



Conflict of Interest Policy

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Produced by	Compliance Team	Approved by	Board of Governors
External reference points	Under the Office for Students Condition E2 Management and governance: the provider maintains a public register of conflicts of interest and such conflicts are appropriately managed in practice (OfS Regulatory Framework, 24-11-2024, p167).		

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1. Background

This policy sets out LCK Academy's commitment to maintaining high ethical standards and fostering trust among its students, faculty, all other stakeholders, and the broader community. It sets out the responsibility of the Board of Governors, the Senior Leadership Team, faculty, staff, and students to ensure that they disclose and manage any other interest(s) they have they may conflict with the best interests of the Academy and those of its stakeholders.

The policy establishes clear protocols for identifying, disclosing, and managing conflicts of interest within the Academy community. It aims to prevent situations where personal interests or relationships could potentially interfere with the Academy's decision-making processes, compromise its reputation, or confer undue advantages upon individuals associated with the institution. By adhering to this policy and its associated procedures, the Academy ensures that all decisions are made impartially and with the utmost integrity.

2. Aims and Objectives

This policy aims to prevent unethical behaviour and cultivate a culture founded on trust, transparency, and accountability. By outlining clear procedures for identifying, disclosing, and managing conflicts of interest, the policy aims to uphold the impartiality of decision-making at the Academy. This includes addressing situations where decisions or actions may be perceived as being influenced by opportunities for personal gain.

Furthermore, the policy aims to mitigate the risk of legal challenges against the Academy or its stakeholders and prevent potential damage to its reputation stemming from unresolved conflicts. It underscores the Academy's commitment to maintaining high ethical standards and ensuring that decisions are made in the best interests of the Academy as a whole. The policy also outlines specific consequences for non-compliance, thereby reinforcing adherence to these standards throughout the organisation.

This policy promotes integrity, organisational credibility, and upholds the Academy's mandate to operate ethically and responsibly in all of its operations.

The Academy recognises that staff and other Academy stakeholders such as members of the Board of Governors may hold external interests such as other employment, consulting roles, positions on charity boards, or membership in public bodies. This policy aims not to restrict these activities unless explicitly stipulated in an employee's contract of employment. Rather, its purpose is to ensure that all conflicts of interest, including personal, professional, or business interests are acknowledged, disclosed, and appropriately managed. The Academy aims to manage both actual conflicts of interest and how certain associations may be perceived as conflicts of interest.

3. Definition and Examples of Conflict of Interest

A **conflict of interest** arises when an individual's responsibilities to the Academy conflict with their personal, financial, or other interests, or those of individuals close to them. The determining factor is not whether the individual feels influenced by these interests, but rather whether these interests could reasonably be perceived as influencing their ability to make impartial decisions on behalf of the Academy.

A **perceived conflict of interest** occurs when an external observer might perceive that an individual's loyalties or interests are divided. Even if the individual does not personally perceive the situation as a conflict, it is important to assess whether it could be perceived as such by others. Perceived conflicts of interest must also be appropriately managed, disclosed, and recorded.

A **potential conflict of interest** may arise when an individual's interests, although not conflicting at present, could potentially lead to a conflict in the future.

Instances where conflicts of interest may arise include:

- Scenarios where an individual is in a position, whether actual, potential, or perceived, to directly or indirectly advance their career or the careers of others they are personally associated with.
- Cases involving actual, potential, or perceived financial gain that could be viewed as influencing actions or decision-making.
- Situations involving actual, potential, or perceived personal gain, or gain to an immediate family member, close contact, or associate.
- Instances where there is actual, potential, or perceived reputational impact for either the Academy or the individual personally.
- Conflicts of interest can stem from external affiliations or dual roles within the Academy, potentially affecting areas such as procurement, research funding, and contractor selection.

Conflicts of interest may arise from financial or non-financial considerations.

Financial conflicts of interest occur when there is a possibility of personal financial gain, financial gain for a family member or close associate, or when it is perceived that financial incentives might influence an individual's decisions. Such conflicts can encompass payments, benefits, gifts, or other forms of financial gain.

Non-financial conflicts of interest may involve personal or career advantages, educational improvements, or benefits to related individuals. It is imperative that staff, Board of Governors, Academic and Quality Board members and other Committee members carefully evaluate any interest they may have that could influence or create the appearance of

influencing their decisions.

