

BI-HR-008 CONFLICTS OF INTEREST POLICY

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Version control

Date	Version	Status	Summary of Changes
16 January 2020	1.0	Archive	New in the 2020 Policy Review
21 September 2021	1.1	Archive	Changes to the definition of Individuals; revision to Individuals considered under section 4 and minor amendments made to clarify wording in 2021 Policy Review
12 January 2023	1.2	Active	HR manager changed to Senior member of the HR Team

Document approval

Define the approval authorities for the document

Document version:	Document approved by:	Position:	Date:
1.0	Babraham Executive Committee	N/A	16 January 2020
1.1	Danielle Hoyle	Head of Research Operations	20 September 2021
1.2	Steve Barrett	Project Officer	12 January 2023

Distribution

Date of issue	Version
12 January 2023	1.2
This policy should be assigned to the following groups; Please tick one box for each group.	

Group Name	Mandatory	Group Name	Mandatory
All Users	☒	Heads of Department	☐
Trustees	☐	BCE Staff	☐
Researcher (Wet)	☐	Nursery	☐
Researcher (Dry)	☐	Visitors	☐
BSU Staff	☐	Credit Card Users	☐
BSU Users	☐	Ionising Radiation Users	☐
Notes: Optional for Trustees			

Associated policies, procedures and guidance

This policy should be read in conjunction with:

Declaration of Interests Form
 BI-COR-007 Fraud & Bribery Policy
 BI-KEC-002 Consultancy Policy
 BI-COR-002 Trustee Conflicts of Interest Policy

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1. Definitions

“Employee”	Institute employees on Institute or Babraham Institute Enterprise Ltd (BIE) terms and conditions, Institute employees on BBSRC or other terms and conditions, and Research Fellows on Institute terms and conditions.
“Staff”	Employees and Babraham Institute registered PhD students.
“Individuals”	All individuals listed in Section 4. Scope.

2. Commitment statement

- 2.1. At the Babraham Institute our mission is to be an international leader in research focusing on basic cell and molecular biology with an emphasis on healthy ageing through the human life course.
- 2.2. Research and operational excellence are essential to meeting our vision of being at the forefront of research that improves lives. The [Institute Values](#) set out our approach to how we operate across all Institute activities, both at an individual level and together as the Babraham Institute. The expectation of the Institute is that each staff member looks to represent and reflect the Institute Values within their own contributions and function, and to support and not hinder the expression of these Values in the work of others.
- 2.3. We are committed to ensuring the highest standards of integrity, honesty and professionalism and strive to embed good practice in every aspect of our work.
- 2.4. For the avoidance of doubt, this policy does not form part of any Employee’s terms and conditions of employment and may be amended by the Babraham Institute at any time

3. Purpose

- 3.1. The aim of this policy is to protect both the Institute and individuals from any appearance of impropriety.
- 3.2. Conflicts of interest may arise where an individual’s business, personal or family interests and / or loyalties conflict with those of the Institute. Such conflicts can:
 - Inhibit free discussion
 - Result in decisions or actions that are not in the interests of the Institute
 - Risk the impression that the Institute or individual has acted improperly
- 3.3. This policy complies with expectations set out in :
 - The UKRI-BBSRC Institute Standard Conditions of Grant
 - The U.S. Department of Health and Human Services and Public Health Services Regulations for funding from Public Health Service providers
 - The UK Research Integrity Office’s (UKRIO’s) [Code of Practice for Research](#)¹.

¹ <https://ukrio.org/publications/code-of-practice-for-research/>

3.4. The Institute encourages openness and transparency in declaring conflicts of interest in research in line with:

- The Universities UK Concordat to Support Research Integrity²
- The RCUK Policy and Guidelines on Governance of Good Research Practice³
- BBSRC's Safeguarding Good Scientific Practice⁴

4. Scope

4.1. The purpose of this policy applies to all at the Institute. However, the declaration of interests outlined in section 5 is only mandatory for the following Individuals:

- Institute employees of Grade 1 – 5 on Institute or Babraham Institute Enterprise Ltd (BIE) terms and conditions
- Institute employees of Grade 1 – 5 or equivalent on BBSRC or other terms and conditions
- Research Fellows of Grade 1 – 5 on Institute terms and conditions
- Research Fellows (honorary)
- Honorary Members of Faculty
- Members of the Finance, Stores, Contracts and Grants teams

4.2. Staff of Grade 6 or below who consider themselves to have a conflict of interest should declare it, by following the process outlined in Section 5.

