

Conflict of Interest Policy



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Version Level	Details of Change	Date
01	New Policy	April 2024
02	Additional wording as follows: If you are unsure whether a perceived, likely, or confirmed conflict of interest exists, it is better to over declare. When in doubt, please disclose the potential conflict to ensure transparency and maintain the integrity of our decision-making processes. <i>Following recommendation from Joint Audit and Finance & General Purposes Committee November 2024</i>	November 2024
03	Additional sections added relating to personal relationships and procurement. Updated list of budget holders.	July 2025
04	Updated approach - In line with best practice and sector guidance, all Board members and staff with finance / budgetary responsibility are required to declare <i>all</i> interests, financial or otherwise, which could potentially give rise to an actual, potential, or perceived conflict of interest or loyalty. This includes interests held by close family members or connected persons (including spouse or partner, children, parents, siblings, in-laws, business partners, and any person with whom you have a close personal or financial relationship). The purpose of this approach is to ensure full transparency and to support the College in identifying and managing any conflicts, including those which may not be immediately apparent to the individual concerned. Updated register of interests form for completion.	April 2026

Key search words for this document

Conflicts of interest, declaration of interest, managing conflicts, personal relationships, conflicts of loyalty,

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Conflict of Interest Policy

1. Purpose of the Policy

It is the policy of Gateshead College that all Board members (including co-opted Committee members) and all staff members must be mindful of conflicts of interest between the interests of the College and their personal, professional, and business interests, including those of connected persons (such as spouse or partner, children, parents, siblings, in-laws, business partners, or any person with whom they have a close personal or financial relationship). This includes avoiding, as far as possible, perceptions of conflicts of interest, as well as potential and actual conflicts of interest or duty.

A conflict of duty may arise where a Board member or staff member has a duty towards another person or organisation that could prevent them from making a decision solely in the best interests of the College.

The purposes of this policy are to:

- Ensure Board members comply with their legal duties, including those under the College's instrument and articles of government, and their duty in charity law to act only in the best interests of the College.
- Protect the integrity of the College's decision-making process.
- Enable all outside parties dealing with the College to have confidence in the College's integrity.
- Protect the integrity and reputations of all Board members and staff members.
- Ensure the avoidance of conflicts of interest, and the perception of them.

Where there is any doubt as to whether an interest should be declared, it is always preferable to declare it.

2. Disclosure and Declaration of Interests

In line with best practice and sector guidance, all Board members and staff with finance or budgetary responsibility are required to declare all interests, financial or otherwise, which could potentially give rise to an actual, potential, or perceived conflict of interest or loyalty. This includes interests held by close family members or connected persons (such as spouse or partner, children, parents, siblings, in-laws, business partners, or any person with whom they have a close personal or financial relationship).

All interests must be declared, regardless of whether they are believed to represent a conflict. Where there is any doubt as to whether an interest should be declared, it is always preferable to declare it.

The purpose of this approach is to ensure full transparency and to support the College in identifying and managing any conflicts, including those which may not be immediately apparent to the individual concerned.

Declarations must include:

- Financial interests (e.g. shareholdings, employment, contracts)
- Organisational affiliations (e.g. paid or unpaid roles, trusteeships, governance roles, advisory positions, voluntary roles)
- Conflicts of loyalty and personal relationships (e.g. friendships, family ties, close associates, memberships in external organisations, voluntary or unpaid roles, affiliations, or any relationship that may influence decision-making or give rise to a perceived conflict of interest or loyalty)

Examples of conflicts of loyalty and personal relationships include:

- Holding a voluntary or advisory role in an organisation that receives funding or support from the College
- Having a friend or close associate working for a supplier bidding for a College contract
- Having a personal relationship with someone employed by a partner organisation

Board members and staff members must not put themselves in a position where they are potentially facing a conflict of interest or making decisions that could be misinterpreted and leave the College open to allegations of favouritism or nepotism.