Examples of Potential Conflicts of Interest:

Conflicts of interest can arise in various contexts. The following non-exhaustive list provides examples of situations where a conflict of interest may occur:

- Staff, Board, or Committee members hold multiple roles that could influence decisions related to admissions, recruitment, and commercial transactions.
- A position involves both business opportunities and a focus on quality and/or standards.
- An individual employed by the Academy or working on its behalf has connections with individuals taking assessments or examinations at the Academy.
- A staff member operates a side business offering services similar to those provided by the Academy.
- A staff member has a direct or indirect relationship with vendors, suppliers, or contractors with whom the Academy does or is likely to do business.
- A staff member has a relationship with a student appearing for assessment or examination at the Academy.
- Performance appraisals and promotions of employees are conducted by a close relative of the staff member being appraised or considered for promotion.
- A staff member with a close relationship to a student is involved in decisions that may benefit the student. This includes, but is not limited to, decisions related to student admissions, assessments, examinations, disciplinary proceedings, appeals, supervision, academic progress, or the awarding of prizes.
- A Staff, Board, or Committee member is involved in the procurement of goods or services and has a relationship with or connection to one of the parties involved in the procurement process.
- Acceptance or use of gifts and hospitality of a material nature from students, vendors, suppliers, and other persons, regardless of the nature of the gift.

4. Application

This policy applies to all stakeholders at LCK Academy, including shareholders, governors, employees, students and external participants in Academy Committees. It covers a full range of operations and settings including visits to external organisations, exchange programmes, foreign trips, procurement of goods and services, construction, renovation or maintenance activities, and investment of funds. This policy also covers unforeseen situations that may give rise to conflicts of interest.

The Academy expects all staff to prioritise the interests of the Academy with integrity and honesty, and to avoid situations where personal interests conflict with their roles at the Academy. Individuals are responsible for identifying potential conflicts of interest and disclosing them to the Academy through the prescribed procedures outlined in this policy. Should any uncertainty arise regarding the need to disclose, individuals are encouraged to seek guidance from their line manager or the Head of HR. Members of the Senior Leadership Team may consult the Audit and Risk Committee and the Board of Governors for further advice.

All staff and other stakeholders are encouraged to report any conflicts that may arise between the interests of the Academy and their other interests. The Head of Quality reports to the Academy Advancement Committee on the implementation of this policy, maintenance of the Academy's Register of Disclosed Conflicts of Interests, and the associated mitigation strategies.

Potential conflicts of interest must be disclosed promptly to the Secretary (minute-taker) of each Committee or Board, either during the meeting or in advance. The Chair is responsible for consulting other Board or Committee members to agree upon any Mitigation Plans for declared interests if needed. The Secretary is responsible for forwarding the declaration of interest to the Head of HR, who maintains the Record of Declared Interests and Mitigation Plans for all staff and other stakeholders.

This policy provides guidance on declaring and managing conflicts of interest related to staff recruitment. All staff conflicts of interests must be documented by the Head of HR and a record maintained on how the conflict was managed.

Staff involved in decisions relating to the staff recruitment, must adhere to the Academy's Safe Staff Recruitment Policy.

5. Declaring and Recording Conflicts of Interest

5.1. Members of Staff

All employees, whether full-time or part-time, must disclose any actual or potential conflicts of interest. Should any employee or stakeholder identify a conflict of interest, they are required to complete the Declaration of Interest form and submit it to the Head of Quality. The Head of Quality records the disclosure in the Academy's Record of Disclosed Conflicts of Interest. The Head of Quality and the line Manager should complete a mitigation plan for any staff member that has submitted a declaration of interest. The Record of Disclosed Conflicts of Interest and all Mitigation Plans must be submitted by the Head of Quality to the Senior Leadership Team for approval.

Staff who do not have any conflicts of interest to declare are not required to complete the Declaration of Interest Form.

5.2. Board and Committee Members

Members of the following Boards and Committees are required to submit an **annual Declaration of Interest form** to the Secretary or Chair of their respective Board or Committee:

- Board of Governors
- Audit and Risk Committee
- Remunerations Committee
- Senior Leadership Team
- Academic and Quality Board

The Chair of each Board or Committee should submit a declaration of interest form and, if necessary, a mitigation plan for their respective Board or Committee members to the Head of Quality who submits them to the Senior Leadership Team for approval and records them in the Register of Disclosed Conflicts of Interest.

Individuals serving on multiple Boards or Committees are only required to submit one Declaration of Interest form annually.

Verbal Declarations of interest should be a standing agenda item at the beginning of all Boards and Committee meetings to allow members and regular attendees to declare any conflicts of interest related to the meeting agenda items.

