



Conflicts of Interest Policy

1. INTRODUCTION

- 1.1. The University recognises that its staff will have many interests and contacts within the local, national and international communities, which benefit the University in the achievement of its ambitions.
- 1.2. From time to time, members of University staff may be placed in situations where actual or potential conflicts of interest, of a financial, ethical, legal or other nature, arise between their personal and professional interests and their University duties.
- 1.3. In addition, members of the University Court are legally required to act in the best interests of the University and to avoid situations where there may be a potential conflict of interest. Members of staff appointed to the boards of the University's related companies have similar obligations.

2. SCOPE AND PURPOSE

- 2.1. This Policy applies to all employees of the University, to all members of the University Court, to external members of Committees and working groups set up by the University and to members of Senate.
- 2.2. Any reference in this Policy to a "member of staff" includes any person within the scope of this Policy.
- 2.3. The purpose of this Policy is to protect the University and members of staff from any appearance of impropriety and to enable the University and members of staff to comply with their legal obligations and their contractual obligations to third parties (such as research funders).
- 2.4. This Policy applies in addition to, and does not in any way replace, the requirement for members of staff to seek permission to undertake certain activities as part of or in addition to their usual job role, as set out in their terms and conditions of employment, and the University's Consultancy Policy¹ and Policy for Externally Funded Activities².

3. POLICY STATEMENT

- 3.1. Each member of staff is responsible for:
 - 3.1.1. identifying situations in which he or she has a conflict of interest or where there is potential for a conflict of interest to arise;
 - 3.1.2. disclosing such situations to the University; and

¹ http://www.gla.ac.uk/media/media_237592_en.pdf

² http://www.gla.ac.uk/media/media_185775_en.pdf

- 3.1.3. where required, taking appropriate measures to manage the conflict of interest in accordance with the general procedures below (see section 4).
- 3.2. Some members of staff, due to their position within the University or the nature of the work in which they are involved, have extra responsibilities under this Policy, which are subject to special procedures involving a mandatory return on an annual basis, even if it is a Nil Return (see section 5).
- 3.3. A breach of this Policy may lead to investigation under the University's disciplinary procedures.

4. GENERAL PROCEDURES

Identifying a Conflict of Interest

- 4.1. Each member of staff is responsible for identifying situations in which he or she has a conflict of interest or where there is potential for a conflict of interest to arise.
- 4.2. It is not possible to provide a single definition to cover all the particular situations in which a conflict of interest could arise. At a general level, they can be described as situations in which a member of staff's personal or outside interests and activities (including those of his or her spouse, partner, close relative or business partner) conflict, or have the potential to conflict, with the University's interests and activities. There may also be situations where the duties owed by a member of staff to the University conflict with the duties owed by that member of staff to another body or person.
- 4.3. **If a member of staff is unsure about whether a particular situation amounts to a conflict of interest (actual or potential), he or she should disclose that situation.**
- 4.4. Some examples of potential conflicts of interest are listed in Appendix 1. This list is not exhaustive.

Disclosing a conflict of interest

- 4.5. Each member of staff must disclose to the University any situation in which he or she has identified a conflict of interest (actual or potential) as soon as possible after identifying the conflict of interest. If the conflict is potential, the member of staff must not wait until the conflict actually arises; they must disclose the potential conflict as soon as they identify it.
- 4.6. A member of staff shall make their disclosure to their Head of College (or to the Chief Operating Officer in the case of members of staff in University Services) by completing a Conflicts of Interest Disclosure Form on the 'My

Profile' section of CORE (or where CORE access is unavailable by completing the form attached at Appendix 2).

Management of a conflict of interest

- 4.7. The relevant Head of College or Chief Operating Officer will evaluate any disclosure made by a member of staff and may decide either that:
 - 4.7.1. Disclosure of the conflict is sufficient; or
 - 4.7.2. Additional measures may be required to manage the conflict in order to protect the University and/or the member of staff.
- 4.8. If the relevant Head of College or Chief Operating Officer is subject to the same conflict situation, they shall refer the situation to another Head of College for consideration.
- 4.9. In cases where the relevant Head of College or Chief Operating Officer has decided that additional measures may be required to manage the conflict, they will decide on the appropriate measures to be taken and will inform the member of staff of those measures, which may include:
 - 4.9.1. the member of staff not taking part in University discussions or meetings about the matter causing the conflict;
 - 4.9.2. the member of staff not being responsible for University decisions regarding the matter;
 - 4.9.3. the member of staff not signing any contract on behalf of the University regarding the matter;
 - 4.9.4. including a notice of the conflict in any publications relating to the matter; and/or
 - 4.9.5. in limited cases, where the conflict is severe, restricting one or other of the member of staff's conflicting activities.
- 4.10. In reaching a decision, the Head of College or Chief Operating Officer may (but is not required to) consult with the Senior Management Group.
- 4.11. Decisions of the Head of College or Chief Operating Officer will be recorded in the conflicts of interest register (see section 6 below).
- 4.12. Members of staff shall comply with any additional measures put in place to manage the conflict of interest.

