



Oakswood College

Empowering Through Education



Conflicts of Interest

Policy

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Oakwood College
Empowering Through Education

(Trading name of Oakwood Group Ltd)

Conflict of Interest Policy

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Introduction to this policy

The Conflict-of-interest policy is designed to ensure that all decisions and activities are conducted with integrity, transparency and fairness. Its purpose is to ensure that staff, governors and others involved in the work of the provider disclose any personal, financial or other interests that could improperly influence their decisions or actions. Procedures prevent such interests from compromising, or appearing to compromise, the institution's academic, financial or governance decisions. This safeguards the public trust and upholds the institution's duty to act in the best interest of its students and stakeholders.

1. Statement and Purpose

- State the purpose of the policy to ensure that the institution's activities, and those of staff and individuals working with you, are conducted to the highest standards of integrity, ethics and accountability.
- The policy is not to prevent staff and others from engaging in external activities but is a mechanism for protecting itself and its staff, as well as individuals working for or with the Institution, from reputational damage and other liabilities, by ensuring that when conflicts of interest exist, they are disclosed and, if required, properly managed.

The aims of this policy are:

- To promote a culture of transparency and accountability in the conduct of business, preserving its integrity and contribute to a strong reputation.
- To ensure that the Institution's financial sustainability and economic interests are protected.
- Outline the actions expected of staff to take in terms of identifying and disclosing their external interests.
- Support the mitigation and resolution of conflicts of interest to protect the institution and its employees.

2. Scope

Include details of who this applies to, all staff and individuals working for or with the Institution.

- 'Staff' means Institute employees (whether full or part-time).
- 'Individuals working for or with the Institution include, but are not limited to:
 - External members of the Institution's committees.
 - External/lay members of the Institution's committees.
 - Individuals with visitor status.
 - External examiners and assessors.
 - Consultants and contractors.
 - Casual workers, including agency workers.
 - Volunteers.

It also applies to those students, volunteers or other members of the community who can influence decisions made by the institution at any level.

3. Definitions

A **Conflict of Interest** is a set of circumstances that creates a risk that an individual's duties to the institution conflict or could be influenced by a secondary interest, e.g., personal interest or duties to other organisations or people.

An **'Interest'** is a connection with a third-party(ies), external to the interest. This includes, but is not limited to, ownership, investments, positions held (whether honorary or remunerated), or consultancy.

An interest may be **direct** or **indirect**. Indirect interests are where the conflict involves the interests of a Connected Person.

A **Connected Person** is anyone with whom an individual has a personal or business relationship. Staff must treat the interests of any connected person as their own interests. This can include, but is not limited to:

- Spouse/partner.
- Close relative (e.g., sibling, parent, grandparent, child or grandchild).
- Close friend.
- Business partner.
- A financial relationship (e.g., a pension) with an individual/business seeking to obtain funding.
- A **"conflict"** arises where the commitments and obligations reasonably owed by a member of staff or a student to the institution or an associated body (e.g., a funding body) are likely to be compromised, or may appear compromised, by a) direct (personal gain) or indirect (the interests the connected person) b) the commitments and obligations that person owes to a party external to the institution c) having membership of an organisation external to the institution where the interests of the two organisations may not be completely aligned.
- A **Benefit** includes any payment or material benefit (including property, loans, goods and services), other than reasonable out-of-pocket expenses.
- A **Governor** means a person who is a member of the College's Board of Governors or equivalent board or one of its committees, including staff members, student members and co-opted members.
- **An appropriate person**, for the purpose of this policy, is the individual within the Institution who is responsible for receiving and managing declarations of conflicting or potentially conflicting interests. The Appropriate Person will vary depending on the role or relationship of the individual with the Institution, as follows:
 - Staff – the individual's Line Manager
 - CEO – the Chair of the Board of Governors

- Members of Institute Committees – the Committee Chair
- Committee Chair – the Committee Deputy/Vice Chair, or (where the conflict is recurring) the Chair of the body to which the Committee reports (if applicable)
- Consultants and Contractors – the Commissioning Manager
- Casual Workers and Agency Workers – the Commissioning Manager
- External Examiners and Assessors – the Head of Academic Affairs
- Individuals with Visitor Status – the relevant Head of Service or their nominated representative
- Volunteers – the relevant Head of Service or their nominated representative

4. Roles and Responsibilities

The institution requires all staff to register any outside interest that they, an immediate family member or a close associate hold as soon as it arises. To keep the record up to date and current, outside interests which cease should be removed as soon as they come to an end.