Members must notify the Chair of their Board or Committee whenever a change occurs that may give rise to a potential or perceived conflict of interest. Upon disclosure of a conflict of interest, the Chair or Deputy-Chair will determine whether the member in question should:

- Fully participate in the business of the Board or Committee without restrictions.
- Remain in the meeting during the discussion of the conflict of interest but not participate in the discussions.
- Withdraw from the decision-making process related to the conflict of interest.
- Withdraw entirely from the Board or Committee if there is a significant or ongoing conflict.

If the Chair has a conflict of interest, the Board or Committee should designate the Deputy-Chair or another suitable member to act as Chair for the relevant item. Both the declarations and any mitigating actions should be recorded in the minutes.

All staff are required to promptly disclose any conflicts of interests or changes to their conflicts of interest upon becoming aware of them.

Staff and members of Boards and Committees must not participate in any decision-making processes, including staff appointments, without first declaring their interests. While the responsibility for declaring all interests lies with the individual, it is acknowledged that a manager, colleague, or other member of the Academy community may identify an actual, potential, or perceived conflict of interest involving another member. In such instances, these individuals should request that the relevant party declare their interests to ensure they are managed appropriately.

6. Managing Conflicts of Interest

Maintaining integrity and trust within the Academy requires individuals to be vigilant and proactive in managing any conflicts of interest. The line manager and/or Chair of their respective Board or Committee submits a mitigation plan to the Head of Quality for any staff or stakeholder that declares a conflict of interest. The Head of Quality is responsible for reporting on conflicts of interest to the Senior Leadership Team (SLT) and the SLT is responsible for reporting on conflicts of interest to the Board of Governors.

In certain circumstances, merely disclosing and recording the conflict may suffice. However, more active management may be necessary to ensure decisions are made fairly and transparently. The appropriate action will depend on the nature and context of the conflict and may include:

- Refraining from participating in discussions or decisions related to specific matters.
- Participating in discussions but abstaining from decision-making on certain matters.
- Delegating decision-making on certain matters to others.
- Agreeing not to act as a particular individual's line manager.
- Divesting or placing in trust specific financial interests.
- Publishing a notice of interest.
- Withdrawing from involvement in a specific project.

- Declaring an interest to a sponsor or third party.

Declaration of interests must be carefully managed when it pertains to the following decision-makers:

Staff Recruitment: The Head of HR, specific line manager, and other interview panel members.

Assessment and Examination: The Academic Dean, Head of Programme(s), Tutor, Assessor, or Internal Verifier.

Commercial Decisions: The company directors including the Chief Executive Officer.

Board or Committee Decisions: All members of Boards and Committees.

Each declared conflict submitted by a member of staff must be evaluated individually by the line manager and Head of HR before being submitted to the Senior Leadership Team for approval. Likewise, each declared conflict submitted by a Committee or Board member must be evaluated by the Chair or Deputy-Chair of the Committee or Board and submitted to the SLT for approval. All decisions regarding conflicts of interests and mitigations are communicated to the disclosing party within two weeks of their submission. All documents in relation to conflict of interests and mitigations are held by the Head of HR for as long as the individual they pertain to remains in their role as either a staff, Board or Committee member. In accordance with our Data Retention Policy, all documents will be deleted when they are no longer required for their original purpose.

Should a conflict that is relevant to one Board or Committee pertain to the individual's involvement in another Board or Committee, pertinent details may be shared with the respective Chair. In instances of complex or disputed conflicts, the chair of the Senior Leadership Team may seek guidance from the Audit and Risk Committee and/or the Board of Governors.

The Head of Quality shall conduct an annual review of these actions, updating them as necessary to ensure continued relevance. Additionally, reviews shall be conducted in response to any material changes to the disclosed matters.

The assessment of conflicts of interest varies in complexity and significance. When determining the severity and potential bias of a conflict, multiple factors must be considered, including but not limited to:

- The nature of the conflict (actual, potential, or perceived).
- The relationship between conflicting interests.
- The potential impact of one interest on the other.
- The importance of the decision or activity under consideration.
- The likelihood that the individual's other interests could influence the Academy's decision.
- The extent of the individual's involvement in the Academy's decision-making process.

For examples of methods to manage different types of conflicts, refer to Appendix 3.

7. Potential Outcomes

7.1. No Conflict Exists

When the Senior Leadership Team confirms the absence of a conflict of interest, this must be formally documented and disclosed in the Register of Disclosed Conflicts of Interest. This documentation should explain and include any supporting materials that justify the conclusion that no conflict exists.

