UNIVERSITY OF YORK
Annual declaration of interests and managing conflicts of interest: a guide for University-level committee secretaries

1. Annual declaration of interests

a. Under the University’s Policy on declaring interests, managing conflicts of interest, and gifts and hospitality (July 2020), all staff who are involved in ‘significant decision-making’ on behalf of the University are required to make an annual declaration of interests to the University’s central register. This includes all members of University-level committees (ie UEB, Council and Senate, and all subcommittees of the latter two).¹

This is a University-wide exercise in the interests of transparency. It ensures that the relevant colleagues only have to complete one single form, which is then available centrally to those who might need to refer to the information in the course of University business (e.g. the person’s HoD or the Chair / Secretary of a University committee of which the person is a member).

Returns are due in by 31 October of the academic year in question.

b. Returns for members of Council and UEB and lay members of Council sub-committees are managed directly by the Governance & Assurance Office.

Other committee members receive an annual prompt in August/September via an all-staff circular from the Governance & Assurance Office, which is filtered out through departmental/Faculty/professional support service managers. This is a generic circular which sets out ‘significant decision-making’ roles, including University-level committee membership, and points the relevant colleagues to a link to the central register Googleform for that year. There is an option within the form to make a nil return if applicable.

Only one return is needed per individual regardless of whether they hold more than one ‘significant decision-making’ role.

c. Role of Committee secretaries

- At the start of the academic year, it would be really helpful if you could remind your committee members that they need to make a return to the central register if they haven’t already done so, by 31 October. Please note that all colleagues who are members of Council and/or UEB plus lay members of Council subcommittees will have already completed their returns over the summer period, so do not need to be included in your reminder.
- If there are any student representatives on your Committee, they will also need to ensure that they’ve completed a return, using their York email address.
- The requirement only applies to full Committee members ie not those ‘in attendance’ or yourself as Secretary (with the caveat that they/you could still be required to make a central return in connection with a different role).

¹ Other staff who do not fall into the above category only need to complete an annual return if they have interests to declare which are relevant to their work at the University, and this is handled locally at departmental level.
Please note that responsibility for completing the return rests with the individual themselves: you are not expected to police it!

If you have any members joining your committee part way through the coming year, they will need to complete a return to the central register at that point, if they have not already done so for the year in question: please remind them.

The link to the Googleform for the current year is available from the Governance & Assurance Office.

d. Some Chairs/Secretaries like to have sight of their members’ returns so that they are aware of any potential conflicts of interest and can avoid them as far as possible when planning the Committee’s work. If you would like to review the returns for your Committee with your Chair, please contact alice.wakely@york.ac.uk once the official deadline of 31 October has passed.

2. **Managing conflicts of interest**

In addition to asking members to complete an annual declaration of interests, any potential or actual conflicts of interest which arise in the course of the Committee’s work will need to be managed. There are standard and straightforward ways of doing this in the context of a committee meeting:

a. It is good practice to have a standard agenda item at the start of the meeting where members are invited to declare any relevant interests relating to the business to be discussed. List it on the agenda as ‘Declaration of interests’.

b. In the meeting, the Chair, advised by you as secretary, will need to ensure that any interests declared by members at the start are then handled appropriately when it comes to discussing the relevant item/s of business, in order to mitigate the risk of undue influence.

   The standard practice is for anyone declaring an interest in an item to recuse themselves from expressing their views and from any related decision-making. However, a degree of common sense is required, taking into account the scale of risk and the sensitivity of the information being discussed/decisions being taken. Making a passing reference to a particular department or issue should not automatically trigger a stampede for the door. Likewise, for some items concerning all staff (e.g. University pensions), it is likely that most if not all of your Committee members will have a vested interest in proceedings; however, it would be self-defeating for the majority of the Committee to stand down from the discussion. In this particular instance, it would be sufficient to acknowledge these interests at the start of the meeting and ensure that this is properly minuted (see below).

   Where there is a potential or actual conflict of interest involving the Chair, s/he may nominate another member to chair that particular item in his/her absence.

c. Examples of how to minute the above:

   i. **Declarations of interest:**

   You need to minute:
   - the name/office of the member involved
   - a brief description of the nature of the interest
   - where the declaration concerns a particular item of business, the relevant agenda reference.
e.g. ‘Members were invited to declare any potential conflicts of interest relating to the business of the meeting. Staff members in attendance who were members of the USS pension scheme declared an interest in any matters relating to the scheme. The Deputy Finance Director declared an interest in one of the finalised internal audit reports as a Director of the Biorenewables Development Centre (agendum 3.1).’

ii. Discussion of an item where an interest has been declared:

You need to note how the potential conflict of interest was managed in the meeting. e.g. ‘The Committee considered a report on the review of the Department of Duck Studies. Professor Mallard left the meeting for this item.’

Where a Committee member has left the meeting for a particular item, it is also helpful to note the member’s absence within the attendance list at the top of your minutes e.g. ‘Professor Q Mallard, Head of Duck Studies (MM19-20/01-05 and 07-10 only).’

If a committee or panel is undertaking business outside the context of a formal meeting, the same principles apply i.e. the interest should be declared; the member should recuse themselves from any related discussion or decision-making; and appropriate records should be kept by the secretary.

For further reference:

Policy on declaring interests, managing conflicts of interest, and gifts and hospitality

If you have any queries relating to the above, please contact alice.wakely@york.ac.uk