



Policy and Procedure on Conflict of Interest

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Amendments	Replaces the Policy on Declaration of Interest
Related Policies & Procedures	<ul style="list-style-type: none"> • Academic Integrity Policy • Dignity at Work: Anti-Bullying and Harassment Policy • Guidance for Considering Direct Appointments • Honorary Academic Appointments Policy & Procedure • Honorary Appointments Statement of Terms and Conditions • Policy on Personal Relationships (pending approval) • Disciplinary and Dismissal Policy and Procedure for Professional Support Staff • Policy and Procedure on Discipline and Performance for Academic Staff • Recruitment and Selection Procedure • Student Disciplinary Procedure • Consultancy Policy (pending approval) • Conflicts of Interest Policy (Governors/Council Members)

1. SCOPE

- 1.1 This policy applies all staff and students of LSHTM (excluding students of non-award bearing courses), as well as individuals holding honorary or casual appointments with the School, visiting research or teaching staff, and students. External Committee and Council members are subject to the Conflicts of Interest Policy (Governors/Council Members) and remain unaffected by this policy.
- 1.2 It replaces the Policy on Declaration of Interest dated 5th July 2017.
- 1.3 This policy is without prejudice to potential obligations to third parties, such as the annual declarations of significant financial interest that staff involved in projects funded by the U.S. Department of Health and Human Services and Public Health Services (including the NIH) must submit yearly to doi@lshtm.ac.uk.



2. PURPOSE AND OVERVIEW

2.1 As part of LSHTM's values, LSHTM is fully committed to ensuring the highest levels of integrity apply in all the School's activities, ensuring compliance with relevant legal regulatory requirements, as well as supporting its commitment to uphold the Office for Students' public interest principles.

2.2 Acknowledging members of the LSHTM community may have various interests beyond their involvement with the School, the purpose of this policy is threefold:

- (i) to outline the situations and conditions in which a Conflict of Interest must be recognised and disclosed;
- (ii) to establish the processes enabling individuals affected by this policy to identify a Conflict of Interest;
- (iii) to detail the processes that will be followed to manage Conflicts of Interest, ensuring objective consistency in applying this policy in the best interests of LSHTM with the maximum levels of transparency and integrity.

3. IDENTIFYING A CONFLICT OF INTEREST

3.1 For the purposes of this policy, a "Conflict of Interest" is defined as a circumstance in which there is an actual, potential or potentially perceived motivation for an individual concerned by this policy to act, consciously or unconsciously, or be perceived to be acting, in an interest other than the best interests of LSHTM during the course of their affiliation with LSHTM.

3.2 The existence of a Conflict of Interest is, therefore, not necessarily contingent on whether there is an actual impact influencing their duties or decisions, but on whether these duties or decisions could be reasonably perceived to be to any extent motivated by the Conflict of Interest.

3.3 A potential Conflict of Interest also exists when there is a reasonable likelihood that the interests of an individual may give rise to a Conflict of Interest in the future. As an example, this could be the case when a member of staff is a trustee of a charity with no current partnership with the School, but holding links to other higher education institutions and that is likely to be interested in partnering with the School.

3.4 An individual subject to this policy may not decide alone that a Conflict of Interest does not exist. In the event of a Conflict of Interest being considered, the relevant process outlined in Section 4 of this policy will be followed.

3.5 TYPES OF CONFLICT OF INTEREST

3.5.1 Conflicts of interests may be financial or non-financial.



- (i) A Conflict of Interest will be financial in cases such as when there appears to be an opportunity for personal financial gain, whether directly or to someone with a Close Personal Relation to the individual, or in instances in which it might be reasonable to take the view that financial benefits may affect a person's actions. For the purposes of this section, a Close Personal Relation is defined as a financial, family or sexual relationship or a relationship that involves a degree of intimacy beyond that normally present between members of staff with students, work colleagues or other members of the community.
- (ii) A non-financial Conflict of Interest concerns actual, perceived or potential benefits or advantages, direct or indirect, to an individual affected by this policy, someone with a Close Personal Relation or a connected person.

