered they should notify the University Secretary and General Counsel of that interest at the earliest opportunity.



