



Conflict of Interest Procedure

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This procedure reflects legislation and official guidance at the time it was last reviewed. Any changes in legislation will take precedence over anything printed in this policy. Where other policies are referred to, they can be viewed at the Policy Library

1. Procedure

Identifying Conflicts of Interest or Perceived Conflicts of Interest. This Procedure must be read in conjunction with the Conflict of Interest Policy and Conflict of Interest Schedule.

2. Duty to Disclose

2.1 Individuals

Individuals within the scope of this Policy must always disclose an interest that may present a Conflict of Interest.

Where there is a doubt as to whether the activity may constitute a Conflict of Interest, then individuals must act as though the activity is an actual Conflict of Interest.

Individuals may not themselves determine whether there is a Conflict of Interest and if so how such conflict should be managed.

Individuals within the scope of this Policy are first and foremost bound to fulfil the terms and conditions of their contract of employment with the RSN and adhering to the duties and responsibilities of their roles is the primary means for avoiding Conflicts of Interest.

Failure to disclose a Conflict of Interest will always constitute a breach of the individual's terms and conditions.

Where individuals have another contract or duty outside of their duties for the RSN, this must be disclosed.

Where an individual who is an employee/contractor is also a student of the RSN, this fact must be disclosed as a potential Conflict of Interest, and no person responsible for the individual's academic progress may also be responsible for supervision of their employee/contractor duties to the RSN.

2.2 By Individuals with the Conflict of Interest

In circumstances where individuals are unsure as to whether or not a Conflict of Interest exists, they should seek advice from their line manager who may consult with the Director of Operations, Human Resources, or in the case of a research related conflict, with the Chief Executive Officer.

Where individuals either first become aware of the Conflict of Interest, or first come within the scope of this Policy, they are required to complete and submit the Declaration of Interests Form (Conflict of Interest Schedule).

2.3 Assessment of the Disclosure

Action must be taken to ensure that the Conflict of Interest is disclosed as follows:

It is common to attempt to resolve issues such as this in the first instance by informally discussing the situation with the relevant individual to whom the Conflict of Interest applies and to encourage the individual to follow this procedure

Where an informal approach is not possible or does not resolve the issue, the Conflict of Interest should be reported to:

- The individual's line manager in the case of an employee;
- The Director of Finance in the case of a contractor for goods or services, or;
- The Director of Operations (Human Resources) where no obvious other reporting route is available.
- The person to whom the report is made completes the Declaration of Interest Form

Upon receipt of a written disclosure (as completed on the Declaration of Interest Form) the line manager (or equivalent) takes the following steps:

- Arrange to discuss the issue with the relevant individual as soon as is reasonably practicable.
- If necessary, consult with the Office of the Director of Operations (Human Resources) or the Chief Executive Officer on academic matters or academic research.
- Having discussed the issue with the relevant individual and consulted appropriately, determine if a Conflict of Interest exists.
- Having taken the steps as outlined above, if it is determined that a Conflict of Interest does not exist, notify the individual accordingly.
- Record the decision on the Declaration of Interest Form.

2.4 Management of the Conflict of Interest

Where it is determined that a Conflict of Interest exists, the line manager (or the Director of Finance in the case of an external contract for goods or services) must record the determination and prepare a conflict management plan, which sets out how the Conflict of Interest is to be managed.

Management may include conflict avoidance or mitigation and the management plan may include (but is not limited to):

- Excusing individuals from a specific duty (for example recusal from a committee or panel for a particular decision);
- Resignation or termination of the relevant individual's contract of employment (or contract for goods or services);
- Accommodating the individual's personal or other circumstances within the scope of the RSN's Human Resources procedures;
- Any other appropriate action determined by the line manager (or equivalent) in the management plan.

Individuals must take no part in the relevant activity until such time as this process is completed. Individuals must adhere to the management plan.

The line manager (or equivalent) will continue to monitor the issue to ensure adherence to the management plan. Where ongoing monitoring is required it is recommended that it is scheduled and documented on the management plan.

2.5 Disagreement

In the event of a disagreement on the assessment of the disclosure or the management of the conflict, individuals may review the matter with their line manager in the first instance with a view to resolving the matter. If the matter cannot be so resolved, the individual may raise a grievance through the RSN's Grievance Procedure.

Where a grievance is raised, any action of this Policy may be suspended until the outcome of the Grievance Procedure is reached. Individuals will desist from engaging in the related activity pending the outcome of the Grievance Procedure. Failure to do so will constitute a breach of this Policy.

3. Recording the outcome

The line manager (or equivalent) will:

- Keep a written record of all interactions and decisions taken within this procedure and document the management plan (by completing Part B of the Declaration of Interest Form attaching relevant documents/ communications where appropriate).
- Notify the Office of the Director of Operations (Human Resources) and any other relevant functional area of the outcome of the procedure.
- A copy of the Declaration of Interest Form will be held by the relevant line manager (or equivalent), who shall make an annual report on all recorded Conflicts of Interest by the Director of Operations (Human Resources).

The Director of Operations (Human Resources) shall prepare a summary of all recorded Conflicts of Interest and the management mechanisms put in place which shall be presented annually to the RSN Council.

4. Procedure for Breaches of this Policy

As set out in the scope of this Policy, it is the individuals' responsibility primarily to identify and disclose any Conflict of Interest.

Failure to disclose a Conflict of Interest, or to appropriately refrain from the related activity until the management of the Conflict of Interest has been resolved, will constitute a breach of this Policy.

A suspected breach of this Policy must be notified in writing to the Director of Operations (Human Resources).

5. Investigation

Upon receipt of a notification of breach, the Director of Operations (Human Resources) arranges for an investigation of the alleged breach which may include interviewing parties to the alleged breach, and collecting evidence in relation to the alleged breach.

6. Further Action

The Director of Operations (Human Resources) may determine in the first instance if any breach has occurred and recommend the appropriate action to be taken taking into account the RSN Code of Conduct, the RSN Disciplinary Procedure, the RSN Complaints Procedure, the RSN Employee Handbook, the RSN Grievance Procedure or other relevant action.