Reporting Declarations of Interest

From appointment, all Board members and staff members with finance or budgetary responsibilities (see Appendix 3) must make a written disclosure of all interests, financial or otherwise, including those held by close family members or connected persons. Disclosures must be reviewed annually at the start of each financial year and updated promptly if circumstances change. Any Board member or staff member who becomes aware of a new interest or a change in circumstances must update their declaration as soon as possible.

Any other member of staff who believes they may have a conflict of interest must inform the Director of Governance and Compliance at the earliest possible opportunity.

All individuals involved in, or with any influence over, any procurement must complete a procurement-specific Conflict of Interest Declaration form (Appendix 2), in line with procurement best practice and the requirements of the Procurement Act 2023. This is in addition to the annual Disclosure of Interest process, and individuals will be asked to disclose any relevant actual, potential, or perceived conflict of interest that relates to the procurement. This will also be reviewed, as appropriate, throughout the procurement process and the term of the subsequent contract. See section 4 for further information.

The Register of Interests will be maintained by the Director of Governance & Compliance and, in accordance with the College's Instrument of Government and sector guidance, will be open to public inspection for Board members. Staff interests will be managed in line with data protection requirements and made available only where there is a legitimate reason. To promote openness and transparency, the College opts to publish the register of interests of Board Members and Senior Post Holders on the College website.

This approach is consistent with the expectations set out in the FE and Sixth Form College Corporations Governance Guide and the Charity Commission's guidance on managing conflicts of interest.

3. Conflicts with Secondary Employment – Staff Members

All staff should be mindful of any conflicts of interest that may arise from secondary employment, and where there is a potential conflict, this should be reported by emailing hrrsystems@gateshead.ac.uk.

4. Procurement

All individuals involved in, or with any influence over, any procurement must complete a procurement-specific Conflict of Interest Declaration form (Appendix 2), in line with procurement best practice and the requirements of the Procurement Act 2023. This is in addition to the annual Disclosure of Interest process, and individuals will be asked to

disclose any relevant actual, potential, or perceived conflict of interest that relates to the procurement. This will also be reviewed, as appropriate, throughout the procurement process and the term of the subsequent contract.

If any interests are declared, appropriate mitigations and actions will be agreed and implemented. Any disclosed conflicts will be added to the overall Conflicts of Interest register. Depending on the nature of the disclosed conflict, this may include removal of the individual from their role in the process, if other mitigations are deemed not to be sufficient. If a conflict of interest puts a supplier at an unfair advantage and this cannot be avoided, or the supplier refuses to take the steps required by the College to avoid it, the supplier will be excluded from the process. The College decision on this is final and not open to any appeal.

This will be managed by the Senior Procurement Officer, who will maintain a Conflicts Assessment document for each individual procurement.

As a reminder, Board members and staff members should not, or attempt to:

A) Disclose any confidential information about any College undertaking, acquired in the performance of duties for the College, to any person or organisation not authorised by law or by the College to have such information.

B) Benefit directly or indirectly in return for or in consideration for revealing confidential information.

C) Use confidential information in any private undertaking in which they are involved.

5. Management of Conflicts of Interests in Board Decisions

Ahead of a meeting or decision to be taken by alternative means (such as written resolution), where a Board member or staff member discloses an interest and this is relevant to an item on the agenda, the Chair will make the decision around withdrawing from paper access, discussion and/or voting. All actions will be minuted to evidence the management of the conflict.

Where a Board member / staff member benefits from any such decision, this will (if the College's auditors advise this to be necessary) be reported in the annual report and accounts in accordance with relevant accounting requirements.

6. Failure to disclose a relevant interest

The decision of the Chair as to whether a Board member / staff member has failed to disclose a relevant interest shall be final. Failure to disclose a conflicting interest may lead to a Board member / staff member being in breach of the Board's / Employee Code of Conduct, the Financial Regulations and this policy. It may, in extreme circumstances, also result in the member being subject to legal action and personal liability for breach of trust. Such breaches may lead to the Board considering the possibility of terminating the member's term of office, in line with the Instrument and Articles of Government.