- **All staff and individuals** working for or with the institution are responsible for declaring all external appointments, material shareholdings and other business interests fitting the description below to their line manager as soon as it arises. It must also be declared if the interest has ended. Any relation to students must also be disclosed. Failure to keep records up to date may constitute misconduct and will lead to disciplinary action.
 - **Line Managers** must disclose and discuss the work-related conflicting or potentially conflicting interests with the Appropriate Person.
 - **The Appropriate person** is responsible for recording all work-related conflicting or potentially conflicting interests in the Register of Interests. They must put in place a plan to manage any conflict or perceived conflict in consultation with the staff member. If agreement on a management plan cannot be reached, the next management level is responsible for resolving the issue. They must raise any non-compliance with this policy
 - **Applicants** for roles at the institution must disclose any potential conflict of interest which they have with the recruiting manager during the recruitment process. Recruiting managers should enquire whether any such potential conflicts exist.
 - **All individuals** are responsible for adhering to any actions agreed with respect to managing a conflict of interest and informing the Appropriate person about any changes to circumstances. Those who have declared an interest are also responsible for submitting an annual declaration confirming that their conflicts of interest records in the Register of Interests are accurate and up to date.

- **Heads of Service** (e.g. Head of Student Services, Operations and HR, Accounts & Finance, Academic Affairs, GQC & IS, Admissions & Registry) are responsible for:
 - Ensuring that all staff and individuals working for or with the Institute within their remit are aware of this Policy and its requirements.
 - Leading on implementation of this Policy in their professional service area, to create a culture of reflection and declaration of conflicting or potentially conflicting interests.
 - Verifying that all staff submit an annual declaration confirming that their conflicts of interest records in the Register of Interests are accurate and up to date.

5. Policy Principles

- All staff and individuals working for or with the Institution should be expected to comply with the highest standards of professional and ethical practice and therefore declare all interests which conflict or might conflict with their role and/or the Institute's business.
- When in doubt, if an interest constitutes a potential conflict of interest, it should be assumed that the conflict exists, and the interest should be disclosed in line with the requirements of this Policy.
- A key aspect of minimising the effects of conflicts of interest is to be open about such situations when they arise and to manage them where required. Declaring conflicting interests supports transparency and demonstrates the integrity of the individuals concerned and the Institution's business.

This Conflicts of Interest Policy provides for a three-fold approach:

- **Always disclose.**
- **Manage the conflict where required.**
- **Prohibit the activity when necessary to protect the public interest or the interests of the institution.**

A conflict of interest can be **actual** or **potential**.

An **actual** conflict is an existing situation or relationship that could compromise an individual's impartiality, objectivity, or professional judgement in relation to their responsibilities to the Institute.

A **potential** conflict is a situation that currently does not constitute a conflict of interest but could evolve into an actual conflict situation.

Interests may be **financial** or **non-financial** in nature.

A **financial interest** is where an individual receives, or may receive, a direct or indirect benefit of monetary value. Good practice is to disclose 'any' financial interest, however small.

Examples of financial interests include but are not limited to salary, commission, honorarium, consultancy fees, gifts and hospitality, equity interests, property, stocks and shares, forgiveness of debt, licensing income or intellectual property rights (e.g., patents, copyrights and royalties from such rights).

A **non-financial** interest is where an individual receives, or may receive, a direct or indirect non-financial benefit.

Examples of non-financial interests include, but are not limited to, enhancement of professional reputation, status or career; any personal benefits not directly linked to professional career; access to privileged information, facilities or property.

Other examples of situations that may give rise to conflicting or potentially conflicting interests include, but are not limited to:

Serving with External Organisations

This covers all appointments (paid or unpaid) with an external body or entity which could potentially have an overlap of interests where:

An individual is performing a formal function or discharging duties, such as being a charitable trustee or non-executive director (this does not include observer or advisory positions held solely as part of their duties); or

Dual Employment and Related Activities

The Institution recognises that staff may undertake external professional activities that contribute to their personal development, professional standing, or wider sector engagement. However, such activities must not create actual or perceived conflicts of interest or interfere with the proper discharge of duties to the Institution.

Staff must ensure that any external employment or activity:

- Does not conflict with the interests, objectives, or reputation of the Institution.
- Does not interfere with their contractual duties or working hours.
- Does not involve the unauthorised use of institutional resources, information, or intellectual property.
- Does not compromise the integrity, impartiality, or independence of institutional decision-making.

Staff must obtain **prior written approval from the Chief Executive Officer or designated senior manager** before undertaking external employment that may potentially conflict with their institutional role.

Where external activity is approved, staff must continue to fulfil their responsibilities to the Institution and comply with all relevant policies and contractual obligations.

The Institution reserves the right to withdraw approval where an external activity is deemed to create an unacceptable conflict of interest

Conflict of Commitment and Loyalty

- A conflict may arise when a member of staff or the individual working for or with the Institution undertakes external commitments (e.g., additional employment) which interfere or might interfere with obligations arising under their contract of employment or appointment with the Institution.

