



Institute of Technology Sligo

Conflicts of Interest Policy

29th January 2020

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Approved by:	Governing Body	
Head of Function responsible:	Vice President of Finance and Corporate Services	
Document prepared by:	Corporate Governance Manager	
Associated documents	Conflicts of Interest Procedure	

Revision History

Revision No	Description of Change	Issue Date	Status
1.	Initial Policy	29.01.20	Policy approved by Executive Committee 09.01.20. Reviewed by Audit & Risk Committee 16.01.20 and approved by the Governing Body on 29.01.20.

This Policy was approved by the Governing Body on **29th January 2020**. It shall be reviewed and, as necessary, amended by the Institute annually. All amendments shall be recorded on the revision history section above.

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1. PURPOSE

Institute of Technology Sligo (IT Sligo) is committed to achieving and maintaining the highest standards of integrity and conduct in teaching, research, administrative and all other activities that we engage in. We strive to avoid any actual, perceived or potential conflicts between the interests of the Institute and any personal interests of IT Sligo's staff and students.

This policy sets out the guidelines to be followed by IT Sligo in respect to **actual, perceived or potential conflicts of interest**. The Institute encourages staff and students to engage in external activities, many of which are also of benefit to the Institute. On occasion activities may give rise to conflicts of interest. This policy seeks to manage these conflicts of interest in a manner that is fair to all.

Staff and students must disclose to the Institute the activities that may give rise to conflicts. In most cases the notification of a Conflict of Interest may be all that is necessary to fulfil the obligation required under the policy, depending on the circumstances. However, there may be occasions where intervention by IT Sligo will be required to manage that Conflict of Interest.

The purpose of this policy and the associated procedure is to set out examples which may give rise to Conflicts of Interest and establish the policy for the notification, management and resolution of the conflict.

The overarching message is that where there is any uncertainty on the matter the Conflict of Interest should be notified to the Head of Faculty / Function or the President of the Institute using the form in the procedures. The notifications made under this policy do not replace or substitute any additional declarations of conflicts that an individual may need to make to third parties or where relevant to the Standards in Public Office Commission.

Staff are also referred to the Conflicts of Interest Procedure, internal IP Declaration and Assignment Form, the External Work procedure, the Grievance Procedure, the Disciplinary Procedure and the Code of Conduct.

This policy is not intended to undermine academic freedom. This policy is effected without prejudice toward academic freedom.

2. SCOPE

This policy applies to all IT Sligo Governing Body Members, staff, students and external parties who are involved in the activities of the Institute. The policy requires that all individuals must recognise situations in which that person may have a conflict of interest. The conflict of interest must be disclosed as provided for below. If an individual is unsure if this policy may apply to him/her, the matter should be raised to the appropriate Head of Faculty/Function. IT Sligo's policy statement on good research and avoidance of conflicts is set out below. Conflicts of interest arise in many circumstances and are not only linked to conflicts of interest in research.

3. CONFLICTS OF INTEREST

A Conflict of Interest is an actual, a potential or a perceived Conflict of Interest. A Conflict of Interest arises when the commitments, duties, independence and objectivity owed by an individual to IT Sligo are likely to be or may appear to be compromised by a commitment to another body or person (private company; funding body; family member; or a close friend). This includes where the individual may have resulting personal gain or benefit (financial or otherwise) or there may be gain or benefit to a family member or a close friend. A conflict of interest may be financial or non-financial.

A conflict of interest may also arise where an individual's judgement with respect to work being carried out for IT Sligo is unduly influenced by a secondary interest or there is seen to be an incentive to take certain actions by the individual. Where there is an appearance of or potential for a conflict of interest, even where none arises, the matter should be disclosed. Individuals must consider how a situation may be perceived.

3.1 Financial Conflicts

A financial conflict of interest is one, as outlined above, where there is or appears to be an opportunity for personal financial gain or financial gain to a family member or close friend. The financial value is immaterial and financial interest would include anything of monetary value. Any financial interest should be disclosed in accordance with this policy. Also see the Intellectual Property Policy for further information in relation to financial conflicts.

3.2 Non-Financial Conflicts

A non-financial conflict of interest may include any kind of benefit or advantage, including any form of career enhancement (direct or otherwise), enhancement of education or similar gain for the individual or to a family member or close friend. IT Sligo appreciates the difficulty in anticipating and addressing all conflicts in advance (see procedure for examples).

4. CONFLICT OF INTEREST & RESEARCH PRACTICE

From an ethical, integrity and reputational perspective, it is particularly important to IT Sligo to manage conflicts of Interest in the context of research. To ensure that there is transparency and integrity in research; IT Sligo has the right to know if someone working on a research project may have a conflict. Declaring the conflict of interest is a way in which IT Sligo can ensure that the conflict of interest will not interfere with the individual's capacity to conduct independent research and or take advantage of resources available at IT Sligo. Where circumstances come to light that could lead to a conflict of interest, a researcher should immediately notify IT Sligo in accordance with this policy.

5. HOW TO REPORT A CONFLICT OF INTEREST – STUDENTS & STAFF

It is the responsibility of all individuals to whom this policy applies to disclose any actual, potential or perceived conflict of interest. The conflict of interest should be reported by students and staff, as set out in the conflicts of interest procedure at the time the conflict of interest first arises or the first indication that there may be a perception of a potential for a conflict.

