

UNIVERSITY OF YORK

Policy on declaring interests, managing conflicts of interest, and gifts and hospitality: a guide for staff and other associates

Overview

The new Policy addresses the potential for undue influence and/or perceived impropriety when key judgements or decisions are made on the University's behalf. This can arise in relation to an individual's external or personal interests and relationships, and via the exchange of gifts and hospitality.

The Policy covers three main areas:

1. The annual declaration of interests exercise. From this year, there are two routes:
 - A central Register of Interests, focused on all staff involved in significant decision-making (further details below)
 - Locally-held departmental/professional service registers, for colleagues who do not fall within the above category, but have interests to declare.
2. Guidance on managing conflicts of interest. The new Policy shifts the emphasis towards procedures for actively managing potential/actual conflicts of interest which arise on the ground. All colleagues are required to identify and seek advice on managing any conflicts of interest on a case by case basis, regardless of whether or not an annual declaration form has been completed. This is because transparency by itself is not always sufficient to mitigate potential bias in relation to specific judgements or decisions.
3. Principles and procedures for offering, accepting and recording gifts and hospitality.

What do I need to do?

A. Declaration of interests

1. If you fall into one or more of the following groups, you are required to make a return to the University's central Register of Interests:
 - Heads of Department and their senior decision-making teams
 - Anyone who sits on a University Committee (Council, Senate, UEB and their [subcommittees](#))¹
 - Any staff who are on the board of directors or who act as company secretary for the University's wholly or majority owned subsidiary companies or joint ventures
 - Staff who in their normal role are involved in negotiating or have a material influence on, or have access to highly sensitive and commercial information (including contracts for goods or services) or partnerships on behalf of the University.

Your department/professional service will clarify what this means in practice. You only need to complete the form once, even if you hold multiple roles. There is an option within the form to make a 'nil return' as necessary.

Returns are made via Google Forms: ask your departmental/directorate manager for the link for the current academic year. Please make your return by the end of October. If you take on one of the above roles in the course of the year, please make/update your return as soon as possible.

2. If you do not fall into the above category but have interests to declare, please complete a return to your department/professional service's local register (ask your departmental/directorate manager for details). For this group, only those who have interests to declare are expected to submit a return.
3. In addition to completing a declaration, if you have any interests which raise concerns, you need to inform the person responsible for oversight of the relevant area, so that potential conflicts can be avoided from the outset. You will be asked to confirm that you've done this as part of your return.
4. Please ensure that your record is kept up to date over the course of the year by reporting any additions or alterations promptly. Further guidance on declaring interests can be found at:
www.york.ac.uk/about/organisation/governance/sub-committees/ethics/ethics-policy-framework/interests-gifts-hospitality-policy/procedures-declaration-interests/

¹ Returns for members of Council and UEB are managed by the Governance & Assurance Office, via a separate exercise.

B. Managing conflicts of interest

1. It is your responsibility as an individual to identify and report any potential or actual conflicts of interest which arise in relation to your work, before any further activity takes place.
2. Conflicts of interest will often be addressed as part of the University's existing procedures, such as the standard approaches to conducting and recording meetings (see further details in the full Policy). If something arises which falls outside existing mechanisms, you will need to:
 - Raise it with the person responsible for overseeing the area in question
 - Agree appropriate mitigations
 - Abide by what has been agreed and keep the situation under review - refer for further discussion if necessary. The Policy sets out routes for escalating a decision if necessary.
3. If, as per the above, you are the person responsible for overseeing the area in question, you will need to:
 - Make a brief record of what has been agreed, in order to protect the integrity of the activity, and that of the individual concerned. Your department/directorate will have set up a central area where you can record your notes.
 - Inform any relevant colleagues of what has been agreed.

C. Gifts and hospitality²

1. Summary of key principles:
 - You must not offer or accept gifts or hospitality where they might be perceived as a bribe. Avoid any exchanges of gifts and/or hospitality around the time of key decisions, and ensure that all exchanges are open and transparent. Report any potential bribery under the University's [Anti Bribery Policy](#).
 - Exchanges should be proportionate in terms of frequency and scale. You should not accept hospitality which is significantly more generous than the University would be likely to provide in return. Any expenditure on gifts or hospitality from the University must be in line with the [Travel and Expenses Policy](#).
 - Cash must not be given or received under any circumstances. The same applies to cash-equivalents, apart from vouchers offered as an incentive (e.g. to respond to a survey), or received as a personal gift.
2. If you are concerned about the propriety of an exchange, seek advice from your line manager in the first instance, with reference to further information set out in the Policy. Where it is not possible to refuse a gift without causing offence, you should consider donating it to your department or to charity. NB: If you are organising an overseas visit, it is helpful to clarify expectations in advance on both sides regarding acceptable hospitality and gifts (the International team can provide further advice).
3. If you give or receive gifts and/or hospitality over the value of £40 per person (including the cumulative value over a short period of time), you must:
 - Inform your line manager
 - Record it in your department/directorate's Gifts and Hospitality register (ask your departmental/directorate manager for details).This can be done at group level where appropriate. If in doubt, record the exchange.

If you have to decline offers of gifts/hospitality because they are against University policy, you must also record this in your department/directorate's Gifts and Hospitality register, regardless of value.
4. You are welcome to keep modest items such as pens, keyrings, food and drink. Symbolic corporate gifts should be retained by the University (e.g. for display within the relevant department) and their location noted in the local gift/hospitality register.

² 'Gifts' refers to items exchanged in the course of University activity e.g. branded stationery, food and beverages, corporate gifts such as ornamental items. 'Hospitality' refers to offers of refreshment, invitations to events, travel and/or accommodation in connection with University business, including offers to family members.