In cases where the intersection of two or more interests is minimal to the extent that it does not constitute a genuine conflict of interest, it may be concluded that such interests do not amount to a conflict.

7.2. Conflict Does Exist

Upon identification of a conflict of interest, the Senior Leadership Team will determine the appropriate course of action to resolve the issue. Options include:

- **Continuation:** Continued involvement if the conflict is assessed as minor.
- **Approval Required:** Formal authorisation is sought to participate, where legally permissible.
- **Supervised Participation:** Actions closely monitored concerning the specific project.
- **Recusal:** Abstention from discussion or decision-making regarding the activity or course of action.
- **Delegation:** Assignment of decisions, tasks, or responsibilities to others.
- **Withdrawal:** Removal from any involvement in the project.

8. Summary of Responsibilities

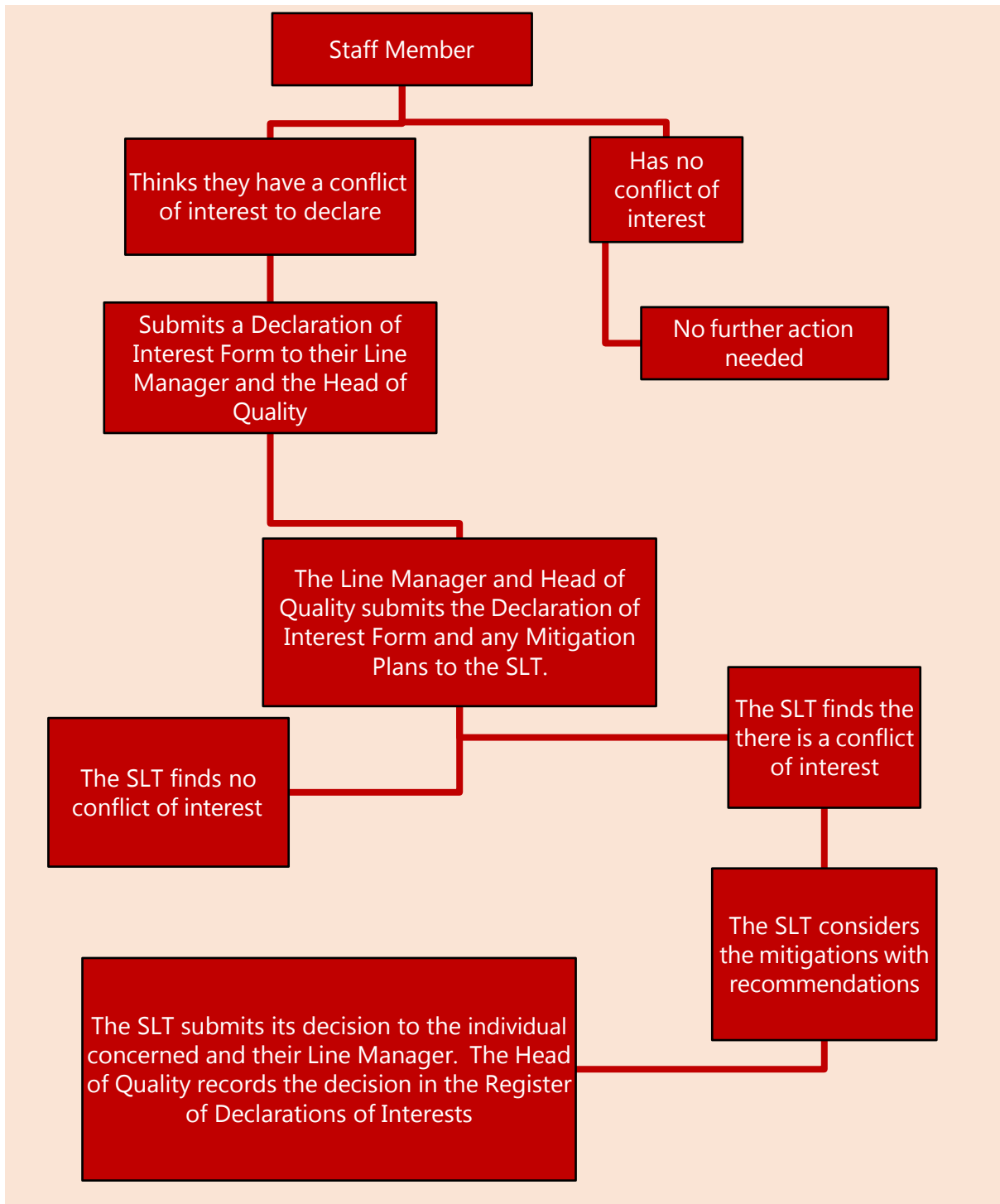
All staff are required to disclose any conflicts of interest related to their responsibilities at the Academy to their respective line manager, the Head of HR, and the Secretary to the Board of Governors.

