



Conflict of Interest Policy

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Introduction

PACT's Conflict of Interest Policy requires all staff and students 'to recognise and disclose activities that might give rise to conflicts of interest or the perception of conflicts and to ensure that such conflicts are seen to be properly managed or avoided'.

A conflict of interest can occur when your duties to PACT compete with your personal interests or your duties to other people or organisations. Actual or perceived conflicts can arise from external activities that are undertaken in addition to your PACT role, personal relationships, or conflicting roles within PACT. They can be financial, non-financial or both.

Statement of intent

In any organisation where staff hold multiple roles and where external relationships are many and varied, conflicts of interest are bound to arise. In order to manage the associated risks to an acceptable level, all staff, students and others working in the PACT are required to recognise and disclose activities that might give rise to actual or perceived conflicts of interest.

A conflict of interest can occur when your duties to the PACT compete with your personal interests or your duties to other people or organisations. Actual or perceived conflicts can arise from external activities that are undertaken in

addition to your PACT role, personal relationships, or conflicting roles within PACT. They can be financial, non-financial or both.

If staff and students manage their activities appropriately, they can usually proceed with these as normal whilst at the same time upholding obligations to PACT, meeting regulatory and other external requirements and protecting the integrity and reputation of PACT and its members.

By contrast, if they do not, such conflicts – or the perception of conflicts – may jeopardise PACT’s public standing and may cause serious damage to the reputation of PACT and of the individuals concerned. This may also result in litigation or financial loss, and individuals may be subject to disciplinary procedures.

The aim of the Conflict of Interest Policy, and the associated processes (See Appendix 1) is to provide staff and students with the information required to be aware of the issues, to be able to recognise potential or real conflicts, and to manage them effectively if they occur.

Scope

This Policy applies to all staff and students of PACT and all others working on behalf of PACT (such as external teachers, external verifiers).

PACT’s objectives are to ensure that:

- any actual or perceived financial or non-financial conflicts of interest (arising from external activities, personal relationships or roles within PACT) are identified and properly managed so that the activity can be carried out without risk to the integrity or the reputation of PACT or its staff and students;
- governance of PACT is conducted with close regard to the risks of financial and non-financial conflicts of interest;

- procedures are in place for conflicts of interest to be identified and managed in compliance with the relevant professional, legal, ethical and regulatory standards on conflicts of interest;
- activity is avoided in cases where a conflict of interest cannot be managed; and
- all staff and students are aware of the importance of compliance with the Policy and that compliance with the Policy is monitored.

Responsibilities

Every student, member of staff and any other person working in PACT (as defined in the section above) is responsible for ensuring that they comply at all times with this Policy. Each individual is responsible for recognising situations in which they have a conflict of interest, or might reasonably be seen by others to have a conflict, to declare that conflict to the appropriate person and to take such further steps as may be appropriate as set out in more detail in the “Declaring Conflicts of Interest” section below.

The duty to declare a possible conflict applies to the perception of the situation rather than the actual existence of a conflict. If the situation cannot reasonably be regarded as likely to give rise to a conflict of interest, then there is no duty to declare it. If there is any uncertainty as to whether there is a conflict, or if an individual is uncertain about the application of this Policy or how it might affect their activities, they should contact the appropriate person (as set out in the “Declaring Conflicts of Interest” section below) or the Head of Quality and Moderation via governance@pact-dogs.com.

The Directors are responsible for ensuring that this Policy is implemented and maintained and that appropriate explanatory guidance is provided.

The Directors of PACT are responsible for:

- ensuring that staff, students, and other associated persons are made aware of this Policy and associated explanatory guidance; and

- keeping records of disclosures and management plans and providing these to the Head of Quality and Moderation on request.

The **Head of Quality and Moderation** is responsible for developing and maintaining the Conflict of Interest Policy framework, reviewing reports on compliance, providing support and guidance, escalating risks and issues, and providing recommendations to the PACT Directors.