Such breaches by staff members may lead to disciplinary action being taken under the College's disciplinary procedures, and in serious circumstances, matters may be required to be reported to the police / relevant external bodies.

Failure by a Board member to disclose a conflicting interest may also be reported to the Secretary of State for Education (via the Department for Education) as principal regulator of further education corporations. In the case of a serious breach of charity law duties by a trustee, the Secretary of State for Education may refer the matter to the Charity Commission, which has the power under the Charities Act 2011 to remove a charity trustee and/or disqualify a person from acting as a charity trustee.

7. Reimbursement of Board members

It is a basic principle of charity law that charity trustees, such as Board members, should not profit from their position, although trustees are entitled to be reimbursed for expenses actually and reasonably incurred in undertaking the business of the charity. The Board has approved a policy on reimbursing members' expenses and members must comply with this. In addition, clause 18.1 of the College's Instrument of Government allows the Board to insure them against liabilities arising from their office.

8. Data Protection

The information provided in disclosures will be processed in accordance with the data protection principles set out in the Data Protection Act 2018. Data will be processed only to ensure that Board members / staff members act in the best interests of the College. The information provided will not be used for any other purpose.



Gateshead College

Register of Interests

This form is to be completed by all Board members and staff with finance / budgetary responsibility on appointment and reviewed annually. Other staff are not required to complete this form annually but must notify the Director of Governance and Compliance if they believe they may have a conflict of interest.

Personal Details

Full Name	
Job Title	
Department	

Financial Interests

Please list any financial interests (including significant shareholdings) you or your close family members have in organisations that may do business with or have a relationship with the College.

Insert a new row for each declaration.

Organisation and Interest Type	Date Interest Began

Organisational Affiliations

List any roles you hold (paid or unpaid) in other organisations, including directorships, trusteeships, governance roles, or advisory positions. Include voluntary roles or affiliations that may give rise to a conflict of loyalty.

Insert a new row for each declaration.

Organisation and Role	Date Role Began

Conflicts of Loyalty and Personal Relationships

Declare any close personal relationships (e.g., friends, partners, relatives) with individuals who work for or are affiliated with the College or organisations that may interact with the College.

Insert a new row for each declaration.

Name and Relationship	Organisation

Declaration

I declare that the information provided is complete and accurate to the best of my knowledge.

Signature: _____

Date: _____

Guidance

- Please refer to the College Conflicts of Interest Policy for further information, alternatively contact the Director of Governance and Compliance.
- Board members and staff with budgetary responsibility: Complete this form on appointment and annually and update it if circumstances change.
- Other staff: You do not need to complete this form unless you believe you may have a conflict of interest, in which case you must notify the Director of Governance and Compliance.



CONFLICT OF INTEREST DECLARATION FORM

Procurement information	
Unique identifier (UI) number	
Procurement title	
Individual's name	
Role	
Department	
Procurement stage	

PART ONE

Statements

1. I acknowledge that my official duties require me to have access to documents or data relating to the above procurement, and that in carrying out my duties I may be in a position to influence the procurement process.
2. I understand that I am under a duty to disclose details of any conflicts of interest, whether actual, potential or perceived, and that I may be required to take steps to mitigate such conflicts.
3. I understand that the details of any conflict of interest I may have (whether actual, potential or perceived, and any steps taken to mitigate this conflict) may be recorded within a conflicts assessment and that my interests will be kept under review (as required). I also understand that the conflicts assessment may be disclosed to a third party in the event that any investigations and/or proceedings are brought against Gateshead College in respect of the above procurement.
4. In carrying out my duties, I am aware that I will have access to confidential documents or data and that unauthorised disclosure of information could damage the integrity of the procurement and that transmission or revelation of such information to unauthorised persons may result in me being subject to disciplinary action in line with the College's disciplinary procedure.
5. I will not divulge, publish or reveal by word, conduct, or any other means such information or knowledge, except as necessary to do so in the performance of my

official duties related to this procurement and in accordance with the laws of the United Kingdom. Otherwise, I will need special authorisation in writing in each and every case from the Senior Procurement Officer.

