



TITLE	REF	VERSION
Conflicts of Interest for Staff Procedure	GOVPRO003	1.0

DEPARTMENT	Governance		
DATE	21 April 2020	REVIEW DATE	19 April 2022

CONFLICTS OF INTEREST FOR STAFF PROCEDURE

Purpose of the Procedure

Activate Learning is committed to operating with integrity and transparency, and in accordance with best practice and regulatory requirements. As staff members (including voluntary staff) of Activate Learning, we are required to maintain personal standards of integrity, transparency and objectivity in our work. We must all take the necessary steps to maintain the corporate integrity of the organisation.

We must all minimise conflicts between the interests of Activate Learning and our own personal, professional and business interests ('conflicts of interest'). This includes interests affecting family members or organisations we are affiliated with ('connected persons'). This includes avoiding the perception of a conflict of interest, as well as potential and actual conflicts of interest.

The purpose of this procedure is to outline the circumstances under which a staff member must declare a conflict of interests, and the procedure for doing declaring a conflict of interests.

Definitions

For the purposes of this procedure, terms are defined as follows:

Conflict of interest: *A conflict of interest occurs when an individual's personal interests or loyalties may prevent them from deciding in the best interests of Activate Learning. Relevant interests may include personal relationships, possible financial gain or loss, and/or external connections or jobs.*

Connected person: *A connected person can be any person you have a relationship with. This may include your partner, your relatives and their partners, financial partners or other companies or organisations you are affiliated with.*

Educational conflicts

An educational conflict of interest may arise when your personal educational progress or that of a connected person may affect, or may seem to affect, your own objectivity or the objectivity of Activate Learning as an examination centre.

We are obliged to maintain records of educational conflicts of interest and to report certain conflicts to relevant awarding bodies. You must report an educational conflict when:

- you are studying for a relevant qualification (outlined in the Exams Conflict Reporting Form) that is offered by Activate Learning, whether at Activate Learning or another institution; or
- a family member is studying for a relevant qualification (outlined in the Exams Conflict Reporting Form) at Activate Learning.

Exams Team staff must report an educational conflict when a family member is studying for a qualification that is offered by Activate Learning, whether at Activate Learning or another institution.

If you are affected by an educational conflict of interest, you must report this without delay via the Exams Conflict Reporting Form, which is available from the Exams Team. The Group Exams Manager will maintain a register of reported conflicts and inform the relevant awarding body where appropriate.

Procurement conflicts

A procurement conflict of interest may arise when your interests or that of a connected person may affect, or may seem to affect, the objectivity and integrity of Activate Learning's procurement decisions.

As a publicly funded body, we are required to demonstrate that procurement decisions are made objectively, transparently and in the best interests of Activate Learning and its stakeholders. Therefore, you must report a procurement conflict when you, a connected person, or an organisation in which you or a connected person has an interest:

- is participating in a procurement process with Activate Learning (including providing quotes or tender bids);
- is providing products or services to Activate Learning (including subcontracted provision); or
- is engaging the services of Activate Learning.

You should report such conflicts even if you are not a decision-maker for the relevant procurement process. If you are affected by a procurement conflict of interest, you must report this without delay via the Procurement Conflict Declarations form (see [Appendix 1](#)). The Director of Governance will inform the Group Procurement Manager of reported conflicts, who will take appropriate action to minimise the effect of such conflicts on decision-making. This may include requiring a more rigorous procurement process or removing the affected staff member from the process. The Director of Governance will record all reported conflicts on the Corporation's Register of Interests.

Governance conflicts

A governance conflict of interest may arise if you are involved in meetings of the Corporation Board. A conflict may arise whereby your personal interests or those of a connected person may affect your ability to objectively contribute to discussions of the Board.

You should report a conflict of interest if:

- you are invited to attend a meeting of the Corporation or its Committees; and
- any matter on the meeting's agenda may affect your personal interests or those of a connected person.