3.5.2 The following situations are likely to result in a Conflict of Interest:

- (i) contractual or legal obligations, such as obligations to business partners, clients, suppliers, employers, employees or similar;
- (ii) loyalty to family, partners and friends;
- (iii) Fiduciary duties to a third party;
- (iv) Professional duties resulting from other obligations, which could result in LSHTM's commitments not being sufficiently prioritised;
- (v) Business or financial interests.

3.6 Conflicts of Interest may arise when dealing with external parties to the School, but also in internal activities, and they can happen in all kinds of fields, such as recruitment and promotions, procurement, funding or conducting research, teaching, students admissions and contractor selection, among others.

4. WHEN TO DECLARE A CONFLICT OF INTEREST

- 4.1 No one should be involved in decisions relating their involvement in the School from which they, or anyone with whom they have a close financial or personal relationship, could personally benefit. The standard tests to determine whether a Conflict of Interest exists is whether a fair-minded and informed observer would have any reason to suspect that an individual's impartiality might be compromised. If the test is met, the Conflict of Interest must be declared in accordance with this Policy. This is the case regardless of whether the situation is actual, potential or perceived.
- 4.2 Every year, LSHTM's Legal team will request of all relevant members of the LSHTM Community a declaration of interest including any known or apparent conflicts of interest. Instructions on timeframes for this annual completion will be provided with the request.
- 4.3 A Conflict of Interest must be disclosed at the time it first arises or becomes known. This will apply to all actual, potential and perceived Conflicts of Interest. Delays in declaring a Conflict of Interest may delay the School's decision on measures to be put in place and limit its ability to act, potentially delaying and jeopardising the concerned individual's involvement in the relevant activities.



- 4.4 Failure to promptly declare a Conflict of Interest, or providing an incomplete or inaccurate disclosure may constitute misconduct or a breach of the terms and conditions of employment or registration and may therefore be grounds for the School to commence disciplinary actions under the Policy and Procedure on Discipline and Performance for Academic Staff, the Disciplinary and Dismissal Policy and Procedure for Professional Support Staff or the Student Disciplinary Procedure.
- 4.5 Any individual being the subject of a Conflict of Interest that has been declared but it appears not to be taken into account in any particular scenario to which the Conflict of Interest is relevant, it is the individual's obligation to inform the relevant parties of the conflict of interest in accordance with the procedure set out in Section 5 below.
- 4.6 Any individual becoming aware of an undeclared Conflict of Interest may raise a concern about a Conflict of Interest to their line manager, the Head of Legal and Compliance, or the individual who would be the Conflict Manager as defined in Section 5 below.

5. PROCEDURES FOR DECLARING A CONFLICT OF INTEREST

- 5.1 Generally, when a Conflict of Interest arises or becomes known to a member of staff, a declaration will be promptly made to the corresponding Head of Department or Head of Professional Service. This can be done by email.
- 5.2 In the case of students, the Conflict of Interest will be declared to the corresponding Taught Programme Director or the Faculty Research Degree Director, by email. If the Conflict of Interest involves the corresponding Director, it will be declared to the Pro-Director of Education.
- 5.3 In the event of Conflict of Interest by a Head of Department of Professional Service, the Conflict of Interest will be declared to the corresponding Dean of Faculty, Director of MRC Unit, or the Secretary.
- 5.4 In the event of Conflict of Interest by a member of LSHTM's Executive Team, the Conflict of Interest will be declared to the Director.
- 5.5 If the Director is in a position of Conflict of Interest, this will be declared to the Chair of Council.
- 5.6 All Committee meetings will have, at its beginning, a standing item on "declarations of interest" to enable members and attendees have a chance to declare any Conflicts of Interest in view of the corresponding Agenda. If a member of a Committee is in a position of Conflict of Interest, this will be declared at this time to the Chair of the corresponding Committee.