5. SPECIAL PROCEDURES

Annual declaration for certain members of staff

- 5.1. The following members of staff are required to submit a mandatory annual declaration listing all situations in which they have a conflict of interest (actual or potential), or confirming that there are no such situations:
 - 5.1.1. members of the University Court;
 - 5.1.2. members of Senate;
 - 5.1.3. members of the Senior Management Group;
 - 5.1.4. Heads of School;
 - 5.1.5. Directors of Research Institutes;
 - 5.1.6. all members of staff working in Procurement and at Grade 7 and above in Estates and Commercial Services;
 - 5.1.7. members of staff who have declared an interest in accordance with the general procedures above (see section 4) during the previous academic year.
- 5.2. The annual declaration shall be submitted by completing a Conflicts of Interest Annual Declaration Form on the 'My Profile' section of CORE (or where CORE access is unavailable by completing the form attached at Appendix 3).

Members of the University Court

- 5.3. Members of the University Court are reminded of the Code of Conduct for members of the University Court, which also applies to them.

Personal Use of University contractors by members of staff in Procurement and Estates and Buildings

- 5.4. Any member of staff in these departments wishing to engage University contractors for personal contracts should seek the written approval of the Director/Head of Service in advance using the Personal Use of Contractors declaration form on the 'My Profile' section of CORE (or where CORE access is unavailable, by email).

Requirements of external parties relating to conflicts of interest

- 5.5. Members of staff need to be aware of and comply with any applicable requirements of external parties in relation to conflicts of interest, for example:
 - 5.5.1. Some funders (e.g Cancer Research UK), require notification to them of certain conflicts of interests;

- 5.5.2. Members of staff sitting on committees or boards will need to comply with the conflicts of interest policy of that committee or board.
- 5.6. If a member of staff is unsure whether there are any external party requirements which affect them in relation to their activities, they should seek advice from their College Research Support Office or the Central Research Support Office.

NIH funded researchers

- 5.7. The US Department of Health has recently revised its regulations relating to the disclosure and reporting of Conflicts of Interest for researchers funded by its Public Health Service (which includes the National Institute for Health (NIH)).
- 5.8. The regulations are more detailed than the regulations imposed by other funders outlined in paragraph 5.5 above and the University has developed a specific policy and procedures to be followed by members of staff funded by NIH, which are detailed in Appendix 4.

6. REGISTER OF INTERESTS

- 6.1. Information provided by members of staff regarding conflicts of interest under this Policy and any measures required in relation to conflicts of interest will be recorded on a register of interests.
- 6.2. Extracts of the register of interests relating to members of the University Court and Senior Management Group may be made available under the University's Publication Scheme³.
- 6.3. Extracts of the register of interests relating to other members of staff may be subject to disclosure in response to requests for information under the Freedom of Information (Scotland) Act 2002. The University will consider whether there are any applicable exemptions under the Act to disclosure when responding to any such requests.

7. GRIEVANCES

- 7.1. If a member of staff is unhappy with any decision made under this Policy in respect of a conflict situation affecting them, they may follow the University's usual grievance procedures (non-employees may contact the Secretary of Court for a review, whose decision on review shall be final).

³ <http://www.gla.ac.uk/legal/freedomofinformation/foipublicationscheme/>

Appendix 1 – Examples of potential conflicts of interest

This list is not exhaustive and members of staff should consider their own particular circumstances. A member of staff should ask him/herself if others (e.g. managers, students, customers, colleagues, members of the public) would trust his/her judgement if they were in possession of the facts of the interest: could others reasonably conclude that it might influence the member of staff to act other than in the interests of the University? Advice may be sought from a line manager in the first instance.

Examples

The member of staff, or his/her spouse, partner, close relative or business partner has interests such as:

- Directorships, including non-executive directorships of, or employment by, public or private companies likely or possible seeking to do business with the University.
- Significant shareholdings in public or private companies or ownership or part-ownership of or employment by businesses or consultancies likely or possibly seeking to do business with the University.
- Any other personal or financial interest in a company or other organisation with which the University is negotiating or holds a contract or is engaged in any other business transaction.
- Remunerated or honorary positions and other connections with HE institutions which may give rise to a conflict of interest.
- Ownership or part ownership or other interest in property for rent or lease in the vicinity to the University.
- Representational or other non-financial interests in areas covering the University (e.g. election as a Councillor or MP for a ward including all or part of the University).
- A personal financial interest (e.g. licence income) in a University activity.
- Membership of an external committee or body whose work may relate to that of the University (for example, committees or bodies set up by research councils, other funding bodies, school boards, government departments, NHS trusts).
- Involvement in the provision of University services (for example, where a member of staff is the parent of an applicant to a course and would be responsible for admission decisions for that course).

