

Code of Practice on Registration of Interests

Summary description: This document sets out formal requirements relating to the registration of financial and personal interests, including declarations required for the annual accounts

Scope: Members of Council, Council committees and designated senior officers

With effect from: September 2023

Other related policies/documents:

Role description for Council members
Anti-Bribery Policy
Gifts and Hospitality Procedure

Contact for further information:
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Approved by: University Registrar and Secretary
Next due for review: August 2024
Reference to any superseded policy/amalgamations Code of Practice on Registration of Interests 2014-09-30 v4.00
Relevant legal framework Charities Act 2011 Bribery Act 2010 Office for Students Regulatory Framework provisions on fit and proper persons and public interest governance principles https://www.officeforstudents.org.uk/advice-and-guidance/regulation/the-regulatory-framework-for-higher-education-in-england/
Equality analysis N/A
Freedom of information This Policy is publicly available through the University's Publication Scheme under the Freedom of Information Act 2000
Other professional standards reference points CUC Higher Education Code of Governance https://www.universitychairs.ac.uk/wp-content/uploads/2018/06/HE-Code-of-Governance-Updated-2018.pdf Office for Students guidance on Regulatory Advice 5: Guidance for higher education providers that are exempt charities (https://www.officeforstudents.org.uk/media/1449/ofs2018_23.pdf) Charity Commission Guidance (www.charitycommission.gov.uk/detailed-guidance/trustees-staff-and-volunteers/conflicts-of-interest-in-charities/).

Code of Practice on Registration of Interests

1 Overview

University employees and lay members of Council have a responsibility to respect and promote the financial and other interests of the University, with due regard to academic freedom.

There is a general duty on all members of staff and lay members of the University to disclose at the earliest possible stage any financial or other interest they may have in any transaction, or proposed transaction, between the University and a third party.

In addition, members of Council and its committees and senior officers are expected to conduct themselves in accordance with the Nolan Principles of public life: selflessness, integrity, objectivity, accountability, openness, honesty and leadership. The Committee of University Chairs (CUC) provides additional guidance in its Higher Education Code of Governance
<https://www.universitychairs.ac.uk/wp-content/uploads/2015/02/Code-Final.pdf>

There is also a requirement, under the University's registration with the Office for Students (OfS) to comply with the Public Interest Governance principles, which include a requirement that members of the governing body, those with senior management responsibilities, and individuals exercising control or significant influence over the provider, are fit and proper persons, defined as follows:

A fit and proper person:

- (a) is of good character,
- (b) has the qualifications, competence, skills and experience which are necessary for their role
- (c) is able by reason of their health, after reasonable adjustments are made, to perform properly the tasks of the office or position for which they are appointed and
- (d) has not been responsible for, been privy to, contributed to or facilitated any serious misconduct or mismanagement (whether unlawful or not) in their employment or in the conduct of any entity with which they are or have been associated.

Compliance with the provisions of this Code indicates that an individual is a fit and proper person.

For the purposes of this Code, a conflict of interest is defined as “A conflict between the private interests (including those interests of relatives, friends and close associates) and the institutional responsibilities of a University employee”. A conflict of interest will also arise if an individual’s personal interests could result in them or a close family member, friend or associate benefiting from decisions taken by the University.

Examples of the types of information about the individual and their relatives, friends and close associates that must be disclosed:

CATEGORY OF INTEREST	INFORMATION TO BE DISCLOSED
Paid employment	Name of employer and post held
Self- employment	Nature of business
Directorships of commercial companies (including spin-out and dormant companies)	Names of companies
Elected office	Name of authority and office held
Trusteeships or participation in the management of charities and other voluntary bodies	Name of body and nature of office held
Public appointments (paid or unpaid)	Name of body and office held
Membership of professional bodies	Name of body
Significant involvement with any organisation with which the University does or might do business (if not covered above)	Name of body and nature of involvement
A major shareholding (more than 1 per cent of share capital) in a company with which the University does or may do business (including spin-out companies)	Name of company
The receipt of gifts over the value of £25 forthcoming as a result of their employment by the University	The nature, value and origin of the gift
Any personal interest in University business or negotiations in which they are involved	Brief details of the personal interest
Any personal interest in the appointment of staff and/or payment of fees and expenses or other personal payments to non-staff	Brief details of the personal interest

The above list is not exhaustive and personal interests may arise in other circumstances.

Note: There is no requirement to declare an interest solely through (i) being an employee or a student of the University; (ii) membership of or attendance at a church, synagogue, mosque or other place of worship; (iii) membership of a sports club, charity, voluntary body, trade union, pressure group or political party; provided that an individual who holds a position of authority (such as a board member or trustee, even if unpaid) in such a body must declare this if the organisation has a business or similar link to the University.

Note: the term “professional bodies” covers organisations that impose obligations and claim authority over their members such as the various Royal Colleges of medicine, the Law Society and Bar Council and professional bodies in areas such as accountancy, procurement, personnel management and surveying and all such memberships must be declared in the Register of Interests.

2. Completion of Register of Interests by members of staff

All employees have a duty to declare interests that arise from time to time in accord with this Code of Practice. The disclosure of such an interest should be made in writing to the Head of Department or Service area. All Heads of Department or Service area are required to consider who within their teams will be required to complete the register of interests on an annual basis. The form should be returned annually to the Governance Office.

3. Completion of Register of Interests by Members of Council, Council committees and designated senior officers (fit and proper persons)

Members of Council, Council committees and designated senior officers (see definitions below) are required to register financial and personal interests with the Governance Office. Registration should take place on appointment and be updated annually thereafter. Significant changes in interests (for example, where a new role may lead to a specific and direct conflict of interests) should be notified immediately. The requirement to register interests includes the interests of close family members (see below).

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i. Registration vs declaration

Members of Council, Council committees and designated senior officers are asked to note the difference between *registration* of interests and *declaration* of interests. Registration of interests is a documented process carried out on an annual basis. In addition, interests in specific items of business should be

declared at the beginning of each meeting. Advice should be sought from the Committee Secretary in advance if necessary. Guidance is also available on the Charity Commission website (www.charitycommission.gov.uk/detailed-guidance/trustees-staff-and-volunteers/conflicts-of-interest-in-charities/)

Declarations of interest should be made in accordance with Standing Order 25:

“If any member of a committee has any personal and/or pecuniary interest, direct or indirect, in any contract, proposed contract, or other matter, that member shall disclose the existence of that interest to the committee and shall withdraw from the meeting while the contract, proposed contract, or other matter is under consideration unless the contract, proposed contract or other matter is under consideration by the committee as part of the report of another committee and is not itself the subject of debate.”

ii. Annual Financial Statements: declarations

Members of Council and designated senior officers are required to make formal declarations each year regarding any matters that may materially affect the annual financial statements. These are referred to as related party transactions and details are required for the annual accounts.

4. Freedom of Information/Data protection

In the interests of transparency, the contents of the Register are available for public inspection and may, in future, be published on the University website. You should indicate your agreement to this in your register entry or explain why the information should be withheld from publication. Entries will only be withheld from publication in exceptional circumstances. Where a register entry is not published, it will nevertheless remain available for public inspection.

5. Charitable status

As an exempt charity, the University is subject to regulation by the Office for Students (OfS). It is a requirement of the University's charitable status that certain information is made readily available on its website (Office for Students, *Regulatory Advice 5: Guidance for higher education providers that are exempt charities*. Published May 2018.

https://www.officeforstudents.org.uk/media/1449/ofs2018_23.pdf). This includes the names of all trustees on 31 January each year, together with a list of all other charities (if any) of which each trustee is then also a trustee. Members of the University Council are trustees by virtue of their membership of Council.

6. Anti-bribery measures

The conduct of all staff and members of Council and its committees should not create suspicion of any conflict between official duty and private interest. The University is subject to the provisions of the Bribery Act 2010 and has published its own Anti-Bribery Policy Statement.

Related guidance is provided on the acceptance of gifts and hospitality in the University's Code of Conduct (available: <https://www.hull.ac.uk/choose-hull/university-and-region/key-documents/docs/code-of-conduct.pdf>, page 8).

7. Close family members

Financial or personal interests relating to close family members must also be declared. 'Close family member' includes husband, wife, partner, son or daughter.

8. Breach of this policy

Breach of this policy may, if established, lead to disciplinary action against members of staff or to action for removal from office for lay members.

9. Definitions

Designated senior officers

The following are defined as designated senior officers for the purposes of this Code:

The Vice-Chancellor
The Pro-Vice-Chancellors
Chief Operating Officer
University Registrar and Secretary
Director of Human Resources and Organisational Development
Deans

Director of Estates
Head of Finance
Director of ICT
Director of International Office
Director of Knowledge Exchange
Director of Student Services
Director of Marketing and Communications
Librarian
Head of Procurement
University Solicitor

and any others who may from time to time be designated by the Vice-Chancellor for this purpose.