



## Declaration of Interests and Register of Interests Policy

### Managing conflicts of interest

1. This policy requires that the Chair, Board members, observers who attend Board meetings, members of Board committees and the Chief Executive and senior QAA staff should declare and manage any personal, professional, academic or business interests which may conflict with their duties to QAA.

### Declaration of interests

2. For the purposes of this guidance, interests are categorised as follows:
  - **General interests:** A Board/committee/staff member holds a General interest under this guidance where a decision of the Board or a committee would affect the Board/committee/staff member no more than the generality of those affected by the decision, where this involves a significant number of affected parties, or where the impact on the Board/committee/staff member is minimal
  - **Prejudicial interests:** A Board/committee/staff member holds a Prejudicial interest under this guidance where a decision of the Board or a committee would affect the Board/committee/staff member specifically, or a danger of prejudice or bias with regard to the decision in question. For example, if a member holds an executive or non-executive position at a university or college subject to a decision by the Board or a committee, the member may be viewed as benefiting personally or more than the generality of those affected by the decision, and hence would hold a Prejudicial interest under this guidance
  - **Irreconcilable interests:** A Board/committee/staff member holds an Irreconcilable interest under this guidance where a member's interest is incompatible with their role at QAA.

In assessing whether any of the above interests apply, members should consider not merely their own position, but also those of close family members, any person living in the same household as them, or any firms, businesses or organisations with which they are closely connected.

3. The test to apply when assessing whether an interest is General, Prejudicial, or Irreconcilable is how a member of the public would reasonably perceive a Board/committee/staff member's position. For example, if a member of the public could reasonably regard a Board/committee/staff member as benefiting from a decision more than the generality of those affected, suggesting a danger of prejudice or bias to the issue at hand, this would constitute a Prejudicial interest under this guidance, even if the Board/committee/staff member themselves believed there was no real danger of bias or prejudice on their part.

4. General interests need not be declared, and members may participate in discussions and decisions where they hold such interests.
5. Prejudicial interests must be declared. Irreconcilable interests must be declared to the Chair as soon as the conflict is apparent to the member. See 'managing conflicts of interest' below.
6. Should a member believe that another member has a Prejudicial or Irreconcilable interest which has not been declared, they have a duty to bring this to the attention of the Chair.

### **Managing conflicts of interest**

7. **Board/committee meetings:** As a standard agenda item, members will be invited to declare at the beginning of each meeting any conflicts of interests they have in relation to items later on the agenda. The declared interests will be recorded in the Board's/committee's minutes, together with any consequent action (for example, the member not being present for the discussion of that item).
8. Members should err on the side of declaring any interests if they are unsure whether or not to disclose (for example, if a member is unsure whether an interest constitutes a General or Prejudicial interest). Members are advised to discuss the potential conflict of interest with the Chair in advance of the meeting, who may direct whether the interest should be disclosed and what action should be taken as a result.
9. Where a member has a Prejudicial interest with respect to an agenda item, they will normally not participate in discussions and decisions with respect to that item, and shall not be counted as part of the meeting quorum for that item. They should normally withdraw from the meeting as their presence may influence the judgement of other members present, or inhibit free discussion on the item. Exceptionally, the Chair may invite the member to make a contribution if this would aid understanding of the matter under discussion, but the member should not normally participate or be present for the final part of the discussion or the decision.
10. Where a member has a Prejudicial interest to an agenda item, and the contents of papers for that item contain information or advice which would not be otherwise available to the member and which could be used to further that interest, then the papers for that item will be withheld from the member. Where a member knows in advance of a meeting that an agenda is likely to include an item for which they have an interest to declare, they should inform the Head of Governance. The Head of Governance will consult with the Chair of the Board/committee as to whether the member should receive papers relating to the item in question. Irrespective as to whether a conflict is declared, where the Head of Governance believes that a member has a conflict of interest (e.g. because of an entry on the register of interests), he/she will consult with the Chair of the Board/committee as to whether the member should receive papers relating to the item in question. The Head of Governance will inform the member if papers are to be withheld.

### **Irreconcilable interests**

11. Potential Irreconcilable interests must be declared to the Chair as soon as these become apparent to the member. Where the member is unable to reconcile the interest in QAA's favour, the member should normally resign from the Board/committee (if the conflict will remain live for an extended timeframe) or suspend participation in QAA business while the conflict remains live (if the conflict is likely only to last for a short duration). Where the conflict relates to a specific aspect of their role at QAA, consideration may be given as to their continuing to participate in other areas of QAA business, at the discretion of the Chair.
12. Examples of Irreconcilable interests would include a member holding an Executive/Non-Executive position at an organisation in legal dispute with QAA, or which was lobbying on an issue at odds with QAA's aims and objectives.

### **Register of interests**

13. The policy requires that formal registers of interests be established. The registers are published on the QAA website. The following interests should be recorded on the register:
  - Executive and non-executive directorships of, significant shareholdings in, or employment by, public and private companies likely or possibly seeking to do business with QAA
  - Ownership or part-ownership of, or employment by, businesses or consultancies likely or possibly seeking to do business with QAA
  - Remunerated or honorary positions and other connections with higher education or further education institutions or other organisations (such as subject associations, learned societies, trades unions, or professional, statutory or regulatory bodies) that may give rise to a conflict of interest.
14. The registers will be kept up to date through an annual survey of members' interests. Notwithstanding this, members should inform the Head of Governance of any interests that should be recorded in the register as they arise.