



## College of Science & Engineering Guidance

### Personal Relationships and Conflicts of Interest at Work

#### Purpose

The purpose of this document is to provide some general guidance on how to address any real or perceived conflicts of interest arising from the existence of personal relationships between employees of the University.

This guidance does not consider conflicts of interest that may arise in relation to students. There is guidance contained in the Board of Examiners Handbook which is available on the Academic Services website:

<http://www.ed.ac.uk/academic-services>

#### General conduct

All employees are expected to conduct themselves in ways that are consistent with their role and responsibilities and University policies such as Dignity & Respect, and to act in the best interests of the University.

#### Conflict of Interest

The nature and kinds of relationships which could give rise to a real or perceived conflict of interest and the context in which they may arise are many and varied and impossible to define in advance.

This guidance document should be read in conjunction with the University of Edinburgh Conflict of Interest Policy. The policy explains how to determine whether a conflict of interest exists, how it may be resolved and what could happen in the case of a failure to report it irrespective of whether it is actual or perceived.

[http://www.docs.csg.ed.ac.uk/HumanResources/Policies/Conflict\\_of\\_Interest.pdf](http://www.docs.csg.ed.ac.uk/HumanResources/Policies/Conflict_of_Interest.pdf)

The policy provides the following definition:

*A situation in which an employee has a private or personal interest which is likely to appear to influence the objective exercise of an aspect(s) of his /her University duties.*

The types of relationships that are likely to appear, to a reasonable person, to influence objectivity include:

- Close family – spouse/ civil partner, parents, siblings, children and other close relatives.
- Partner – boy/girlfriend, sexual or romantic partner.
- Close personal friends.
- Any type of relationship, including former relationships e.g. divorced partners, which is likely to appear, to a reasonable person, to influence his/her objectivity.

Included in the examples of a serious conflict of interest is the ability to:

- *influence employment, promotion, admission to a course of study, educational progression or other financial or non - financial benefit for a relative or friend*

Whatever the situation in which the real or perceived conflict of interest may arise, the rights of all parties/employees have to be balanced against the need to ensure that no one person or group is put at a disadvantage or is perceived to have been.

This can be a difficult balance to strike and the following protocols described below will therefore apply.

### Protocols

1. All employees should be made aware of the Conflict of Interest Policy e.g. as part of their induction.
2. The responsibility for avoiding a conflict of interest, in the first instance, lies with the individual employee i.e. the person who finds him/herself with a potential or real conflict of interest.
3. Disclosure of a real or potential conflict of interest also lies with the employee and should follow the guidance contained in the policy (See Section 5). Similarly, if a manager becomes aware of a possible conflict of interest, which the relevant employee appears not to have considered, he/she should bring it to the employees' attention for appropriate consideration.
4. Generally and wherever possible, an employee should withdraw from either recruiting or exercising managerial/supervisory responsibilities in respect of another employee who is also a close relative/partner/friend etc. From a line management perspective this means that:
  - a. Routine, day to day decisions regarding allocation of work, approval of annual leave, and other absence on should be allocated to another manager.
  - b. Recommendations on matters such as re-grading, promotion, contribution reward, and any issues which needs to be dealt with under a formal policy such as Redundancy, Sickness Absence, Discipline, etc. will be escalated up the management chain. In order to ensure that any recommendation or decision that may be made in scenarios such as promotion or re -grading is as fair as possible to the employee, views of may be sought from independent, informed 3<sup>rd</sup> parties. In the case of Academic staff, 3<sup>rd</sup> parties may be external to the School, College or even the University e.g. where specific expertise in academic endeavour is required.
  - c. Where the employee with a conflict of interest is the Head of School /Department, the matter may have to be referred outside of the School/Department. In these circumstances it will be for the Head of College to decide whether s/he will exercise management responsibility in these cases or appoint a senior manager from another School/Department to act on his /her behalf.

- d. In circumstances where there is an intervening level of management or supervision between the two employees who have the personal relationship, the intervening manager or supervisor may be allocated another manager to whom they may refer a decision about which they feel uncomfortable or to seek advice. Any decision-making may be handled jointly with the allocated manager.
5. Where particular arrangements have been agreed to avoid/resolve a conflict of interest arising from a personal relationship, these arrangements should be recorded and shared with the individuals concerned and their line management.
6. In the event that an employee has a concern that arrangements implemented to avoid/resolve a conflict of interest are not working satisfactorily, this may be referred to the Head of School/Department or, if they concern the Head of School/Department, the Head of College.

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