Institutional Conflict of Interest

- An institutional conflict of interest may occur when staff and individuals working for or with the Institute are involved in projects which have, or might have, conflicting objectives, e.g., the same individual or research group working on similar projects with two or more organisations which are in direct competition with each other.

Receiving Gifts or Hospitality

- It is recognised that there exist cross-cultural differences when it comes to giving and accepting gifts. However, receiving personal gifts and hospitality above a certain value, especially outside of normal working practices and hours, can lead to a conflict of interest.

Staff and individuals working for or with the Institution must exercise caution when accepting gifts, hospitality, or other benefits from external organisations or individuals.

Gifts or hospitality may create an actual or perceived conflict of interest where they could influence, or appear to influence, decision-making.

As a general principle:

- Gifts or hospitality must not be accepted where they could influence institutional decision-making.

- Gifts with an estimated value exceeding **£100** must be declared and recorded in the Gifts and Hospitality Register.
- Gifts of significant value should normally be declined unless there is a clear and legitimate institutional purpose.

Hospitality that is reasonable and proportionate within normal professional practice may be accepted provided it is transparent and declared where appropriate.

The Institution may require individuals to decline or return gifts where acceptance may compromise institutional integrity.

Conflicts of Interest in relation to Personal Relationships

- A personal or intimate relationship can lead to a conflict of interest.

Conflicts in Procurement, Financial Decisions and Partnerships

Conflicts of interest may arise where individuals are involved in decisions relating to procurement, contracts, partnerships, recruitment agents, or other financial arrangements.

Individuals involved in procurement or contractual decision-making must declare any interest in:

- Companies bidding for institutional contracts
- Partner organisations
- Recruitment agents or service providers
- Organisations receiving institutional funding

Where a conflict exists, the individual must not participate in:

- Evaluation of tenders
- Decision-making processes
- Contract approval discussions

All such conflicts must be documented and managed in accordance with the Institution's Financial Regulations and Procurement procedures.

6. Conflicts of interest procedure

Staff

All staff must disclose and discuss their work-related conflicting or potentially conflicting interests with the Appropriate Person whenever they become aware of a new interest.

- Where the Appropriate Person has an interest in the matter disclosed, it must be raised with a person at the next higher level of authority.
- Where a member of staff reports to more than one individual, all managers should be informed about the work-related conflicting or potentially conflicting interest where relevant.

All work-related conflicting or potentially conflicting interests must be recorded in the Register of Interests.

Staff are responsible for informing the Appropriate Person about any changes of circumstances and keeping their Register of Interests records up to date.

Where it is determined that a conflict of interest exists, a Conflict Management Plan should be prepared and communicated to all relevant internal and external parties.

It is the responsibility of the member of staff affected to comply with any actions agreed with respect to managing a conflict of interest and to inform the Appropriate Person about any changes in circumstances.

All new staff joining the institution must declare and discuss their work-related conflicting or potentially conflicting interests with the Appropriate Person and record them in the Register of Interests as part of the induction process.

Additional Employment

- Any additional employment undertaken by a member of staff must meet the terms and conditions of the individual contract of employment.
- Staff must receive prior written consent from the **CEO** before undertaking any work which may either compromise or give rise to a conflict with their role or the Institution's interests.
- Where additional employment is allowed, staff must continue to fulfil their commitments to the Institution. Any assets, intellectual property or other materials generated at the institution should not be used for other purposes without appropriate permission.

7. Individuals working for or with the Institution

All individuals working for or with the Institution must disclose and discuss conflicting or potentially conflicting interests with the Appropriate Person whenever they become aware of a new interest.

- Where the Appropriate Person has an interest in the matter disclosed, it must be raised with a person at the next higher level of authority.
- Where an individual working for or with the Institution reports to more than one individual, you must decide to whom this report should be made.
- Individuals working for or with the Institution are responsible for informing the Appropriate Person about any changes in circumstances.

Where it is determined that a conflict of interest exists, a Conflict Management Plan should be prepared and communicated to all relevant internal and external parties.

- It is the responsibility of an individual working for or with the Institution to comply with any actions agreed with respect to managing a conflict of interest and to inform the Appropriate Person about changes of circumstances.

Individuals with visitor status should declare any conflicting or potentially conflicting interests to their host during the visitor registration process.

Committee Members

Where a conflict of interest relates to an individual's role on an Institute Committee, it should be disclosed to the Appropriate Person at the earliest possible time and before the discussion of the relevant item, regardless of whether that interest has already been recorded as per this Policy.

If a Chair has an interest in a matter under consideration by a Committee, a Deputy/Vice Chair who does not have a conflict of interest should be appointed to review the conflict and decide about any further steps required.

- If a Chair has a recurring conflict, it should be reported to the Chair of the body into which the Committee reports, if applicable.

If the conflict of interest is substantial and cannot be managed, the individual should no longer participate in any discussions or decision-making process.