4.3. Trustees should refer to the Trustee Conflicts of Interest Policy (BI-COR-002).

4.4. This policy is public facing on the Institute's website.

5. Declaration of interests

5.1. Individuals must declare their interests in connection with their role at the Institute. A Declaration of Interests Form is provided for this purpose, listing the types of interest that should be declared (see also 5.3). This is available on the Conflicts of Interest page under the Governance & Risk section of The Hub or from the Institute Director's Office.

5.2. To be effective, the Declaration of Interests Form must be completed upon starting at the Institute, and updated annually or when any changes occur. It is the individual's responsibility to keep their conflicts of interest declaration up to date when their circumstances change, ideally before the change takes place. It is expected that the vast majority of individuals will only need to make a null return.

5.3. Interests to be declared include the following activities taking place outside of the Institute for the individual or connected parties and bodies (see Section 10) :

- Work outside of the Institute
- Appointments

² <https://www.universitiesuk.ac.uk/policy-and-analysis/reports/Pages/the-concordat-for-research-integrity.aspx>

³ <https://www.universitiesuk.ac.uk/policy-and-analysis/reports/Pages/the-concordat-for-research-integrity.aspx>

⁴ <https://bbsrc.ukri.org/about/policies-standards/good-scientific-practice/>

- Investments, shareholdings & beneficial interests Shareholdings
- Gifts & hospitality
- Work with subsidiaries
- Any other interests that may result in a conflict arising (see Section 9 for further information)

See the Declaration of Interests Form for further information.

- 5.4. If you are not sure what to declare, or whether / when a declaration needs to be updated, you should err on the side of caution. The Head of Governance & Projects or a Senior member of the HR team can be approached for confidential guidance.
- 5.5. When declared and as part of the annual update, conflicts of Interest are reviewed by a team comprising the Head of Governance & Projects, a Senior member of the HR team, Contracts Manager, Knowledge Exchange / Commercialisation Manager.
- 5.6. Declaration forms will be saved and interests will be recorded on the Institute's Register of Interests, which will be maintained by the Institute Director's Office. The register will be accessible by the Institute Director, the Chief Operating Officer (COO) and the Institute Director's Office, as well as those named in 5.5 for the purpose of review. The Babraham Executive Committee (BEC), the Audit Committee and / or the Board of Trustees may be notified of significant conflicts of interest.
- 5.7. For significant conflicts of interest, a management plan may be put in place with the individual and their line manager (with support from relevant Institute teams where necessary) to help manage, reduce or eliminate the risk.
- 5.8. Consultancies should be set up in line with the Institute's Consultancy Policy (BI-KEC-002) and declared on the Declaration of Interests Form.
- 5.9. Declarations of gifts and hospitality received as part of an Institute role should be made separately in accordance with the Institute's Fraud and Bribery Policy (BI-COR-007).

6. Data protection

- 6.1. Information provided will be processed in accordance with data protection principles set out in the General Data Protection Regulations (GDPR) and Data Protection Act 2018. Data will be processed only to ensure that individuals act in the best interests of the Institute. Conflicts declared may be made public in line with best practice for charitable organisations, and to promote openness and transparency in research. The information provided will not be used for any other purpose.

7. What to do if you face a conflict of interest in your role

- 7.1. If you face a conflict of interest in your role at the Institute, you should not be involved in decisions made by the Institute that directly relate to that conflict. You should declare your interest at the earliest opportunity (e.g., to your line manager or at the start of a meeting / as soon as you realise during the meeting) and withdraw from any subsequent discussion. For example, you should not be involved in discussing deals with companies with which you

have a personal connection. The same applies if you face a conflict for any other reason. It is your line manager or, in a meeting, the Chair's final decision how the conflict is managed and to ensure that this is documented appropriately (see 8.1).

- 7.2. You may, however, participate in discussions from which you may indirectly benefit, e.g., where the benefits are universal to all, or where the benefit to you is minimal.
- 7.3. A management plan may be put in place should conflicts of interest arise regularly in the course of your work. This will be monitored regularly, in accordance with the agreed review period.

8. Decisions taken where you have an interest

- 8.1. In the event of the Institute having to decide upon a question in which you have an interest, you will be expected to leave the discussion. If there is not a consensus among the remaining individuals, all the decisions will be made by vote, with a simple majority required. Where applicable, a quorum must be present for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate. Interested individuals may not vote on matters affecting their own interests.
- 8.2. All decisions under a conflict of interest will be recorded and reported in writing, for example, in the minutes of the meeting, and a note sent to the Institute Director's Office. The report should record:
 - The nature and extent of the conflict
 - An outline of the discussion
 - The actions taken to manage the conflict
- 8.3. Independent external moderation will be used in the unlikely event that conflicts cannot be resolved through usual procedures.

9. Other potential conflicts

- 9.1. Individuals should also have due regards to whether external activities and interests, including political activities, may create a conflict of interest. For example, being a Trustee of another organisation that is competitive with the Institute or campaigning on an agenda contrary to Institute policy.
- 9.2. Individuals who are seeking elected office (e.g., as MP, MEP or Cambridgeshire Councillor) should discuss the matter with the Institute Director because of the significant public funding to the Institute.

10. Connected persons, companies & bodies

- 10.1. In considering conflicts of interest, you should consider not only your own activities but also those of any connected persons, companies and bodies. The following are deemed 'connected' with you:
 - Anyone living with you as your partner.
 - Your children, step-children, partner's children and step-children, parents, grandchildren, grandparents and siblings; and their partners.

- A Trustee of any private trust of which the beneficiaries or potential beneficiaries include you or anyone mentioned above.
- Your business partners or business partners of anyone mentioned above.
- Firms or businesses in which you or anyone mentioned above (or you acting together with anyone mentioned above) is a partner, has ownership of at least one-fifth of the shares in the company, the ability to direct how at least one-fifth of the voting power in the company is exercised or has the ability to otherwise ensure that the affairs of the company are conducted in accordance with their wishes.

11. U.S. Department of Health & Human Services & Public Health Services Regulations

- 11.1. Senior and key personnel participating in research funded by a U.S. Public Health Service (PHS) funder, most notably the National Institutes of Health (NIH), must follow the requirements set out below. The Grants Office is responsible for this process; please speak to them for advice.
- 11.2. The Financial Conflicts of Interest Policy to meet U.S. Department of Health and Human Services and Public Health Services Regulations is publicly facing on the Institute's website in compliance with the Regulations. **For key definitions and further detail, see the Institute's [website](#)⁵.**
- 11.3. The U.S. Department of Health & Human Services & Public Health Services Regulations apply to any institution (non-U.S. or U.S. domestic) that is applying for or receives research funding from a PHS funder through a grant or cooperative agreement (either directly or via another institution as a sub-awardee) and, consequently, any investigator planning to or who is already participating in such research.
- 11.4. All investigators must disclose any **Significant Financial Interest (SFI)** with respect to their **Institutional Responsibilities** (defined on the website) to the Institute Director who will determine whether such interest constitutes a **Financial Conflict of Interest (FCOI)**. Note, that any SFIs and FCOIs identified would usually constitute a conflict of interest for the Institute and should therefore also be reported through the Institute's Declaration of Interests (see Section 5).
- 11.5. Where an SFI is determined to be an FCOI, a management plan will be drawn up by the investigator, the Institute Director and Grants Office to help manage, reduce or eliminate the FCOI.
- 11.6. A disclosure of the FCOI and the management plan must be submitted to the PHS-funder by the Grants Office.
- 11.7. Adherence to the management plan must be monitored. The Grants Office holds this responsibility.

⁵ <https://www.babraham.ac.uk/legal/financial-conflict-of-interest-policy>

- 11.8. All PHS-funded investigators are required to complete the training on financial conflict of interest available [here](#)⁶. Please inform the Grants Office when you have completed the training so they can maintain a record.
- 11.9. Annual reporting of FCOIs is required. As a direct recipient of PHS funds, any FCOI by PHS-funded personnel will be reported by the Grants Office to the NIH via eRA Commons within 60 days. As a sub-awardee, a FCOI will be reported to the direct recipient of PHS funds within 10 days. Records will be kept for three years by the Grants Office.
- 11.10. Before any expenditure of PHS funds, information concerning any disclosed SFI which has been determined to be an FCOI relating to PHS-funded research, must be made publicly accessible by written response within five working days of request.

12. External organisations

- 12.1. The Institute acknowledges that individuals may be asked to declare conflicts of interest to external organisations, notably as part of grant or ethics applications, when conducting peer review, when publishing in academic journals, or when acting as a consultant. It is the individual's responsibility to comply with these requirements in accordance with the external organisation's policy or guidance. The Institute encourages openness and transparency in declaring conflicts of interest in line with the Universities UK Concordat to Support Research Integrity, the RCUK Policy and Guidelines on Governance of Good Research Practice and BBSRC's Safeguarding Good Scientific Practice. Additional support can be sought from the Grants Office or KEC team.

13. Further information

- 13.1. This policy will be reviewed regularly to incorporate any changes, legislative or otherwise. The next review date is specified on the cover sheet.
- 13.2. Associated policies, procedures and guidance are listed on the cover sheet. The Policy Owner named on the cover sheet can be contacted with any queries.
- 13.3. This policy may be varied, withdrawn or replaced at any time by the Institute at its absolute discretion.

⁶ https://grants.nih.gov/grants/policy/coi/tutorial2018/story_html5.html