

## Conflicts of Interest

### 1. Definitions

- “Conflict of Interest”** is defined as actions or situations which could lead to an individual’s obligations to the Company being influenced by that individual’s considerations of personal gain, or gain to immediate family or another person, whether financial or otherwise
- “Company”** is used to define London School of Business & Finance, InterActive Pro, InterActive Corporate, Finance & Business Training, the Accountancy College, St. Patrick’s College, London College of Creative Media, London College of Contemporary Arts, London Academy of Trading, GUS Services UK Ltd and any associated Group Companies.
- “Employees”** means all academic and non-academic permanent and fixed-term contract Employees.
- “Duty of Trust and Confidence”** is defined as the duty not to act in a way that is likely to destroy or seriously damage the relationship of trust and confidence between the Company and you. This is often called ‘the term of mutual trust and confidence’ and is a term which is implied by law into every contract of employment.
- “Duty of Fidelity”** (as implied by common law) is defined as the duty of faithfulness owed by you to the Company by virtue of your employment. You undertake not to act against the interests of the Company’s business. This includes an obligation not

to work for another employer as long as your original employment continues (particularly where you are on a full time contract). This also includes the duty not to disclose Confidential Information or remove and use the Company's documents after you leave. Contractors, workers and part time employees must declare any other employment or engagements prior to and whilst being engaged by the Company.

**“Close Personal Relationship”** is defined as such by virtue of consanguinity or conjugality (family relationship, personal partnership, civil partnership or marriage). The term may also apply to close personal friendship, romantic relationships, business partnerships or associations.

**“Immediate Family”** is defined as your parents, parent-in-law, spouse, civil partner, domestic partner, dependent child (including adopted children and dependant step-children) for the purposes of this policy.

**“Financial Interests”** are defined as a significant and potentially influential shareholding, or other arrangement entitling an individual for a significant potential gain associated with an entity for the purpose of this policy.

**“Conflict of Commitment”** is defined as commitment on an individual's time which results in the professional obligations of the individual to the Company being neglected or not fulfilled to the best of their abilities. This excludes the commitment for domestic issues.

## **2. What is a Conflict of Interest?**

- 2.1 Conflicts of Interest may arise when your personal or family interests and/or loyalties conflict with those of the Company, such that an independent observer might reasonably question whether the individual's actions or decisions are determined by considerations of personal gain, financial or otherwise, or such a gain by another person.
- 2.2 A Conflict of Interest may occur even if no improper actions result from it because it can create the appearance of impropriety which may undermine the reputation of the Company.
- 2.3 Examples of where Conflicts of Interest may take place within the Company include (but are not limited to):
- (a) Use of external suppliers
  - (b) Use of Company resources
  - (c) Outside activities and consultancy
  - (d) Conflict of Commitment
  - (e) Confidentiality and Intellectual Property
  - (f) Teaching and assessment
  - (g) Appointment of employees
  - (h) Employees and/or student close personal relationships
  - (i) Procurement
  - (j) Promotion
- 2.4 The Company considers it to be unacceptable for your actions and decisions to be determined by considerations for personal gain, other than in normal aspirations and behaviours relating to promotion or professional development, or by considerations of a gain by another person.

## **3. Declaring Personal Interests**

- 3.1 A Conflict of Interest may be mitigated by open disclosure of information. The Company therefore requires you to declare your interests, and any gift or hospitality received in connection with your role with the Company.
- 3.2 You must disclose, to the best of your knowledge and belief, your own and immediate family's activities for, and financial interests in, organisations external to the Company who provide goods and services to the Company.
- 3.3 You must also disclose Conflicts of Interest of a non-financial nature. An example of this might be where you have a family member studying within

the Company, and you have access to relevant exam papers in your position. A further example might involve circumstances of appointment and/or promotion of employees, in which close relationships should be disclosed.

- 3.4 The Company has a 'Conflict of Interest Declaration Form' which lists the types of interests you must declare. You can obtain a copy of this form via the Intranet or alternatively from your Line Manager or the HR Department. All completed Forms should be submitted to your Line Manager and the HR Department to officially declare the interest and gain clearance.
- 3.5 You must complete an initial compliance form, declaring any pre-existing conflict of circumstances (actual, potential or perceived) that the Company should be aware of. You are expected to do this in line with the general presumption of Trust and Confidence which is implied into every contract of employment by common law.
- 3.6 If you are unsure what you should declare, or whether a declaration needs to be updated, you should always err on the side of caution and seek guidance from your Line Manager or the HR Department.
- 3.7 All Conflicts of Interest will be reviewed by the appropriate HR Officer so an appropriate course of action may be agreed upon. Such course of action may include further information being sought and/or further Investigation being conducted.
- 3.8 All interests will be recorded on the Company's Register of Interests, which is maintained by the HR Department and updated annually.

#### **4. Application and Implementation**

- 4.1 The obligation to declare Conflicts of Interest applies to all employees (whether you are a permanent or fixed-term contract employees), Board Members and Academic employees employed by the Company.
- 4.2 You are required to certify your compliance with this policy and update your declaration if appropriate, when circumstances change.
- 4.3 Failure to complete a "Declaration of Interest" Form or submitting a form which has been deliberately completed in a misleading or incorrect way, shall constitute a disciplinary offence and shall be dealt with accordingly.

4.4 The Company notes that the information provided will be processed in accordance with the data protection principles as set out in the Data Protection Act 2018 (as amended from time to time) and the Company's Data Protection Policy.