Conflicts of Interest should be a standing item on agendas for all Institution Committees.

Board of Governors

Members of the Board of Governors must uphold the highest standards of integrity and transparency when conducting the Institution's business.

All Governors must:

- Declare any relevant interests upon appointment.
- Declare conflicts at the beginning of Board or Committee meetings when relevant agenda items arise.

Where a conflict is declared:

- The declaration must be recorded in the meeting minutes.
- The Governor must withdraw from the discussion unless the Chair determines the conflict is immaterial.
- The Governor must not participate in decision-making or voting on the relevant matter.

Where the Chair has a conflict, the Vice-Chair or another independent member will oversee the management of the conflict.

The Register of Interests for Governors shall be maintained by the acting **Governance Officer or Head of GQC & IS**.

In accordance with this policy all members and external members of Committees and the Board of Governors are required to make an annual declaration of interests by completing the Register of Interests Form provided by the **Head of Governance, Quality, Compliance Assurance and Information Systems**.

8. Register of Interests

The Institution maintains a **Register of Interests** to record declared conflicts and relevant external interests.

The Register will include declarations from:

- Committee Members
- Members of the Board of Governors
- Senior managers
- Staff involved in decision-making processes

- Individuals working for or representing the Institution

The Register will be:

- Maintained by the Head of GQC and IS
- Reviewed annually and updated as required.
- Available for inspection by authorised internal stakeholders and regulators.

A summary of interests declared by members of the Board of Governors may be published to promote transparency and accountability

9. Conflict Evaluation and Management

Conflict Evaluation

All disclosures of conflicting or potentially conflicting interests should be objectively evaluated by the Appropriate Person, and as soon as reasonably practicable. The Appropriate Person should:

- Ensure that all pertinent facts regarding the interest(s) have been provided to allow for thorough and objective evaluation.
- Determine if the interest disclosed constitutes a conflict of interest, and what risks (if any) it might pose to the institution or the individual concerned.
- Where relevant, seek confidential advice from more senior colleagues and/or relevant Professional Services teams.

Conflict Management

Where the Appropriate Person determines that an interest gives rise to a conflict of interest, appropriate actions should be taken to manage the conflict where possible. This should include the creation of a Conflict Management Plan, which should be communicated to all internal and external parties affected and should specify:

- All activities in which the individual concerned should not participate (e.g., attending meetings, decision-making process) and any responsibilities they should not undertake.
- All relevant internal and external parties should be notified about the conflict of interest. Internal parties include relevant teams which are directly or indirectly affected by the conflict situation.
- Any other appropriate conflict management approach.

Where it is not possible to manage the conflict, the Appropriate Person should advise the individual concerned that the conflicting interest must be prohibited to protect the public interest, or the interests of the Institute.

External Conflicts of Interest Requirements

Staff and individuals working for or with the Institution should be aware that external organisations (e.g., funders or collaborators) might have their own conflicts of interest requirements, which might be broader than the Institution's Conflicts of Interest Policy.

If there is a conflict between the Institute's Conflicts of Interest Policy and the requirements of an external body, this should be raised with the Appropriate Person in the first instance, who might then escalate to the appropriate level of management.

10. Failure to Comply with the Policy

- Any breaches of this Policy by a member of staff may result in disciplinary action under the Institute's relevant procedures, up to and including summary dismissal.
- Any breaches of this Policy by an individual working for or with the Institute may result in termination of their engagement with the Institute
- Any concerns about non-compliance with the requirements of this Policy should be raised with the Head of Governance, Quality, Compliance **Assurance and Compliance Department**.

11. Transparency and Publication

To uphold public trust and accountability, the Institution must ensure that relevant information about declared conflicts of interest is documented and, where appropriate, made accessible to internal stakeholders and external parties.

The Register of Interests, which records all disclosed conflicts of interest, must be maintained accurately and reviewed regularly. Subject to confidentiality and data protection considerations, summaries of relevant interests may be published or made available upon request to promote openness and confidence in the College's decision-making processes.

12. Associated Policies

This policy should be read in conjunction with:

- Data Protection Policy
- Staff Grievance Policy
- Whistleblowing Policy
- Financial Regulations Policy

13. Training and Awareness

The Institution will ensure that all relevant individuals understand their responsibilities under this Policy.

This will include:

- Inclusion of the policy in **staff and governor induction programmes**.
- Periodic **governance training for Board members and senior staff**.
- Communication of policy updates via internal communication channels.
- Access to guidance materials through institutional systems or policy repositories.

Managers are responsible for ensuring that staff within their areas are aware of the policy and understand the requirement to declare conflicts.

14. Monitoring and Review arrangements

This Policy will be reviewed at least once every 3 years to ensure that its terms remain fit for purpose to ensure it remains effective and aligned with regulatory expectations

Contact Information

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15. Appendix A

Conflict of Interest Register