Recognising conflicts of interest

A conflict of interest arises where the commitments and obligations owed by a member of staff or student to PACT or to other bodies, for example a funding body, are likely to be compromised, or may appear to be compromised, by: a) personal gain, or gain to immediate family (or a person with whom the staff or student has a close personal relationship)¹, whether financial or otherwise; or b) the commitments and obligations that person owes to another person or body.

There can be situations in which the appearance of conflict of interest is present even when no conflict actually exists. Thus it is important for all staff and students when evaluating a potential conflict of interest to consider how it might be perceived by others. Apparent or perceived conflicts of interest can be as damaging as actual conflicts of interest.

In order to recognise actual or perceived conflicts of interest, key interests need to be identified. Within the scope of this Policy, there are three main dimensions to be considered:

Dimension 1: roles and relationships

Actual or potential conflicts generally arise from:

- roles or activities involving parties outside the PACT;
- roles held by staff and students outside the PACT;
- multiple roles held by staff and students inside PACT;

- roles involving decision-making in or on behalf of PACT
- close personal relationships.

Dimension 2: activities giving rise to potential conflicts

Actual or potential conflicts generally arise from:

- spinouts and other companies in which staff and students have an interest;
- intellectual property;
- procurement;
- complex commercial transactions and arrangements;
- conduct and funding of research;
- external activities and appointments;
- admissions; and
- recruitment.

Dimension 3: financial and non-financial conflicts

Conflicts of interest may be financial, non-financial or both.

Financial conflicts of interest

A financial conflict of interest, for the purposes of this Policy, is one where there is or appears to be opportunity for personal financial gain, financial gain to close relatives or close friends, or where it might be reasonable for another party to take the view that financial benefits might affect that person's actions. A conflict will arise if the financial interest might provide, or be reasonably seen by others to provide, an *incentive* to the individual which affects their actions and where they have the *opportunity* to affect a PACT decision or other activity (because for example they are the decision-maker or the principal investigator on a research project).

'Financial gain' or 'financial interest' means anything that has monetary value, including but not limited to:

- payments;
- benefits in kind;
- hospitality and/or gifts;
- forgiveness of debt;
- discounts, bonuses or other favourable contract terms;
- equity interests (eg stocks, stock options or other ownership interests); and/or
- intellectual property rights (eg patents, copyrights and royalties from such rights).

The level of financial interest is not the determining factor as to whether a conflict should be disclosed. What might be 'not material' or 'not significant' for one person might be very significant for another. Good practice in many situations will mean the declaration of 'any' financial interest, however small.

The identification and management of conflicts of interest has become even more important in light of the significantly-increased level of financial and reputational risk arising from complex, high-risk, commercial transactions and arrangements.

- For examples of conflicts involving financial interests, see the accompanying guidance below (which includes specific guidance on spinouts and procurement decisions).

Non-financial conflicts of interest

5.8. Non-financial interests can also come into conflict, or be perceived to come into conflict, with a member of staff or student's duties, obligations or commitments to PACT. Such non-financial interests may include any benefit or advantage, including, but not limited to, direct or indirect enhancement of an individual's career or education, or gain to immediate family (or a person with whom the person has a close personal relationship).

Ensuring that these conflicts of interest do not result in decisions or actions that can be called into question is particularly important for business propriety and education that conforms to the expected ethical and academic standards.

In order to identify potential conflicts of interest, students and staff should consider who they are acting for, and whether there are any competing motivations or interests that could influence them, or be seen to influence them.

For examples of conflicts involving non-financial interests, see the accompanying guidance below in Appendix 1 which includes specific Procurement, Family/friends on courses.

For the purpose of this policy, 'immediate family' is defined as follows: spouse or civil partner, son, daughter. However, the 'close personal relationship' giving rise to an interest could extend to the following (this is not intended to be an exhaustive list): unmarried partner, parent, brother, sister, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, the (unrelated) child of an unmarried partner, as well as half and step members of family.

Avoiding conflicts of interest

Procedures are in place to minimise and where possible avoid conflicts of interest, these procedures include

- All staff will be trained in managing boundaries and related conflicts as part of their induction.
- All assignments are sent to the Head of Quality and Moderation (who has minimal contact with Students) for marking.
- When submitted, all assignments to only be demarcated with a student number.
- providing an alternative assessor, internal verifier or invigilator who is not related to any student.