Members and regular attendees of the Boards and Committees listed below must disclose any personal, financial, or other interests, including those of their relatives or close associates, that could present actual or potential conflicts with their responsibilities as members of their respective Board or Committee. This disclosure should be made using the Declaration of Interests form. They are also required to promptly update any changes to their interests using the same form.

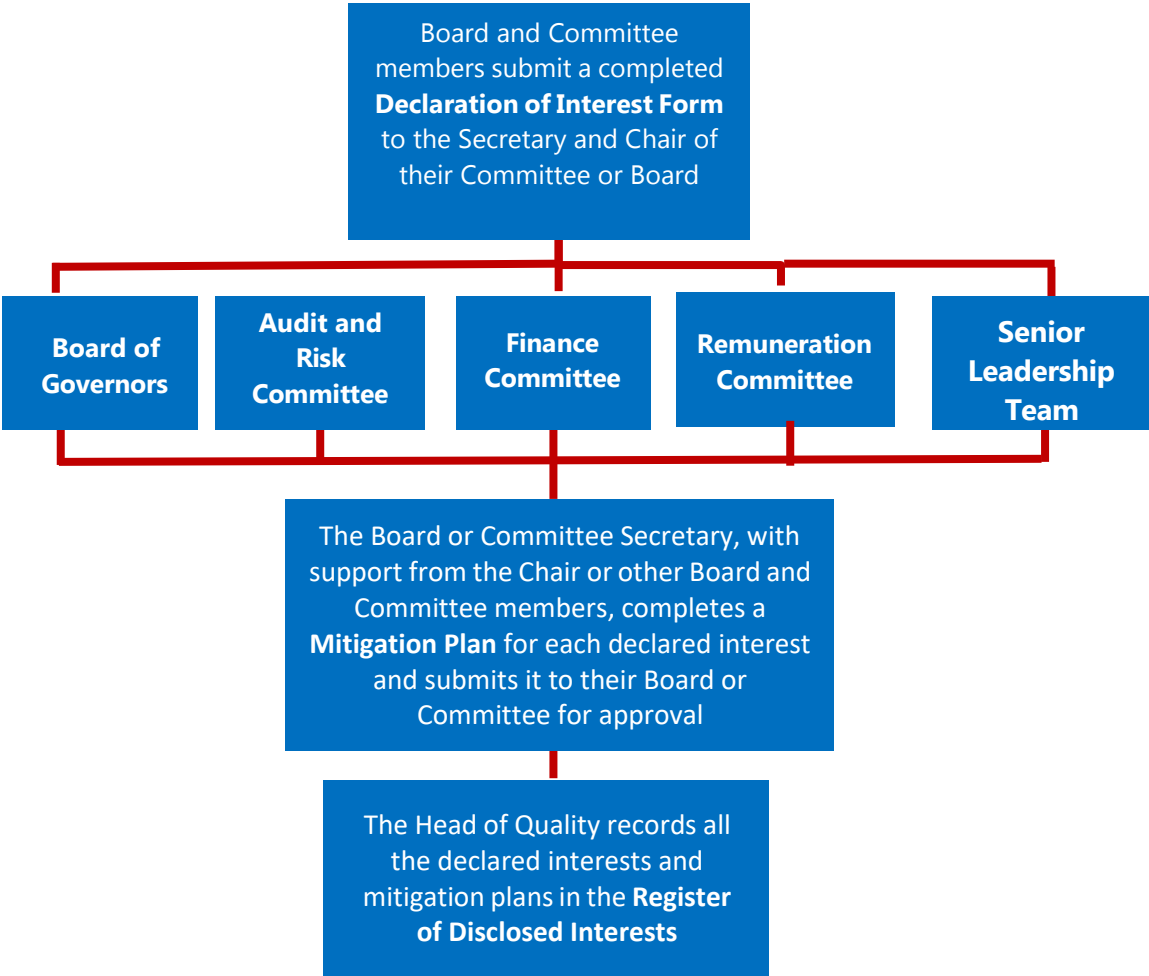
The Head of Quality is responsible for ensuring that all staff, students, and external members of the Academy are informed of this policy and for monitoring the implementation and effectiveness of the policy. The Head of Quality is also responsible for maintaining an updated Register of Declared Conflicts of Interests.