Staff should report the matter to the relevant Head of Faculty / Function or if the Head has an interest in the matter to the next level which could be the President. Students should discuss the matter with his/her supervisor.

6. GOVERNING BODY MEMBERS

- The Governing Body member should notify the Chair of the Governing Body of any potential conflicts of interest.
- If Governing Body members are of the opinion, that another Governing Body member has not declared a conflict of interest at a Governing Body meeting, the Chairperson should be informed.
- Governing Body members should also refer to section 10.0 of the Standing Orders of the Governing Body regarding Conflicts of Interest during Governing Body meetings.
- This form does not substitute for the Annual reporting required under the Ethics in Public Office Acts.

Any conflict of interest disclosed must be updated as new information becomes available which could affect the previously notified conflict.

7. MANAGING CONFLICTS OF INTEREST AFTER THEY HAVE BEEN REPORTED

Following disclosure, the appropriate Institute Manager will review the facts and decide on the management of the conflict. In such cases the process for management of the conflict should be documented and all interested parties should receive a copy. The following may be appropriate ways in which to manage the conflict of interest but this is not an exhaustive list:-

- Abstention from meetings, decisions, or discussions on certain matters;
- Agreeing not to act as a particular student's supervisor or the appointment of a second supervisor;
- Not sitting on an interview panel and signing the conflicts of interest notification form prior to the interview
- Referring to others certain matters for decision;
- Standing aside from any project that creates the conflict of interest;
- Re-assigning certain tasks or duties to another person.
- Relinquishing a financial interest.
- Declaring the conflict of interest to a relevant third party (for example a funding body).

In the event that a conflict cannot be adequately resolved at Faculty/Function level it should be referred to the President.

Where advice received in relation to a given conflict (from the appropriate reporting line) is adhered to then there will be no further Institute accountability to that person, this is subject to full disclosure of the conflict. It should be noted that this does not remove any external obligations such as legal actions outside of the Institute.

In many instances there will be nothing further required. The declaration will be recorded in IT Sligo's Conflict Register. This register will be held confidentially and each record will be held for the appropriate duration in line with IT Sligo's data protection procedures.

8. REPORTING OF CONFLICTS

As required by section 5.5 of the Code of Governance for the Institute, a register of reported conflicts will be maintained by the President's Office and a summary report on such conflicts will be provided to the Governing Body on an annual basis.

9. ROLE OF THE PRESIDENT'S OFFICE

The role of the President's Office is as follows:

- Advise on conflicts of interest that cannot be managed at the Faculty/Function level.
- Monitor the conflicts of interest notified and ensure that they are appropriately managed
- Provide an annual reminder to all those which this Policy applies of their requirement to disclose any potential or perceived conflict of interest.
- Ensure there are systems in place to promote and monitor compliance with the Conflict of Interest Policy.

10. NON-DISCLOSURE OF CONFLICT

In the event that there is a non or partial disclosure of a conflict of interest; IT Sligo reserves the right to invoke the Disciplinary Policy in relation to the matter.

11. CONFIDENTIALITY AND FREEDOM OF INFORMATION

Conflicts of interest notifications may be subject to disclosure under Freedom of Information. All conflicts of interest disclosures and related discussions will be held in confidence to the maximum extent permissible but shall be saved into the Conflict Register. Any personal data shall be held and maintained in accordance with data protection requirements and IT Sligo's data protection and retention policy.

12. LEGISLATION INVOKED IN THIS POLICY

- This Conflict of Interest Policy provides a statement of policy and guidance on situations of potential, actual or perceived conflict of interest having regard to the policies of the IT Sligo, Ethics in Public Office Acts 1995, Standards in Public Office Act 2001 and the National IP Protocol 2019.
- In particular, it is not the intention of IT Sligo that this Policy should undermine academic freedom as defined in the Institutes of Technology Act 2006.
- Conflict of Interest Notification forms may be subject to disclosure under the Freedom of Information Act 2014.
- It is noted here that all IT Sligo staff and students must adhere to the institutional policies of IT Sligo when undertaking all research, educational and administrative activity (e.g. HR, Finance, Health & Safety, Procurement, Legal, Ethics, IP policies etc.).

13. REVIEW OF POLICY

- This policy shall be reviewed on a regular basis but at least annually.
- The maximum lifespan of this policy is 4 years under the guidance of the National IP protocol 2019.

APPENDIX I: DEFINITIONS

Conflict(s) of Interest/Conflict(s) means an actual, perceived or potential conflict where the personal interests of a person may be in conflict (or perceived to be in conflict) with the interests of IT Sligo (the Institute) and as more specifically described in section 5 of the Policy.

Policy means this Conflict of Interest Policy.

Staff means all employees and full and part time staff of the Institute including Research Staff, Postdoctoral Researchers, visiting staff, External Supervisors of Research, Contractors, any person engaged in a consultative capacity, holders of emeritus positions.

Students means all students of the Institute including undergraduate, postgraduate, full and part-time students and student researchers.

Researcher means either students or staff as defined here.