- 5.7 On occasion, an individual may find a potential Conflict of Interest during the course of a meeting or event. In this case, this circumstance must be declared immediately to the meeting's Chair, and this circumstance will be reflected in the minutes of the corresponding meeting.
- 5.8 If the corresponding Chair under sections 5.6 or 5.7 above is in a position of Conflict of Interest, the remaining members of the group will appoint a Deputy Chair (unless it is already designated). The Deputy Chair will act as Chair in matters relating to the Chair's Conflict of Interest.
- 5.9 An individual receiving notice of a Conflict of Interest under any of Sections 5.1 and 5.8 above shall be identified as the "Conflict Manager".
- 5.10 Whenever the Conflict Manager considers themselves to be subject to the same Conflict of Interest declared to them, both their own and the initially declared Conflict of Interest shall be escalated to the next Conflict Manager in accordance with the escalation laid out in Sections 5.3 to 5.8 above.
- 5.11 A self-declaration of a Conflict of Interest will include, unless this information is unavailable, the following minimum required elements:
- (i) Description of the nature of the conflict;
 - (ii) Date when the conflict arose;
 - (iii) Potential risks arising from the conflict;
 - (iv) Any other information that may be considered relevant, including, if appropriate, potential measures to mitigate the risk of Conflict of Interest.

6. MANAGEMENT OF CONFLICTS OF INTEREST

- 6.1 Subject to the provisions of Section 6.4, the Conflict Manager is expected to be the decision maker in cases of Conflict of Interest.
- 6.2 An individual subject to a Conflict of Interest, a Conflict Manager and any others involved in the management of a Conflict of Interest will act in a way to ensure no further Conflicts of Interest are caused to third parties through the management of the Conflict of Interest in question.
- 6.3 In all events where a Conflict of Interest is raised by an individual other than the individual to whom the Conflict of Interest relates, this individual will be informed of the existence of the declaration, ensuring anonymity of the party having reported it, and their input will be considered in any decisions on the Conflict of Interest.
- 6.4 If additional information is required, the Conflict Manager may seek advice from their immediate supervisor, other individuals concerned by the Conflict of Interest (such as the Chair of a Committee whose activities could be affected by the Conflict of Interest) by a



member), the corresponding individuals detailed in Section 6.5 below, the Secretary and the Head of Legal and Compliance, as the case may be.

- 6.5 In some instances, a Conflict of Interest may concern specific activities. If the activities concerned are listed below, the Conflict Manager must obtain input from specific teams in order to make a decision on actions, and to take their input into account when making the corresponding decision, keeping a record of their advice:
- (i) For recruitment, promotions or disciplinary activities, the Director of Human Resources;
 - (ii) For Committee membership, the Head of Governance and Planning;
 - (iii) For research activities, the Head of Research Governance and Integrity;
 - (iv) For education, including assessment and examinations, the Pro-Director of Education;
 - (v) For admissions, the Head of Registry;
 - (vi) For commercial relations, the Director of Finance;
 - (vii) For any forms of exploitation or licensing of intellectual property, the Head of Tech Transfer, Consultancy and IP.
- 6.6 Any of the individuals mentioned in Section 6.4 above may formally delegate this involvement to another individual.
- 6.7 In the event of a Conflict of Interest being declared ahead of or during a meeting, the Conflict Manager may decide among the following options:
- (i) For the meeting to go ahead with full unrestricted participation by the individual in a position of Conflict of Interest;
 - (ii) For the individual to remain in the meeting where the Conflict of Interest is considered, not participating in the relevant discussions;
 - (iii) For the individual in a position of Conflict of Interest to withdraw from the decision making process the Conflict of Interest concerns;
 - (iv) For the individual to withdraw entirely from the particular meeting group, if the Conflict of Interest is expected to be significant or ongoing for its business;
 - (v) To postpone any matters related to the Conflict of Interest to a later meeting, in order to obtain further details or seek for specific advice.
- 6.8 When determining the measures to be put in place in order to suppress the impact of a Conflict of Interest, the Conflict Manager will take into account:
- (i) The seriousness of the Conflict of Interest;
 - (ii) In the event of a potential Conflict of Interest, the likelihood of the event taking place and potential mitigations to reduce this likelihood;
 - (iii) The closeness of the interests at stake (LSHTM's and conflicting ones), and the actual and potential magnitude of their effect on each other;
 - (iv) The nature and importance of the decision and activities impacted by the Conflict of Interest;



- (v) The likelihood and extent to which the conflicting interests could affect or be perceived to affect the School's decisions;
- (vi) The nature and level of involvement the individual will have in the relevant decision or activity.