- if the teacher is the only available specialist in that subject area to seek their permission and to arrange for any additional scrutiny to monitor fair and impartial approaches.
- record the conflict of interest in the conflict of interest log maintained by the examinations team.
- provide details of conflicts of interest to visiting External Quality Assurers and External Examiners or others associated with the awarding body for the relevant qualification.
- If a student, full member or staff member believes that a declaration of conflict of interest has not been managed correctly they may raise a complaint in line with the Complaints Policy.
- If the full complaints procedure has been exhausted and the issue remains unresolved in line with direction in the Complaints Policy, students may refer their concern to the ABTC.

Declaring conflicts of interest

It is the duty of every member of staff or student to disclose any conflict of interest or any circumstances that might reasonably give rise to *the perception* of conflict of interest.

The general rule is that disclosure should be made *at the time the conflict first arises, or it is recognised that a conflict might be perceived*, in writing to the Head of Quality & Moderation (or equivalent). If the Head of Quality & Moderation (or equivalent) has an interest in the matter to be discussed, the declaration shall be made in writing to the Directors.

Students should discuss the relevant issues with their tutor, who, where appropriate, will consult with the Head of Quality and Moderation before an approach for dealing with the conflict is agreed.

Committee chairs and members: in addition to individuals acting in accordance with the Policy, governance of PACT must also be conducted with close regard to the risks of financial and non-financial conflicts of interest. At their first meeting of the academic year, each committee within PACT should

have a standing item on their agenda about conflict of interest. This item should cover what a conflict of interest is and how the members of the committee should declare such an interest if and when such a circumstance arises. It is also recommended that committees adopt the practice of including a similar statement to the following in each agenda:

‘Members of a Committee will be asked to declare any interest that could give rise to conflict in relation to any item on the agenda at the beginning of the item in question. All interests so disclosed will be recorded in the minutes of the Committee. If the chair of the meeting deems it appropriate, the member shall absent himself or herself from all or part of the Committee’s discussion of the matter.’

Many situations will require nothing more than a declaration and a brief written record of that declaration, which must be held in the department’s records and which should be provided to the Head of Quality and Moderation on request.

Process of reporting conflicts

The following must take place:

- 1) Completion of Conflict of Interest form (Template in Conflict of Interest folder)

Form to be saved in the “Conflict of Interest” folder

https://drive.google.com/drive/folders/1yn4n94jt4xsUEe4Jj8hhvHyVY0audcld?usp=share_link

- 2) Form to be sent to the Head of Quality and Moderation for review (or Directors if appropriate).

- 3) The Form, including the management plan must be approved by a Director.

- 4) The conflict must be logged on the register

<https://docs.google.com/spreadsheets/d/1X6PgE-HTbWjIwCKE2aMyn3gwuRIZCwApyBrOIXNJjaA/edit?usp=sharing>

- 5) If it relates to a Student or Member it should be noted on their record
<https://docs.google.com/spreadsheets/d/1N2fDDvOLm9X7avI2XwXvCLZYEmJIEY4a/edit?usp=sharing&oid=107051074864728943736&rtpof=true&sd=true>
- 6) Register and forms must be updated with any changes

Managing conflicts of interest

Some instances will require more than just declaration, and will need to be dealt with by agreeing how the conflict can be actively managed. One or more of the following strategies may be appropriate to manage the conflict of interest:

- not taking part in discussions of certain matters;
- not taking part in decisions in relation to certain matters;
- referring to others certain matters for decision;
- resolving not to act as a particular person's supervisor;
- divesting or placing in trust certain financial interests;
- publishing a notice of interest;
- standing aside from any involvement in a particular project; and/or
- declaring an interest to a sponsor or third party.

The approach adopted should be documented and copies provided to the relevant parties. **A copy of the final plan must be held in PACTs files**, reviewed and updated as necessary, and provided to the Head of Quality and Moderation on request.

If the above strategies are not sufficient to manage a particular conflict, it should be avoided. Further guidance can be sought at any time from the Head of Quality and Moderation.