A member of staff who

- has or develops a close personal relationship with a student or member of the family of a student for whom they have responsibility for grading work;
- is investigating a potential disciplinary matter or develops a close personal relationship with a student involved in the investigation or a member of that student's family;
- has a spouse or partner who is also a member of staff at the University, in cases where they may work together on matters affecting the University's business.

Appendix 2 – Conflict of Interest Disclosure Form

INSTRUCTIONS:

- (i) Complete details below and sign and date form.
- (ii) Send hard or scanned copy to your Head of College or the Chief Operating Officer (for University Services staff).

Name	
Staff Number	
School (if applicable)	
College/University Service	
Position	
Type of Interest (delete as applicable)	Shareholding/ Directorship/ External Committee/ Other
Short Description	

Signature:

Date:

Appendix 3 – Conflicts of Interest Annual Declaration Form

INSTRUCTIONS:

- (i) Complete details below and sign and date form.
- (ii) Send hard or scanned copy to your Head of College or the Chief Operating Officer (for University Services staff).

Name	
Staff Number	
School	
College	
Position	
Declaration (delete as applicable)	No Conflicts of Interest/ Conflict(s) of Interest Already Declared/ Conflict(s) of Interest To Declare (complete below)
Type of Interest (delete as applicable)	Shareholding/ Directorship/ External Committee/ Other
Short Description	

Signature:

Date:

Appendix 4 – Policy and Procedure for NIH funded researchers

Background

1. The US Department of Health imposes specific and rigorous regulations relating to the disclosure and reporting of conflicts of interest for research funded by its Public Health Service (which includes the National Institute for Health (NIH)). This Policy and Procedures has been developed by the University to ensure compliance these regulations.

Policy Statement

2. All members of staff who apply for NIH funding or are already working on NIH funded research (either directly or through another institution which is the lead collaborator), are required to:
 - 2.1. disclose any Significant Financial Interests (see paragraphs 3 to 8 below);
 - 2.2. comply with any management plan put in place in respect of any Significant Financial Interest (see paragraphs 9 to 11 below); and
 - 2.3. complete training in relation to this Policy (see paragraphs 12 and 13 below).

Disclosure of Significant Financial Interest

3. A 'Significant Financial Interest' for the purpose of this Policy means one or more of the following interests of the member of staff or their spouse or dependents, in each case where the interest reasonably appears to be related to the member of staff's institutional responsibilities:
 - 3.1. **Public company remuneration:** Remuneration (including salary, fees, honoraria, payment for services⁴) received from a publicly traded company in the 12 months preceding disclosure, together with any equity interest (e.g. shares) in that company as at the date of disclosure, exceeds US\$5,000;
 - 3.2. **Private company remuneration:** Remuneration (including salary, fees, honoraria, payment for services) received from a non-publicly traded company in the 12 months preceding disclosure exceeds US\$5,000;
 - 3.3. **Private company ownership:** Holding an equity interest (e.g. shares) in a non-publicly traded organisation;

⁴ If a member of staff undertakes an activity under the University's Consultancy Policy and waives their entitlement to receive the fee income, such waived fee income is not considered a 'Significant Financial Interest'

- 3.4. **Intellectual Property Rights:** Intellectual property rights held by the member of staff in their own name, and any income relating thereto;
- 3.5. **Travel:** The occurrence of any reimbursed or sponsored travel, except where that travel is reimbursed by a US federal, state or local government agency, a US institution of higher education, a US academic teaching hospital or medical centre or a US research institute that is affiliated with a US institution of higher education.
4. A 'Significant Financial Interest' for the purpose of this Policy does **not** include:
 - 4.1. Ordinary salary, royalties and other remuneration⁵ paid by the University to the member of staff (including in respect of intellectual property rights assigned to the University by the member of staff);
 - 4.2. Income from seminars, lectures or teaching engagements sponsored by a US federal, state or local government agency, a US institution of higher education, a US academic teaching hospital or medical centre or a US research institute that is affiliated with a US institution of higher education;
 - 4.3. Income from service on a review panel or advisory committee for a US federal, state or local government agency, a US institution of higher education, a US academic teaching hospital or medical centre or a US research institute that is affiliated with a US institution of higher education.
5. Members of staff are required to disclose any Significant Financial Interests (or confirm that they have none), by submitting a SFI Disclosure Form (a copy of which is attached to this Policy) to the Research Support Manager (Overseas) prior to the submission of any application for funding to NIH.
6. Members of staff are required to submit a SFI Disclosure Form to the Research Support Manager (Overseas) annually during the period of any NIH funding on the anniversary of the commencement date of the NIH funding.
7. Members of staff are required to disclose any change to their Significant Financial Interests within thirty (30) days of such change, by submitting a SFI Disclosure Form to the Research Support Manager (Overseas).
8. If a member of staff is unsure whether or not they have a Significant Financial Interest, he or she should seek advice from the Research Support Manager (Overseas).