The Chairs of all Boards and Committees are responsible for soliciting declarations of interest related to the agenda at the start of each meeting. They are also responsible for determining how to manage any conflicts identified during the meeting, ensuring that these declarations and any actions taken to mitigate conflicts are recorded in the minutes, conveyed to their respective Board of Committee for approval and passed to the Head of Quality for inclusion in the Register of Declared Conflicts of Interest.

9. Appendix 1 Staff Declarations of Interests



10. Appendix 2: Board and Committee Declarations of Interests



11. Appendix 3: Examples of the Management of Declared Interest

Situation	Who to declare to	Possible Mitigation Strategy
<p>Teaching and/or Assessment A faculty member who has a notable personal or familial relationship with a student or an individual associated with the student, and who may be involved in decisions regarding the student's admission, evaluation, academic progression, or the distribution of funds to the student.</p>	Head of Quality and Head of Programme	The student shall receive notification of the disclosure, and measures will be implemented to prevent any ongoing professional association between the staff member and the student.
<p>Staff Recruitment A staff member who typically participates in the selection process for a new appointment discovers that a close family member is a candidate for the position.</p>	Head of Quality and Other Recruitment Panel Member (Line Manager for the Role)	If a staff member has a family member applying for a position, they are required to refrain from involvement in the recruitment process. An alternative staff member should be designated to manage the selection procedure for that position.
<p>Board or Committee Meeting a) An external committee member who offers counsel or participates in committees in any other educational institutions. b) A committee member with a direct stake in an agenda item under consideration. c) A student committee member who concurrently belongs to a student society advocating for a policy relevant to an agenda item.</p>	Chair of the Board or Committee	<p>a) Membership in other organisations that could create conflicts of interest must be recorded in the Institution's Registry of Declared Conflicts of Interest. b-c) Before meetings, individuals must disclose any relevant conflicts. The Chair will then decide on suitable measures, which may include:</p> <ul style="list-style-type: none"> - Abstaining from participating in discussions and decisions concerning the particular agenda item; or - Participating in the discussion but abstaining from the decision on the item; or - Participating fully in the item's discussion but refraining from participating in the decision-making process. <p>These conflicts and actions taken should be documented in the minutes.</p>
<p>Finance An Academy staff member engaged in negotiating a contract with a supplier in which they or an affiliated party maintains a financial or non-financial stake.</p>	The Chair of the Finance Committee Senior	Before engaging with the company, the employee is required to disclose any conflict of interest. The Head of HR will subsequently update the Register of Declared Conflicts of Interest. The Senior Leadership Team (SLT) may, where appropriate, provide pre-approval for engagement and/or expenses.

12. Appendix 4: Template for the Register of Declared Conflicts of Interest

LCKA Stakeholder Name		Role		Ownership	
DOB		Tel:		Email	
	Company Number/ Charity/Details	Nature of Business	Conflict of Interest Assessment	Management/ Mitigation	Review Date
Directorships					
Shareholdings					
Trusteeships					
Charities					
Professional Bodies					

	Company Number/ Charity/Details	Nature of Business	Conflict of Interest Assessment	Management/ Mitigation	Review Date
Additional Interests					
Employment					
Political Interests					
Public Appointments					
Other interests					
Gifts or Hospitality Received					

13. Appendix 5: Declaration of Interest Form

Declaration of Interests		
	Direct Interests of Member Please declare all your personal and/or financial interests. If there are no interests to declare in a category, please write None.	Indirect Interests of Member Please include any interests of spouse/partner/cohabitee and immediate family members which may give rise to a conflict of interest.
Employment Any remunerated roles or consultancy work, including details of the organisation and your role.		
Directorships Including details of the organisation and company registration number.		
Shareholdings Amounting to 5% or greater of the share issue in a public or private company or any other body.		
Political Interests Only those that are a matter of public record.		
Professional bodies Membership of professional bodies and trade or other associations.		
Other interests Any interests not listed above.		
Public appointments Including board committee roles.		
Trusteeships Details of trusteeships or management of charities and other voluntary bodies, including charity numbers.		

Gifts & Hospitality	
Gift/Hospitality received by Member Issued by external people or organisations because of your position as a member of LCKA BoG.	Date

In signing this declaration, I confirm that to the best of my knowledge, I have declared all of my interests.

Name (Print): _____ **Signed:** _____ **Date:** _____

Please return this by email to the Secretary.