Examples of situations that are frequently encountered and which may give rise to conflicts requiring special action are set out in the accompanying guidance.

There are, however, some particular instances where the general procedure is varied and further specific steps are required such that approval is required from the Head of Quality and Moderation.

It is the responsibility of those affected to comply with the management approach that has been agreed.

Any unresolved matter shall be referred to the Head of Quality and Moderation for advice. In cases of particular difficulty, the Head of Quality and Moderation may refer its recommendations to the Directors for advice or resolution.

Failure to disclose a conflict of interest

If a conflict of interest is identified that has not been disclosed the related examination or assessment will be invalidated and the staff, student or member disciplinary procedure will be activated. If appropriate the Animal Behaviour and Training Council (ABTC) may be notified of the matter.

Annual declaration of conflicts of interest

In addition to declaring any conflict or potential conflict in accordance with the procedure above, the following postholders are required to submit an annual declaration of interests to the Head of Quality and Moderation:

- the Directors;
- the Support Team;
- the Teaching Team;
- the Systems Team;
- the Heads of Quality and Moderation;

Persons with grounds to inspect declarations of conflict of interest shall be allowed access at the discretion of the Directors.

Updating this Policy

PACT Dogs Ltd reserves the right to amend and update this policy. Such reviews will take place in the light of guidance on best practice issued by outside bodies and are to take place not less than once every three years.

Appendix A – Procedure: additional steps required in specific circumstances as a variance to the general rule

General rule

The general rule is that disclosure should be made at the time the conflict first arises, or it is recognised that a conflict might be perceived, in writing to the Head of Quality and Moderation (or equivalent). However, in some circumstances, the procedure is slightly different. These are set out below and summarised in the table at the end of this Appendix.

External companies

Staff or students may have a financial interest or other personal interest in a spinout, startup or other organisation with a connection to their PACT responsibilities, academic environment and/or work. In such cases:

- they should normally play no executive role in any decisions made between the PACT or its subsidiaries and such external companies. If it is believed that there are exceptional circumstances to argue for such involvement, prior permission must be sought from the Directors. The proposed conflict of interest plan/approach to be put to the Directors must aim to protect the reputation of the individual(s) and PACT and ensure compliance with company law; and
- if they wish to undertake a consultancy or other appointment for that company, they must seek prior permission from the Directors. The proposed conflict of interest plan/approach to be put to the Directors must aim to protect the reputation of the individual(s) and PACT and ensure compliance with company law.
- all those involved must also declare and produce a management plan for conflicts of interest, to be reviewed and approved by the Head of Quality and Moderation.

Sale, supply or purchase of goods or services

Staff must ensure the probity of all financial transactions. The sale or supply of goods by PACT or the purchase of goods or services by PACT must be carried out in accordance with PACT policies. Staff should not normally be involved in supply or purchase decisions in relation to any external organisation in which they or any members of their family or any person with whom they have a close personal relationship have a financial interest or in any way have the capacity for personal gain. If there are exceptional circumstances that prima facie require such involvement, the following process should be followed:

- the person should disclose, in writing to the Head of Quality and Moderation, the nature of the transaction, the potential conflict and the method proposed to manage the conflict;
- they and the Head of Quality and Moderation must formulate a proposed plan/approach that protects PACT and ensures compliance with the law and the integrity of the transaction(s) and the individuals involved; and
- the Head of Quality and Moderation must then seek approval of that plan from the Directors.

Examples:

Issue	Action	Approval	Further detail
A student is a family member of a course tutor who would ordinarily mark assessments.	All assignments are	Head of Quality and Moderation	Management Plan to be put in place
A complaint is made against a student who is a friend of a Director.	Complaint sent directly to the Head of Quality and Moderation.	Non conflict Directors	Management plan in place.
A student was to receive support from a company in		Directors	Management Plan to be put in place

which the proposed academic supervisor has a financial interest.			
Staff seeking approval to be involved in PACT supply or purchase decisions in relation to any external organisation in which they have a financial interest or in any way have the capacity for personal gain.		Directors	