



**GRIMSBY INSTITUTE GROUP**

# Policy on Conflicts of Interest

### Change Control

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## **1. Purposes of the Policy**

- 1.1 It is the policy of the Grimsby Institute Group Corporation (“the Corporation”) that all members of the Corporation, senior staff attending Corporation and/or corporation committee meetings and corporation committee members who are not members of the Corporation; must keep to the absolute minimum all unavoidable conflicts of interest between the interests of the Corporation on the one hand and the personal, professional and business interests of the member or senior staff member concerned, and of persons connected with them, on the other. This includes avoiding as far as possible perceptions of conflicts of interest, as well as potential and actual conflicts of interest.
- 1.2 The purposes of this policy are to:
- protect the integrity of the Corporation's decision-making process;
  - enable all outside parties dealing with the Corporation to have confidence in the Corporation's integrity; and
  - protect the integrity and reputations of the Corporation’s members and senior staff.

## **2. Disclosure of Interests**

- 2.1 From the adoption of this policy, or upon being appointed, which ever is later, all members of the Corporation and senior staff will be required to make a full written disclosure of any business or personal relationships held, financial or property interests held, or gifts or hospitality received, that could potentially result in a conflict of interests. A declaration of interests form is provided and must be used for this purpose. Any question about whether a member has an interest which should be disclosed should be referred in the first instance to the Clerk for a determination.
- 2.2 Written disclosures will be kept on a register maintained by the Clerk to the Corporation and all members and senior staff will be required to update their disclosure as and when their circumstances change. All disclosures will be reviewed on an annual basis at the beginning of each fiscal year. The register will be accessible by members and the Corporation’s internal and external auditors.
- 2.3 Organisation of meetings where a member has disclosed an interest. Where a member has previously disclosed an interest and the Chair or Clerk is satisfied that the interest is relevant to an item on the agenda for a meeting of the Corporation or of a corporation committee the member concerned may not be sent the papers in respect of that item.

### **3. Decisions made other than at Meetings**

A similar approach will be adopted if the Corporation amends the instrument of government to allow the Corporation to take decisions other than by meetings, e.g. by written resolutions. Any member who has disclosed an interest considered by the Chair or the Clerk to be relevant to the matter to be decided by the procedure adopted will not be sent the proposed resolution and will not be allowed to vote on it.

### **4. Management of Conflicts of Interests in Meetings etc**

- 4.1 In the course of meetings of the Corporation or a corporation committee and all other activities all members and senior staff will be required to disclose any interests they have in a transaction or decision where they, their family, their employer or their close business or other associates will or may receive a benefit or gain or they have any other interest of a type identified by the Corporation.
- 4.2 If there is a failure to declare an interest that is known to the Chair of Corporation and/or the Chair of the committee or of any such meeting/person responsible for organising such activities and/or the Clerk to the Corporation, the Chair of Corporation or other such person or the Clerk will declare that interest.
- 4.3 After disclosure of any such interest, in the case of a meeting the member and/or senior staff member concerned will be asked to leave the room (unless expressly invited to remain, possibly in order to provide information on the matter in hand) may be required by a majority vote of members not subject to such a conflicting interest to leave the room, whilst the matter is discussed. The member will not be counted in the quorum for that part of the meeting and will not be permitted to vote on the question.
- 4.4 In the case of all other activities, the member or staff member concerned will not be permitted to participate in the consideration or discussion of the matter other than to disclose his or her conflict of interest.
- 4.5 All decisions of the Corporation or committee made following the declaration of a conflict of interest will be reported in the minutes of the meeting. The report will record:
  - the nature and extent of the conflict;
  - an outline of the discussion;
  - the actions taken to manage the conflict.
- 4.6 Where a member or senior staff member benefits from any such decision, this will (if the Corporation's auditors advise this to be necessary) be reported in the annual report and accounts in accordance with relevant accounting requirements.

## **5. Failure to Disclose a Relevant Interest**

- 5.1 The decision of the Chair as to whether a member has failed to disclose a relevant interest shall be final. Failure to disclose a conflicting interest may lead to a member being in breach of the Corporation's Code of Conduct as well as of this policy. It may also result in the member being subject to legal action and personal liability for breach of trust. Such breaches may lead to the Corporation considering the possibility of terminating the member's membership of the Corporation.
- 5.2 Such breaches by a senior member of staff may lead to disciplinary action being taken under the College's staff disciplinary procedures.

## **6. Data Protection**

The information provided in disclosures will be processed in accordance with the data protection principles set out in the Data Protection Act 1998. Data will be processed only to ensure that members act in the best interests of the Corporation. The information provided will not be used for any other purpose.

## **7. Policy Review**

This policy will be reviewed by the Governance Committee on a three yearly cycle.

## Appendix 1 – Declaration of Interests Form

### Declaration of Interests Form

I ..... as [Corporation Member / Senior Staff position held] of Grimsby Institute Group have set out below my interests in accordance with the Corporation’s Conflicts of Interest Policy.

<b>Category</b>	Please give details of the interest and whether it applies to yourself or, where appropriate, a member of your immediate family, employer or some other close personal connection.
Current employment and any previous employment in which you continue to have a financial interest.	
Appointments (voluntary or otherwise) eg. trusteeships, directorships, local authority memberships, magistracy, tribunals etc.	
Membership of any professional bodies, special interest groups or mutual support organisations.	
Companies in which you hold more than 1% of the share capital.	
Gifts or hospitality in excess of £[20] accepted in the last twelve months.	
Any contractual relationship with the Corporation [or any company or other organisation connected with the Corporation].	
Any other interests which you consider are appropriate to disclose and are not covered by the above.	

To the best of my knowledge, the above information is complete and correct. I undertake to update as necessary the information provided, and to review the accuracy of the information on an annual basis. I give my consent for it to be used for the purposes described in the conflicts of interest policy and for no other purpose.

Signed: ..... Position: .....

Date: .....