6.9 To the extent permitted by Law, declarations of Conflicts of Interest will be treated confidentially.

7. OUTCOMES

- 7.1 Subject to Section 6.4 above, if having reviewed a declaration of interest, the Conflict Manager is satisfied that no further actions are required, they shall, directly or through a nominated delegated representative, inform the individual, briefly outlining why the decision has been made, and, including in the correspondence doi@lshtm.ac.uk, an email address monitored by the Legal team, for compliance and record-keeping purposes.
- 7.2 If the Conflict Manager determines that a Conflict of Interest does exist, the individual shall be informed, including in that correspondence doi@lshtm.ac.uk. The notice will include detail on what the appropriate resolution is, among the following:
- (i) No further action is needed ;
 - (ii) Restrictions (such as additional approvals) or additional oversight (such as the appointment of an alternative Principal Investigator) must be applied;
 - (iii) Withdrawing from the particular project, task or matter is required;
 - (iv) Certain tasks, such as line management, must be reallocated to a colleague;
 - (v) All involvement in the particular project, task or matter by the individual must cease immediately.
- 7.3 Any outcome notification under Sections 7.1 and 7.2 above will also include:
- (i) An outline of any discussions between the individual and the Conflict Manager;
 - (ii) Details of the actions agreed to manage the Conflict of Interest in the best interests of LSHTM;
 - (iii) Date of the decision;
 - (iv) Date of next review of the Conflict of Interest concerned;
 - (v) Any other relevant information deemed appropriate by the Conflict Manager.

8. AVAILABLE RESOURCES

Any individual affected by this policy with any queries on its application or the processes herein may contact doi@lshtm.ac.uk.



9. APPENDICES



APPENDIX A – EXAMPLES OF POTENTIAL CONFLICTS OF INTEREST

CONFLICT	DISCLOSURE TO	POSSIBLE MANAGEMENT STRATEGY
A staff member who has a close personal relationship with a potential student's close relative may become involved in decisions about the student's admission	Head of Department and Head of Registry	The student will be made aware and arrangements will be put in place to avoid any professional connection between the concerned member of staff and the student; potentially no involvement in admissions in that degree and cohort.
A Principal Investigator holds shares in a company who is a collaborator in a research project	Head of Department, potentially Director of Finance and/or Head of Tech Transfer, Consultancy and IP.	The PI should not be involved in any decisions that could benefit the company, including determining whether the collaborator will be included in the project. If the collaborator is selected, an alternative PI will become involved and advise on Intellectual Property and financial arrangements in the best interests of LSHTM. Any staff from the company embedded in the PI's academic lab must be known to the company staff and only afforded access to School resources on the commercial terms agreed in the collaboration agreement. The PI will also comply with the Concordat to Support Research Integrity and funder's good research practice guidelines.
A member of staff's partner's close relative will be applying for a position for which the member of staff would normally be involved in recruitment activities	Head of Department, Director of HR. If discovered upon interviewing, chair of interview panel	Fully replacing the concerned member of staff in all recruitment activities. If relevant, review of line management structures before recruitment/start date.
A student member of a committee is also part of a student group that has been actively lobbying to affect national-wide policy in a field concerning one agenda item that has no direct impact on students' interest.	Chair of the Committee	Being present for discussion without taking part in the conversation or decision on the item, depending on specific circumstances.
A Head of Department is concerned by contract negotiations with their sentimental partner's employer	Dean of Faculty	After analysing the nature and depth of conflict, additional checks on the contract and periodic review of the resulting contractual relation may be implemented.
A Principal Investigator is responsible to allocate lab space to research groups and a spin-out company they are a shareholder in	Head of Department	A different PI may be assigned the responsibility to assign the lab space.
A member of a recruitment panel has a financial stake within a commercial venture in which a candidate is involved	Chair of recruitment panel	Withdrawal from recruitment process
A member of staff is offered a gift by a subcontractor during the contract negotiation	Line manager	Rejection of the gift.



APPENDIX B – LSHTM PROCESS FOR MANAGING CONFLICTS OF INTEREST