6. If at any time during the procurement my participation might result in an actual, potential or perceived conflict of interest, or my circumstances change in respect of an interest already disclosed, I will immediately report the circumstances to the Senior Procurement Officer.

Individual declaration (choose from Declaration A or Declaration B)

Please consider any interests relevant to the procurement. An “interest” includes a personal, professional or financial interest and may be direct or indirect.

- An **‘actual conflict of interest’** exists where there is a conflict of interest **now**.
- A **‘potential conflict of interest’** exists where a conflict of interest will arise in **future** if certain circumstances occur.
- A **‘perceived conflict of interest’** exists where there are circumstances which the College considers likely to **cause a reasonable person to wrongly believe there to be a conflict or potential conflict of interest**.

Check the box that applies:

☐	Declaration A (if no conflicts of interest) By signing this Form, I declare that: a. I have read, understand and accept the Statements above; b. I confirm that there are no conflicts of interest of any nature which are relevant to this procurement; and c. if any actual, potential or perceived conflicts of interest arise in the future, I will inform the Senior Procurement Officer immediately.
☐	Declaration B (if actual, potential or perceived conflicts of interest exist) By signing this Form, I declare that: a. I have read, understand and accept the Statements above; b. I confirm that I have declared any conflicts of interest of any nature relevant to the above procurement in the table below; c. I will carry out any agreed mitigations as may be set out in Part Two of this Form, in consultation with the Senior Procurement Officer; and, d. if any other actual, potential or perceived conflicts of interest arise in the future, or if my circumstances in respect of the interests identified below change, I will inform the Senior Procurement Officer immediately.

Name	
-------------	--

Signature	
------------------	--

Date	
-------------	--

My actual, potential or perceived conflict(s) of interest:

Interest(s) identified in Part One
1.
2.
3.

*Add or delete rows as required

PART TWO

Conflict of Interest Mitigations

Agreed mitigations include:

Interest(s) identified in Part One	Supplier(s) impacted	Details of Agreed Mitigations (steps taken or will be taken)
1.		
2.		
3.		

Declaration

Upon discussion with the Individual in respect of the Interests identified in Part One, I consider that:

A) **Mitigations are sufficient** and therefore [INSERT INDIVIDUAL'S NAME]'s role in the procurement will be [BRIEF DESCRIPTION OF ROLE].

or,

- B) **Mitigations are not sufficient** and therefore **[INSERT INDIVIDUAL'S NAME]** will not have a role in the procurement.

To be completed by the Senior Procurement Officer

By signing this Form, I confirm that the interests identified in Part One have been or will be mitigated. Any steps taken or that will be taken in the future are detailed in Part Two.

Name	
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Job title	
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Signature	
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Date	
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Appendix 3 - Staff members with finance / budgetary responsibilities

Assistant Principals
Corporate Administration Manager
Deputy Principal: Curriculum & Quality
Deputy Principal: Finance & Resources
Director of Brand and Learner Experience
Director of Business Development and Innovation
Director of Curriculum and Skills
Director of People and OD
External Funding and Projects Manager
Facilities Manager
Finance Clerk
Finance Manager
Finance Officer
Financial Controller
Funding and Data Manager
Head of Department – A Level and Sport
Head of Department – Automotive and Engineering & Manufacturing
Head of Department – Business – Service Industries
Head of Department – Construction
Head of Department - Digital Technology & Games
Head of Department – Early Years & Health & Science
Head of Department – High Needs Learners
Head of Department - Jewish Girls Academy & Teaching & Learning
Head of Department - Maths, English and ESOL
Head of Department – Visual – Creative Art
Head of IT
Head of Learning Innovation
Head of People
Head of Quality Assurance
Head of Quality Improvement
Head of Student Services and Customer Experience
Health and Safety Manager
Management Accountant
Payroll Supervisor
Purchasing Advisor
Senior Finance Clerk
Senior Funding Officer
Senior Procurement Officer

Correct at the time of writing, and to include other posts covered under staff members with finance / budgetary responsibilities, as the Corporation shall from time to time decide.