



## **Conflict of Interest Policy (Revised)**

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**Monitored By:** College Management Committee

## **1.0. Introduction**

This document sets out the Gaborone University College Of Law and Professional studies conflicts of interest policy to guide staff members in assessing whether a potential conflict of interest exists in the activities they undertake within the college and in society at large. The policy also provides the procedures for disclosing any perceived, potential or actual conflicts of interest.

## **2.0. Definitions**

**2.1. *Conflict of interest:*** Conflicts of interest are real, perceived or potential situations in which an impartial observer might reasonably question whether actions or decisions taken by the Member on behalf of the college are influenced by considerations of direct or indirect personal gain the disadvantage of the college or other stakeholders of the college .

**2.2. *Conflict of commitment:*** A conflict of commitment occurs where the personal activities of the staff member of the College might reasonably be perceived to interfere with the staff member's commitment his /her duty as assigned by the College.

**2.3. *Staff Member:*** A staff member is any person who teaches, conducts research, or works at the college or its affiliated sites, without limitation, any person acting in his or her capacity as full- or part-time faculty, staff or student, clinical or adjunct faculty, education associate, post-doctoral fellow, research assistant, and any other persons while they are acting on behalf of or at the request of the college

**2.4. *Family Member:*** Any person related to a staff member of the college by blood, adoption, marriage or common-law marriage, or with whom a staff member of the college has a close personal relationship

**2.5. *Economic benefit:*** The receipt or expectation of anything of monetary value, including pay or salary or other payments for services.

**2.6. *Student:*** Includes all graduate and undergraduate students and post-doctoral appointments.

### **3.0. POLICY**

The policy document covers the following

- Declaration of interest where possible
- Examples of conflict of interest

#### **3.1. Declaration of Interest**

It is the duty of all members of staff to disclose any actual, perceived or potential conflict of interest as defined by this Policy. Failure to disclose a conflict of interest may result in disciplinary action. All staff members of the college as well as members of Board of Governors are required to declare any external interests. Such declarations are entered on a Register which is maintained by the College Administration Office and includes the name of each individual, as well as the information supplied on the declaration form.

##### **3.1.1. Declaration of external interests**

- Where staff members are engaged with other institutions as part-time workers or consultants -such engagements should be declared
- Where a staff member has established business directly or indirectly related to the college's business – such business should be declared and the management assesses the possibility of conflict of commitment.
- Where member of the board of governors has been requested to advise, take part or assist in the governance, coaching and mentoring of another institution which directly competes with GUC– such commitment should be declared

##### **3.1.2. Declaration of Family Members who engage in business with the college**

Staff members are to declare relationship with family members who engage in business with the college as partners, students, suppliers or potential employees. Such declaration should be made

immediately when the existing staff member becomes aware that a family member has been engaged by the college.

The management committee will assess the nature of relationship and in view of the possible interaction within the college to determine whether conflict of interest will not occur. From the assessment, the management committee may recommend the following:

- Avoiding conflict of interest by transfer the family member to another unit
- Avoiding conflict of interest by stopping the family member's business with the college

### **3.1.3. Declaration of interest in learning and assessment**

In terms of teaching, assessment and research supervision

- No staff member shall directly or indirectly participate in the assessment OF or his /her family member
- No staff members shall participate in the invigilation of examination which a family member is undertaking.
- Members of staff who wish to enroll for and write examinations for any programme offered by the institution should seek authorization from the management.

## **3.2. Examples of Conflict Of Interest**

The following list illustrates situations that may lead to an indirect or direct conflict of interest:

3.2.1. *Interest in a Concern:* Ownership by a Staff Member or by a Family Member of a substantial financial interest in any business with which the college does business, directly or indirectly, or which is seeking to do business with the college.

3.2.2. *Interest in a Transaction:* Representing the college in any transaction in which the Member or a Family Member has a substantial financial or other interest

3.2.3. *Staff /student relationships:* Entering into an intimate personal relationship, or into a financial relationship outside the normal scope of research or teaching assistantships, between a Staff Member and a student with whom the Staff Member has an assessment role.

3.2.4. *Inappropriate use of information:* Using the colleges' confidential information for personal gain or passing such information to those not authorized to receive it. Such information might include knowledge of forthcoming developments requiring the selection of a contractor or sub-contractor or bulk purchases. Other examples of misuse include unreasonably delaying publication of research results (e.g., thesis research), or the premature announcement of results to learners for personal gain.

3.2.5. *Gifts or bribes:* Receiving inappropriate gifts or financial considerations from suppliers', student and other stakeholders in order to influence decisions. All gifts given within the spheres of performing the college's duties become property of the college and should be declared to the management.

3.2.5. *Rendering of services to other concerns:* The rendering of managerial, consultant or any other substantial services to any concern, including services as a director where not specifically authorized by the college should be declared.

3.2.6. *Use of position to influence others:* Using one's position with the colleges' structures to influence any other concern in its dealings with other parties for the personal profit or advantage of any person. Using one's academic or administrative position to create an inappropriate advantage for a Family Member.

3.2.7. *Inappropriate use of the college's personnel, resources or assets:* Using the college students or staff to carry out work on behalf of a company in which a Member has a financial or other interest. Using college resources or facilities without reimbursement to benefit a private concern in which the Member has a financial or other interest.

3.2.8. *Inappropriate Involvement In The Appointment Process:* Participating in the appointment, promotion or hiring of a Family Member.

3.2.4. *Serving political interests:* seeking to gain political support from staff, students and any other stakeholders by using the college's position using college's position. Staff members, students and members of the board of governors shall not expose or use their political affiliation

which may cause discomfort in other staff members and disadvantage the activities of the institution.

3.2.5. *Prolonged absence* - a staff member having a commitment outside the college that involves frequent or prolonged absence from the college on private business

#### **4.0. Policy Promotion and appeal**

The policy will be attached to all employee contracts and shall form part of terms of employment. Where an employee is not satisfied with the decisions of the college management committee; the matter can be referred to the Board of Governors

#### **5. Monitoring and review**

- The management of the college will monitor the implementation and revision of this Policy. Authority is delegated to the Heads of Departments and line managers to monitor activities in relation to this policy
- The management will college will gather information on reported cases of conflict of interest and report to the Board of Governors for policy review.
- This policy shall be reviewed in the event of a change to relevant legislation, and in any event on annual basis.