

University of Oxford: Statement of policy and procedure on conflict of interest

Introduction

1. The University, through its research activity, seeks to promote the advancement, preservation, and dissemination of knowledge; the instruction of undergraduate, graduate, and postdoctoral students; and the advancement of the public interest. The University considers that the establishment of links between its employees and outside bodies, whether government departments, commerce, industry, or others, is not only in the public interest but also benefits the University and the individuals concerned. It is however possible that such links may give rise to potential conflict of interest; and the University has therefore prepared the following guidelines and rules to assist individuals in assessing whether or not proposed activities have potential for conflict of interest, and to outline the procedure for disclosure of any perceived or potential conflict which may arise.

Guidelines as to conflict of interest

2. It is not possible to provide a comprehensive definition of circumstances which necessarily give rise to a conflict of interest, but the following are examples of situations giving rise to perceived conflict of interest. The list is not exhaustive, and in any situation where an individual is uncertain as to the propriety of a given arrangement, advice may be sought from the Conflict of Interest Committee, the remit of which is set out in a later section of this statement.

General examples

(a) The use of the University's research or administrative facilities to pursue personal business, commercial, or consulting activities;

(b) any attempt to restrict rights governing the timing and content of publications, save in circumstances properly approved by the University to protect privacy, commercially sensitive proprietary information, and patentable inventions;

(c) involvement in externally funded activity which might infringe the right of a student engaged in the activity to complete the degree for which he or she is registered and/or to publish freely his or her findings (save in the circumstances referred to in (b) above);

(d) a financial interest held by an individual (or by his or her immediate relative/s or household member/s) in an external enterprise engaged in activities closely related to that individual's line of research in the University: examples of such interests are paid consultancies, paid service on a board of directors or advisory board, equity holdings in or royalty income from the enterprise. The existence of such an interest does not necessarily imply conflict, but is likely to give an appearance of conflict, and should be declared (as is set out in more detail later in this statement);

(e) a personal involvement in any company or commercial enterprise which is in a contractual relationship with the University or which is in the process of negotiating the terms and conditions of a contract with the University, where the employee has been concerned or connected with the placing or negotiation of the contract in question or with the research or other activity which the contract might cover.

(f) There are in addition certain circumstances which the University feels give rise to such clear conflicts that it has adopted the specific rules which are set out below.

Executive Directorships

3.1 It is the policy of the University that no member of staff of the University shall hold any executive directorship without the express approval of both the appointing authority for his or her post and the Committee on Conflict of Interest. Approval of the holding of such directorships may be given in the following circumstances:

(a) where a member of staff has satisfied the Committee on Conflict of Interest that the holding of an executive directorship is or will be necessary in order to satisfy the requirements of a recognised stock exchange for the listing of scientific, research-based companies; and/or

(b) where the Committee on Conflict of Interest is satisfied that approval will be justified on other grounds, although it should be noted that such approval will only be given in exceptional cases.

In either case consent will be given only if the appointing authority is satisfied that the appointment will comply with the general conditions relating to the holding of other appointments.

For the purpose of this guidance, an executive directorship is one involving an active management role, whether or not including research, in the company concerned.

The holding of directorships and shares by administrative officers of the University

3.2 'Administrative officers' for the purpose of these rules means members of staff of the University's central administrative service, departmental administrative staff, and others employed by the University in academic-related administrative grades.

(a) Unless formally nominated by the University to do so, no administrative officer shall serve in a personal capacity as director or other officer of a company or commercial enterprise, the establishment of which arose out of or was connected with work done in the University, or any company or commercial enterprise in a contractual relationship with the University where the administrative officer was concerned or connected with the placing or negotiation of the contract in question.

(b) Any administrative officer nominated by the University to serve as the director of a company shall be deemed to accept the nomination in the discharge of his or her duties as an employee of the University, and shall decline to accept any director's fee.

(c) No administrative officer shall hold any shares in a company, the establishment of which arose out of or was connected with work done in the University, or any company in a contractual relationship with the University, where the administrative officer was concerned or connected with the placing or negotiation of the contract in question, unless such shares have been acquired following the listing of the company on a recognised stock exchange.

Conflict of Interest Committee

4. The University has established a Committee on Conflict of Interest to advise university bodies, appointing authorities, and individual staff members (in appropriate circumstances). The remit of the committee is as follows:

(a) to monitor the operation of the University's policy on conflict of interest and to make recommendations in the light of experience, and of 'good practice' guidelines published by outside bodies;

(b) to review annual declarations of interest and alert the appropriate university body where further clarification or action is required;

(c) to determine, for its part, requests for approval for the holding of executive directorships, or other directorships where there is concern as to a possible conflict of interest;

(d) to advise Council, or any relevant personnel committees, as appropriate, on cases of difficulties referred to it;

(e) to give advice in the case of individual questions referred to it.

Declarations

5. It is the duty of all employees to disclose any actual or potential conflict of interest. The procedures for certain disclosures are laid out below. In any other case, a disclosure should be made in writing and should be directed to the appointing body for the post-holder in question, with a copy to the secretary to the Committee on Conflict of Interest. Failure to disclose an actual conflict of interest may result in disciplinary action.

5.1. A declaration as to any conflict of interest will be sought in the outside grant (OG) form in connection with any externally funded research project.

5.2. Application for permission to undertake other activities (under Ch. VII, Sect. I, ? 5. A, cll. 10--11, Statutes, 1997, p. 381) will require a declaration as to any conflict of interest from the individual concerned before a permission will be granted.

5.3. In addition to declaring any conflict or potential conflict in accordance with paragraphs 5.1 and 5.2 above, those persons occupying the following positions shall be required to submit an annual declaration of external interests to the Committee on Conflict of Interest:

(a) the Vice-Chancellor;

(b) Pro-Vice-Chancellors;

(c) the Registrar;

(d) members of Council;

(e) heads of divisions, departments, or sub-departments;

(f) chairmen of faculty boards;

(g) heads of division in the University's central administration service;

(h) chairmen of such other bodies which govern the University's affairs as shall be specified by Council in consultation with the Committee on Conflict of Interest from time to time;

(i) such other individuals as may be specified by the relevant personnel committees in consultation with the Committee on Conflict of Interest from time to time.

5.4. A confidential record of all declarations made shall be maintained centrally by the secretary to the Committee on Conflict of Interest. In addition to declarations made under the above procedure from time to time, records shall be updated on an annual basis, and members of staff shall be required to provide updated information on request.

6. In the event that a conflict of interest or a potential conflict of interest has been disclosed, the individual concerned shall discuss a possible resolution with his or her line manager or the chairman of the appropriate committee. Any unresolved matter shall be referred to the Committee on Conflict of Interest for advice, and in cases of particular difficulty, the Committee on Conflict of Interest shall refer its recommendations to Council.

Disclosure

7. Persons with bona fide and substantial reasons to inspect declarations shall be allowed access at the discretion of the chairman of the Committee on Conflict of Interest.