⁵ other than remuneration paid to a member of staff by the University under the University Consultancy Policy, which may be a 'Significant Financial Interest' if it meets any of the tests set out in paragraph 3.

Compliance with management plan

9. On receipt of a SFI Disclosure Form, the Research Support Manager (Overseas) shall determine whether any Significant Financial Interest is related to the NIH-funded research and, if so related, whether the Significant Financial Interest amounts to a financial conflict of interest that could directly and significantly affect the design, conduct or reporting of the NIH-funded research (hereinafter referred to as a FCOI). The Research Support Manager (Overseas) may involve the member of staff in their determination but the decision of the Research Support Manager (Overseas) is final.
10. If the Research Support Manager (Overseas) determines that a Significant Financial Interest amounts to a FCOI, the Research Support Manager (Overseas) shall:
 - 10.1. develop a management plan that shall specify the actions to be taken to manage the FCOI, which may include:
 - 10.1.1. public disclosure of the FCOI (for example when presenting or publishing the research);
 - 10.1.2. for research involving human subjects, disclosure of the FCOI to such subjects;
 - 10.1.3. appointment of an independent monitor capable of taking measures to protect the design, conduct and reporting of the research against bias or perceived bias resulting from the FCOI;
 - 10.1.4. modification of the research plan;
 - 10.1.5. change of personnel or personnel responsibilities (for example disqualification from participation in all or a portion of the research);
 - 10.1.6. reduction or elimination of the Significant Financial Interest (for example sale of shares); or
 - 10.1.7. severance of the relationship creating the Significant Financial Interest.
 - 10.2. report such FCOI to NIH in accordance with NIH requirements.
11. A member of staff whose Significant Financial Interest is determined to amount to a FCOI is required to comply with the management plan developed by the Research Support Manager (Overseas).

Training

12. All members of staff who apply for NIH funding are required to complete the NIH's online tutorial available on the NIH website at <http://grants.nih.gov/grants/policy/coi/tutorial2011/fcoi.htm> :
 - 12.1. prior to engaging in any NIH funded research;
 - 12.2. at least every 4 years thereafter during the period of the NIH funding; and
 - 12.3. at any other time if required by the University in order to comply with NIH requirements.
13. A certificate of completion is generated on completion of the tutorial. Members of staff are required to pass a copy of the certificate of completion to the Research Support Manager (Overseas), to be filed with the relevant grant documentation.

General

14. The University may make available in response to a request from a member of the public the details of any FCOI relating to any member of staff who are key personnel under any NIH funded research. Key personnel include the PI and anyone else identified as key personnel in the grant application. The information that the University may make available will include as a minimum, the name of the member of staff, their title and role in the NIH funded research, the name of the entity in which the Significant Financial Interest is held, the nature of the Significant Financial Interest, and the value of the Significant Financial Interest (within a range).
15. A breach of this Policy may lead to investigation under the University's disciplinary procedures
16. Without prejudice to paragraph 15 above, if the NIH determines that clinical research funded by it has been designed or conducted by a member of staff with a FCOI which the member of staff failed to disclose in accordance with this Policy, the member of staff will be required to adhere to such additional measures as required by NIH, including but not limited to public disclosure of the previously undisclosed FCOI in any public presentation of the research results.

**University of Glasgow
Policy and Procedure for NIH funded researchers
SFI Disclosure Form**

INSTRUCTIONS:

- (i) Complete details below and sign and date form.
- (ii) Send hard or scanned copy to the Research Support Manager (Overseas).

Name	
Staff Number	
School (if applicable)	
College/University Service	
Position	
Type of Interest (delete as applicable)	Public company remuneration/ Private company remuneration/ Private company ownership/ Intellectual Property Rights/ Travel
Short Description	
Value (Public company remuneration/Private company remuneration only)	
Additional Details (Travel only)	Purpose: Sponsor: Destination: Duration:

Signature:

Date: