



Selwyn College Cambridge

## **Conflict of Interest Policy**

### **1. Introduction**

The College is committed to ensuring that high levels of integrity apply in all areas of its operation and that all activities are conducted in an honest and transparent manner. This policy sets out how conflicts of interest should be considered, recorded and dealt with. It does not override or supersede any College Statute or Regulation.

This policy should be read in conjunction with the College's 'Donations' and 'Managing Conflicts of Interest in Admissions' policies.

Each member of the Governing Body undertakes to uphold the interests of the College as "a place of Education, Religion, Learning and Research." Each senior member of Council is required, as a trustee of a charity, to ensure that their fiduciary duties are not, and do not appear to be, in conflict with other interests and/or duties. Whilst Governing Body Fellows are not Trustees under the statutes, the same standards of behaviour are expected in relation to conflicts of interest. Decisions should be based solely on the interests of the College and its charitable purposes.

### **2. Register of Interests**

When a new senior member of the Council is appointed, they will be required to register any financial and/or personal interests that might potentially conflict with their responsibilities as a trustee, or where there is a reasonable likelihood that they may give rise to a conflict in the future. They will also be asked to record any changes to maintain this register as their interests change.

Interests that need to be recorded are:

- Financial interests in companies and/or organisations from whom the College may purchase goods or services, and/or to whom the College may offer goods or services. For the purposes of this policy, shareholdings in excess of £10,000 nominal value or 1% of the total issued share capital (whichever is lower) should be recorded.
- Employment by, and/or membership of, organisations that may seek to influence decisions by the College.
- Personal interests that may include (but are not limited to) a close personal relationship with another member of the College, or a relationship that may compromise, or be seen to compromise, the integrity of the College's admissions, recruitment or academic processes.
- In particular, trustees should record their membership of a University Department and positions held within the University.

This annual declaration does not replace the need for individuals separately to declare relevant conflicts during the course of their role in the College, including the business of any committee, board or body of the College or University of which they are a member.

### **3. Related Party disclosures**

All members of College Committees and Working Groups are required to disclose each year any related party transactions, in accordance with financial reporting standards. Related parties are defined as parents, spouse, children, stepchildren and civil partner. A register of declared related party transactions is maintained by the Finance Manager.

### **4. Managing and recording declarations of interest at meetings**

Any person present at a meeting of a College committee or working group should declare, any potential conflict of interest in the matters to be discussed. Interests do not need be declared where the interest is apparent and arises directly from holding a position within the College or the University.

A conflict of interest is any matter which may influence the judgement of the person possessing it, or may reasonably appear as capable of influencing that person's judgement, so that the judgement may not be, or may not appear to be, exercised wholly and exclusively in the interests of the College.

At the start of each meeting, the Chair will ask if any of those present need to declare a conflict of interest in relation to that specific agenda. Any such conflicts of interest, whether declared then or in advance, will be notified to all present. The Chair will decide on the course of action for managing the conflict. All declared conflicts of interest must be minuted to record:

- what the conflict was;
- who or what it affected;
- when it was declared;
- the actions taken to manage the conflict.

If the Chair considers that any member present has a conflict of interest in an item to be discussed, they may refer the matter to the committee who will consider the member's views and, in their absence, determine the matter.

There are three sorts of conflict of interest that may arise:

1. Where someone has a pecuniary interest in a decision; and/or
2. Where someone will be directly affected by a decision; and/or
3. Where someone's interests make it doubtful whether they can properly act in the interests of the College.

In the first case, the person concerned must withdraw from that part of the meeting and take no part in any discussion and/or vote. In all other cases, the person would be expected to withdraw from the meeting unless it is expressly agreed by the meeting that the person may stay. They should be allowed to make representations to the meeting either orally or in writing.

A particular difficulty might arise if a member of a committee felt bound by agreements with other Fellows and/or mandated junior members to vote in a particular way. It should be clear that all members of College committees bear a personal and individual responsibility and are not representative of others. This does not, of course, prevent the views of others and their arguments being reported. However, trustees and all members of College committees need to make decisions based on the charitable objectives and statutes of the College.

If any member of the College is uncertain as to whether they do face a conflict of interest, they should raise the issue with the Chair of the relevant committee.

#### **4. Special Decisions**

A special decision of a committee is one in which a majority of the decision-makers have a conflict of interest in the matter being considered. In such circumstances the committee must consider carefully the circumstances of the matter and determine whether the committee is nonetheless able fairly and reasonably to take that decision, or whether it needs to seek advice and/or determination by another body. The determination must be based on whether a reasonable observer would judge that the decision might be affected by the conflict of interests. The result of that consideration, and the arguments considered, should be recorded in the minutes.

Where a College committee considers that it is unable to make a special decision fairly and reasonably, the matter should be referred to the College Council and/or the Governing Body. Where the College Council and/or the Governing Body is unable to make a special decision fairly and reasonably, the matter should be referred to the Charity Commission.

#### **5. Compliance with this Policy**

The Secretary to the Governing Body will ensure that a register of interests for Trustees is maintained and available for inspection by any member of the Governing Body on application.

All information provided in declarations will be processed in accordance with data protection legislation and will not be used for any other purpose than recording declarations.

#### **6. Review**

This policy will be reviewed every 3 years. Date of next review: March 2028.