If you are affected by a governance conflict of interest, you should declare it at the start of the relevant meeting. Members present will decide whether the conflict is substantial or inconsequential, and may ask you to not participate in or withdraw from the relevant discussion. The Director of Governance will record all conflicts declared in this manner on the Corporation's Register of Interests.

Governors and members of the Group Executive Team, who regularly attend meetings of the Board, are required to complete an annual Declaration of Interests form (see [Appendix 2](#)).

Further advice and guidance

If you are unsure as to whether you should report a conflict of interest, you can seek advice from the Director of Governance at clerk@activatelearning.ac.uk or on 01865 551225.

Failure to report a relevant conflict

Failure to report a relevant conflict of interest may result in a breakdown of public trust in Activate Learning or, in the case of educational conflicts, a breach of the organisation's regulatory and contractual obligations. Such eventualities may involve reputational and/or financial damage to the organisation, and therefore it is important that we all remain vigilant to and promptly report any conflicts of interest. Due to the severity of the potential consequences of non-reporting, failure to declare a relevant conflict of interest may lead to disciplinary action under the [Staff Disciplinary Procedure](#).

References

This Policy complies with the following legislation:

- [Charities Act 2011](#)
- [Data Protection Act 2018](#)

This Procedure should be read in conjunction with the following Activate Learning Policies and Procedures:

- [Corporate Ethics Policy](#)
- [Staff Disciplinary Procedure](#)
- [Gifts and Hospitality Procedure](#)



PROCUREMENT CONFLICT DECLARATIONS FORM

PERSONALIA

Name:	
Email:	
Role/position:	
College:	

PROCUREMENT DECLARATION

Details of company/sole trader
Nature of goods/services provided
Current provider
Prospective provider
Details of relevant procurement process (if applicable)
Is there a possible conflict of interests relating to yourself or a person connected to you?
Please describe your relationship with the connected person (if applicable)



To the best of my knowledge, the above information is complete and correct. I give my consent for it to be used for the purposes described in the Corporate Ethics Policy and Conflicts of Interest Procedures and for no other purpose.

Signature

Role/position:.....

Date:.....





DECLARATION OF INTERESTS FORM

PERSONALIA

Name:	
Email:	
Role/position:	
College:	

This form serves to set out interests of said person in accordance with Activate Learnings Corporate Ethics Policy and the Conflicts of Interest Procedures.

INTERESTS

Please give details of the interest and whether it applies to yourself or, where appropriate, a connected person as defined by the Charities Act 2011 such as a member of your immediate family, employer or some other close personal connection.

Current employment and any previous employment in which you continue to have a financial interest.
Appointments (voluntary or otherwise), e.g. trusteeships, directorships, local authority memberships, magistracy, tribunals etc.
Membership of any professional bodies, special interest groups or mutual support organisations.
Membership of other organisations.
Membership of other Governing Bodies.
Companies in which you hold more than 1% of the share capital.
Gifts or hospitality in excess of £20 accepted in the last 12 months.

Any contractual relationship with the Corporation [or any company or other organisation connected with the Corporation].
Any other interests which you consider are appropriate to disclose and are not covered by the above.
Any other matter (e.g. an unspent criminal conviction or an act of bankruptcy) which would make you ineligible for membership/continued membership of the Corporation.
Declaration of Interest in respect of
<ul style="list-style-type: none"> a) Spouse/Partner; b) Children; and/or c) Close Relatives.
Additional Comments:

To the best of my knowledge, the above information is complete and correct. I undertake to update the information provided as necessary and to review the accuracy of the information on an annual basis. I give my consent for this information to be used for the purposes described in the Corporate Ethics policy and Conflicts of Interest procedures and for no other purpose.

Signature

Role/position:.....

Date:.....

You will be requested to update this information annually. However, you are asked to keep the Clerk informed whenever your circumstances change and interests are acquired or lost.