

Introduction to the Conflict of Interest Policy Guide

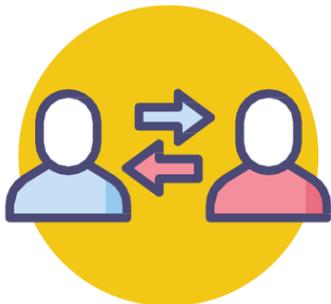
University staff have diverse interests and contacts within the local, national and international community. These links between people engaged in UCC activity and outside bodies are often in the public interest as well as beneficial to the University and to individuals. However, some potential conflicts of interest may arise from time to time.

The University appreciates that generally Staff will recognise conflicts of interest and will want to ensure that there can be no perception of wrongdoing and that they are personally above reproach. Not managing a conflict of interest properly can result in a decision being made or being seen to be made in the interest of the individual or someone close to them rather than in the interests of the University. In the vast majority of cases simple disclosure of a potentially conflicting external activity will result in the matter being handled straightforwardly.

The conflict of interest policy has been developed to assist staff in recognising and managing any potential conflicts of interest that may arise. This guide provides a summary of the key messages in the conflict of interest policy. It is not intended to be used as a substitute for the policy.

The most important message in this document is that University staff should always disclose an activity if they are in doubt about whether it represents a conflict of Interest.

Ms. Nora Geary
Corporate Secretary, UCC



Key Principles of the Conflict of Interest Policy

The fundamental principle of this Policy is that Staff should always declare an activity if they are in doubt whether it represents a Conflict of Interest.

The conflict of interest policy applies to all staff. It applies to anyone who:

- works in the University in any role;
- gets paid by the University e.g. contract workers;
- conducts research e.g. students involved in research;
- is a member of Governing Body or a University committee.

The four key steps in dealing with a Conflict of Interest are:



Identify

Consider whether someone would think your interests, or the interests of someone connected to you, could conflict or appear to conflict with your University duties. Ask yourself:

- Would I be happy if a colleague became aware of my involvement?
- Would I be happy if my involvement appeared in the media?
- If I saw someone else in a similar position, would I suspect that they might have a conflict of interest?



Declare

Potential conflicts of Interest should be declared as soon as they arise through the following channels (see table below) using the conflict of interest disclosure form. Disclosure should be made to the first channel unless the disclosure relates or involves the person to whom otherwise the disclosure would be made.

Thereafter, channels should be utilised sequentially. The person to whom the disclosure was made will become the COI reviewer.

TYPE OF ISSUE	1ST CHANNEL	2ND CHANNEL	3RD CHANNEL
Academic Issue	Head of School	Head of College/Deputy President & Registrar	Corporate Secretary
Research Issue: (Staff aligned to a School)	Head of School	Head of College/VP for Research and Innovation for Staff	Corporate Secretary
Research Issue: (Staff not aligned to a School)	Head of Research Centre	Head of College/VP for Research and Innovation for Staff	Corporate Secretary
Spinouts/Start Ups/IP Issues:	Head of School/Function	Head of College/Bursar/VP for Research and Innovation for Staff	Corporate Secretary
Sale, Supply or Purchase of Goods and Services	Head of School/Function	Head of College/Bursar/	Corporate Secretary
Directorship/Consultancy	Head of School/Function	Head of College/VP for Research and Innovation for Staff	Corporate Secretary



Manage

The COI reviewer will, if necessary, consult with the appropriate people and decide on what is the best way to manage this.

This can include:

- taking no further action;
- continuing with the activity but with modifications;
- desisting from the activity.

Examples of some modifications are:

- letting relevant people know about the matter;
- abstaining from any related decision-making, for example, if you have an interest in a company supplying goods to the University then you may be asked to abstain from any decision making regarding the supply of those goods;
- removal from any related approval processes;
- another person reviewing/overseeing any decision-making, for example, if one of your students is your child then another person may be assigned to assess their work;



- reducing or stopping involvement in the activity, for example, if you are involved in a programme with another higher education institute that is in competition with one of the University's programmes, you may be asked to stop being involved in the competitive programme;
- monitoring of the activity and any relationships, for example, if your research is being sponsored by a company who might benefit from a particular result being achieved;
- withdrawing from discussing or voting on a particular item of business at a meeting, for example, you may be asked to withdraw from a meeting item which is discussing whether to invest in property that is owned by your sibling;
- placing restrictions on access to information, for example, where information available in the University might give you an unfair advantage in personal business dealings;
- temporary transfer of specific responsibilities for the duration of the Conflict of Interest.



Record

The COI reviewer will document how the potential conflict will be managed. The information regarding the conflict of interest will be held on a central conflict of interest register within your school/department. Only authorised people will have access to the data.

A summary report will be provided annually to Governing Body on the conflicts of interest declared during the year.



What is a Conflict of Interest?

Conflict of Interest

A conflict of interest can arise when someone has personal interests or loyalties which could be or could be seen to be at odds with the interests of the University. It also applies to the interests/loyalties of people or organisations which you have a close relationship with (a connected person), for example, if you or a family member has interests in a company that provides services to the University.

Conflict of Commitment

A conflict of commitment can arise when someone engages in an outside activity that involves a commitment of time which can interfere, or appear to interfere, with their University duties. For example, having outside commitments which involve frequent absence from the University on non-University business.

Connected Person

A connected person is a person or organisation with which you have a close relationship. It includes:

- your child, step-child, parent, grandchild, grandparent, brother or sister;
- your spouse/civil partner or the spouse/civil partner of any person listed above;
- a person carrying on business in partnership with you or with any person listed above;
- a company or organisation which is controlled by you or by any person listed above, for example, a company in which you have a significant share;
- a company or organisation in which you or any one close to you has a substantial interest, for example, another organisation where your spouse is a member of the board.

Examples

The following are a few examples of some possible conflicts of interest:

- having the ability to influence decisions relating to the University in ways that could lead to personal gain;
- working for another organisation which impacts on the time you have to perform your job at the University;
- being involved in a company which is in competition with the University;
- accepting an inappropriate gift from a company bidding for a contract with the University;
- having a commitment outside the University that involves frequent or prolonged absences from the University;
- using University assets for personal gain;
- accepting payment for private tutorials to University students.



Office of Corporate and Legal Affairs

Conflict of Interest Policy Guide



CONTACT DETAILS

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www.ucc.ie/en/ocla/policy/conflict-of-interest

