

Disclosure of Interest Policy

Policy Category:	General
Subject:	The management of conflicts or perceived conflicts of interest
Approving Authority:	SMT
Responsible Officer:	President & Principal
Responsible Office:	Senior Vice President (Operations)
Related Procedures:	Disclosure of Interests procedure Anti-fraud, theft, corruption and bribery procedures
Related College Policies:	Policy on fraud, theft, corruption and bribery Policy on the acceptance of gifts Disciplinary Procedures (Academic Staff) Disciplinary Procedures (Research, Teaching-only and Professional Services staff) Council Conflict of Interest Policy
Effective Date:	15 July 2021
Supersedes:	New
Next Review:	July 2024

1. Purpose & Scope

- 1.1 King's College London conducts its business in a legal and ethical manner. The university expects its staff to act with the highest integrity at all times and to conduct their business in an honest and open manner.
- 1.2 A conflict of interest can occur when duties to the university compete with personal interests or duties to another party. Actual or perceived conflicts of interest can arise from an individual's external roles which are undertaken in addition to their university role or from personal relationships. They can be financial, non-financial or both.
- 1.3 If staff manage their activities appropriately, they can usually proceed with these activities as normal while at the same time upholding obligations to the university, meeting regulatory requirements and protecting the integrity and reputation of the university and its members.
- 1.4 This policy is designed to help the university balance its interests and obligations with the rights and interests of its staff members, who legitimately engage with a diverse range of interests and contacts within the local, national and international communities. The university recognises that these types of relationship are often beneficial to its own activities, as well as being in the public interest. Promoting interaction with communities beyond the university is important in terms of promoting its commitment to the advancement of academic knowledge and service-based altruism, as well as innovation and entrepreneurialism.
- 1.5 However, the university also recognises that it is possible that such connections will conflict or be perceived to conflict with the duties of its employees. This policy sets out the principles for staff in disclosing their interests outside King's College London in order to ensure that personal interactions with external parties do not disadvantage the university, are perceived as disadvantaging the university or unduly advantage the individual if the individual has the ability to influence a decision related to the interest. Further, this policy aims to ensure that conflicts of interest are properly managed so as to avoid misconduct or the perception of misconduct.

- 1.6 This policy:
- outlines the actions the university expects its staff to take in terms of identifying and disclosing their external interests;
 - assists with the identification of actual and perceived conflicts of interest;
 - supports the mitigation and resolution of conflicts of interest in order to protect the university and its employees.
- 1.7 This policy applies to all King's College London employees, honorary and emeritus staff. It also applies to those students, volunteers or other members of the university community who are in a position to influence decisions made by the university at any level. This policy does not apply to members of Council or its standing committees as they are governed by the Council Conflict of Interest Policy.
- 1.8 The policy relates to all actual and perceived or potential conflicts of interest arising in connection with university activity.

2. Definitions

- 2.1 Under this policy, and its connected procedure, "staff" refers to any person officially connected with King's, including employees, emeritus or honorary post holders, contractors, and volunteers.
- 2.2 "Students" means any individual enrolled on a course of study at the university, including undergraduate, taught postgraduate, research postgraduate or those on short courses.
- 2.3 An "interest" is a connection with a third-party(ies), external to the university. This includes, but is not limited to, ownership, investments, positions held (whether honorary or remunerated), consultancy or involvement in Intellectual Property licencing or spin outs. A non-exhaustive list of examples is provided in the appendices to the Procedures accompanying this Policy.
- 2.4 A "conflict" arises where the commitments and obligations reasonably owed by a member of staff or a student to the university or an associated body (e.g., a funding body) are likely to be compromised, or may appear compromised, by:
- a) personal gain (or advantage) or gain (or advantage) to a close associate or immediate family member, whether financial or otherwise
 - b) the commitments and obligations that person owes to a party external to the university
 - c) having membership of an organisation external to the university where the interests of the two organisations may not be completely aligned

Examples of situations where a conflict of interest may arise are provided in the appendix to the [Procedures for Disclosure of Interests](#).

- 2.5 A "close associate" is anyone who has a meaningful personal relationship with the staff member and who might actually or reasonably be imagined to exert an influence on their behaviour or actions. This can include, but is not limited to, friends, academic collaborators or potential collaborators and colleagues.
- 2.6 An "immediate family member" is defined as a spouse, civil partner, son, daughter, parent, sibling, step-members of family or those in a similarly close personal relationship.

3. Policy

- 3.1 Conflicts of interest may cause an individual to behave sub-optimally in the interests of the university or be open to the perception of behaving sub-optimally. They may result in a decision being taken which could adversely affect the university in a material sense. It could also damage the reputation of the university, regardless of whether the conflict was real or perceived, if it appears that a member of the university in a decision-making or influential position may have themselves been influenced by self-interest or other loyalties.
- 3.2 The university requires all staff to register any outside interest that they, an immediate family member or a close associate hold as soon as it arises. To keep the record up to date and current, outside interests which cease should be removed as soon as they come to an end.
- 3.3 The university will provide a process by which staff can make such disclosures and must do this on at least an annual basis. However, it remains the responsibility of all staff to:
 - a) ensure that their register of interests is up to date and complete at all times, and staff will have the facility to access their register of interests at any time and
 - b) highlight immediately for their line manager any interests that they believe could constitute a conflict or be perceived as a conflict.
 - c) If, for any reason, the member of staff believes that they cannot disclose a conflict or potentially perceived conflict to their line manager, they must make a disclosure to the Executive Dean of their faculty, their Faculty Operating Officer or the Head of the Professional Service Directorate within which they work, or the next most senior officer/manager.
- 3.4 Failure to keep the register of interests up to date, at least on an annual basis, may constitute misconduct and may be referred to the appropriate university disciplinary process for action.
- 3.5 The line manager is responsible for reviewing the annual register submissions and any updates to determine whether there are any potential conflicts of interest present.
- 3.6 The line manager is responsible for putting in place a plan to manage any conflict or perceived conflict in consultation with the staff member. If agreement on a management plan cannot be reached the next management level is responsible for resolving the issue.
- 3.7 Applicants for roles at King's College London must disclose any potential conflict of interest which they have with the recruiting manager during the recruitment process. Recruiting managers should enquire whether any such potential conflicts exist.
- 3.8 The act of deliberately concealing or attempting to conceal a conflict of interest will normally constitute gross misconduct and any staff member(s) suspected of such misconduct will be referred immediately to the appropriate university disciplinary process for action.
- 3.9 Where a member of staff takes a decision which disadvantages the university in favour of a third party with which they have relationship, it will be considered gross misconduct and referred immediately to the appropriate university disciplinary process for action.
- 3.10 A member of staff who knowingly assists another staff member to conceal a conflict of interests or to make a decision which benefits a third party over the university may also be guilty of gross misconduct and will be referred to the appropriate university disciplinary process for action.
- 3.11 There will be no time limitations on referral for disciplinary action as described in this policy.

4. Reporting and review

- 4.1 An annual report will be provided to the Senior Vice President (Operations) and a summary provided in the annual report of the Deputy College Secretary & Chief Compliance Officer to the Audit, Risk and Compliance Committee.
- 4.2 Failure to declare a conflict of interest in research may be subject to investigation under the College's Procedure for Investigation and Resolving Allegations of Research Misconduct and as such there may be a requirement to report this to any associated funding body.
- 4.3 This policy and its associated procedure will be reviewed at least every three years.