

Exeter College

Conflict of Interest Policy

Preamble

Principles of good governance in public life require the officers and senior staff of a public body to uphold high standards of transparency and objectivity in the way in which they make or influence decisions and policy for that organisation. Fellows of Exeter College who have the role of charity trustees and senior staff to whom authority to manage the business of the College is delegated must be aware of potential conflicts of interest, declare them and manage those potential conflicts so as to protect the integrity of the College.

A conflict of interest is defined by the Charity Commission as “any situation in which a trustee’s [or senior member of staff’s] personal interests, or loyalties could, or could be seen to, prevent the trustee [or staff member] making a decision only in the best interests of the charity.

Charity trustees are normally precluded from receiving benefits from their charity in return for the services they provide unless they have express legal authority to do so, which is unusual with registered charities (although the Charities Act 2011 now allows charities to pay a minority of their trustees for services provided by them to the charity other than through a contract of employment, subject to any contrary direction in their governing document and subject to certain statutory safeguards). However, historically, Fellows are paid by their Colleges and receive other benefits. This unusual situation is recognised by the Charity Commission and it is the role of the College’s Benefits Committee to oversee the benefits awarded to Fellows. Thus, standard payments and benefits provided by the College to all its Fellows are not relevant to the Conflict of Interests policy; only benefits enjoyed selectively need be acknowledged as potential conflicts.

The policy which follows is binding on the Rector, all Fellows and senior staff of Grade 7 and above. In reporting interests which may be in conflict with the College, Fellows and staff must include family members and close friends or associates. The Charity Commission provides the following guidance on circumstances and connections from which a conflict of interest may arise (this is not exhaustive).

- there is a potential financial or measurable benefit directly to a trustee, or indirectly through a connected person;
- a trustee’s duty to the charity may compete with a duty or loyalty they owe to another organisation or person.

Policy

It is the policy of Exeter College, Oxford (“the College”) that all Fellows and senior staff of the College must follow the law that Fellows, as charity trustees, should act in the best interests of the College and that Fellows and senior staff must not put themselves in a position where their duties as trustee or staff may conflict with any personal interests that they may have. This includes avoiding as far as possible perceptions of conflicts of interest, as well as potential and actual conflicts of interest.

The purposes of this policy are:

- to protect the integrity of the College’s decision-making process;
- to enable all outside parties dealing with the College to have confidence in

- the College's integrity; and
- to protect the integrity and reputations of the College's Fellows and staff.

Procedure

The College follows the Charity Commission Guidance¹.

Identify Conflicts of Interest

From the adoption of this policy, or upon being appointed, whichever is later, all Fellows and members of staff (being those who influence actions and policies of the College) will be required to make a full written disclosure of their interests, gifts or hospitality received, relationships and holdings that could potentially result in a conflict of interests. A declaration of interests form is provided for this purpose. These written disclosures will be kept on file by the College Secretary. Fellows records are updated annually. Staff are required to update their disclosure as and when their circumstances change. The register will be accessible by Fellows, staff and the auditors.

At all Governing Body (Trustee Board) meetings, It will be a standard agenda item for Fellows to declare any particular conflicts of interest for any item on the agenda. The Chair will also remind committee members of their responsibilities where appropriate to the agenda. If there is a failure to declare an interest that is known to the Rector and/or the Chairperson of any such meeting or the person responsible for organising such activities, the Rector or other such person will declare that interest. Where an individual is in doubt about whether they have a conflict of interest, they should err on the side of caution and declare it. Failure to declare conflicts of interest or potential conflicts of interest is a serious issue.

Prevent conflicts of interest from affecting the decision

Trustees should deal with any conflicts of interest or potential conflicts of interest on a case by case basis, using the published advice and possible mitigations in the Charity Commission's guidance.

The mostly likely remedy (but not the only one) is in the case of a meeting, the Fellow or staff member concerned will be asked to leave the room (unless expressly invited to remain, possibly in order to provide information on the matter in hand) whilst the matter is discussed, will not be counted in the quorum for that part of the meeting, and will not be permitted to vote on the issue. In the case of all other activities, the Fellow or staff member concerned will not be permitted to comment on the matter other than to disclose his or her conflict of interest.

Reporting the conflict of interest

All decisions taken under a known conflict of interest will be reported in the minutes of the meeting.

The report will record:

- the nature and extent of the conflict;
- an outline of the discussion;
- the actions taken to manage the conflict.

Where a Fellow benefit 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.

¹ CC29 "Conflicts of interest: a guide for charity trustees" published May 2014, available [here](#).

Data Protection

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

By College Order 20/087, this policy was approved by Governing Body on 14th October 2020 with immediate effect, and was also approved for display on the website.

Declaration of Interests Form

I as a Fellow/staff member of Exeter College, Oxford have set out below my interests in accordance with the College's conflict of interest policy.

Category	<i>Please give details of the interest and whether it applies to yourself or, where appropriate, a member of your immediate family or some other close personal connection</i>
Current employment or previous contractual relationships other than with the College in which you continue to have a financial interest (e.g. directorships, partnerships, offices or advisory appointments or lobbying appointments)	
Appointments (voluntary or otherwise) e.g. trusteeships, directorships, local authority memberships, tribunals etc.	
Membership of any professional bodies, special interest groups, lobbying groups or mutual support organisations.	
Gifts or hospitality in excess of £50 accepted from any individual or organisation in respect of your position within the College in the last twelve months.	
Any contractual relationship with the College other than a contract of employment (e.g. tenant of a College property, beneficiary of a College loan, holder of a remunerated College office).	
Any other conflicts that are not covered by the above.	

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

Signed:

Position: Date: