

REGISTER OF EXTERNAL INTERESTS AND ANNUAL DECLARATION POLICY

1.0 Introduction

- 1.1 In keeping with its academic aims and purposes, the College encourages the closest liaison between its staff and industry, professional bodies, commerce, charities and Government departments, including via personal directorships, partnerships, consultancies (including private clinical practice), trusteeships, trade engagements, membership of official committees and intellectual property licensing and involvement in spin-out companies (as per the College's Intellectual Property Policy). The College also allows staff to be engaged in general paid and unpaid activities such as retail, bar work etc., (see section 3.0).
- 1.2 In encouraging such interaction, the College is mindful of its obligation to provide safeguards, wherever possible, against anything arising from these Interests which could be detrimental to the College or to individual members of staff.
- 1.3 A confidential Register of Interests is maintained of the Interests of all College Members, both full and part time, and paid and unpaid, which may or may not overlap with the interests and business of the College.

2.0 Scope and Definitions

- 2.1 The term **College** refers to Imperial College London as well as any subsidiary majority-owned by Imperial College London.
- 2.2 This Policy applies to any **College Member**, which will be taken to mean any of the following:
 - a. full and part time staff employed by the College, or engaged by or directors of subsidiary companies of the College;
 - b. anyone affiliated to the College by way of an honorary contract (including but not limited to honorary academics, visiting academics and visiting researchers), where:
 - i. an Interest they hold could give rise to a Conflict of Interest as described in College's Conflict of Interest Policy; and/or
 - ii. if it is necessary to do so to comply with any relevant external funding bodies' policies pertaining to conflicts of interests and external interests;
 - c. external members of the College's Council and Council's Committees (including in particular the College's Audit and Risk Committee).
- 2.3 An **Interest** is a financial or non-financial interest to the College Member. A *financial interest* refers to anything of monetary value including but not limited to pay, commission, consultancy, equity interest, forgiveness of debt, property, licensing income, and honoraria. A *non-financial interest* refers to any non-financial benefit or

advantage including but not limited to enhancement of a College Member's career, education or professional reputation, access to privileged information or facilities and property, or Intellectual Property Rights.

3.0 Policy statement

Within the Core Terms and Conditions of Service the College permits, subject to prior approval and annual declarations thereafter, College Members to undertake paid and unpaid work for external organisations, to hold or receive equity or licensing income or to carry out casual work within College which is outside of their contracted hours with the College.

The review of a request for approval will take into consideration how the Interest might impact on the delivery and relativity of that College Member's College duties and how it would serve the College interests as well as the interests of the College Member, prior to any approval being granted.

4.0 Process

- 4.1 Before undertaking or accepting, or renewing or extending an Interest, **prior permission must be obtained through submitting a request to the Head of Department via the Imperial College Information System (ICIS), and approval then being given, that Interest must then be annually declared thereafter** via ICIS (the Annual Declaration of Interest process).

In addition, for requests to undertake external work of a commercial nature (including a Directorship or a Partnership) that is not routed through the College office, a waiver for private work (Attachment 1) signed and authorised by the external organisation must also be provided to the Head of Department for review. A waiver is not required for external consultancy work routed through ICON or some other types of external interest such as Trusteeships, Membership on an External Committee or work that is clearly distinct from the College Member's College duties e.g. bar or retail work.

Heads of Departments should submit their own requests to their Faculty Dean/line manager **but cannot delegate their approval responsibilities to others.**

For the avoidance of doubt, prior written permission must be obtained before undertaking external consultancy work through College's company Imperial Consultants Limited (ICON) and any Interests through Imperial Innovations (except those excluded in section 4.6.1).

- 4.2 New staff joining the College must disclose and seek approval from their Head of Department for any Interests they already hold by submitting them as new interests via ICIS. If approved, they must thereafter annually declare their Interests as part of the Annual Declaration of Interest process via ICIS.

It should be noted that once an Interest has been approved, the approval will last for a period of five years. At this point it must be submitted for re-approval.

- 4.3 The College prefers external consultancy work to be routed through ICON, to enable any contractual risks and liabilities to be managed.

Where the College Member can show there is good reason to work on a private basis, the external organisation must sign the College's waiver for private work (Attachment 1) before the Approval Form is submitted for approval. Failure to do this could result in damage to the College's reputation where an external body believes that they are working with the College rather than the particular College Member in his/her own right. This could lead to potential third party litigation against the College, which as well as having an adverse impact on the College's reputation, could further have serious financial consequences. The College, in approving such associations, neither accepts and liability nor extends any indemnity or insurance to cover College Members undertaking work for the external organisation on a private basis. The College Member is expected to have sought legal advice and taken out insurance to ensure they are protected.

There may be exceptional cases where this raises an issue, e.g. where the College Member is the sole director of the external organisation the College Member is undertaking the Interest with. In such cases the College Member should request that the waiver for private work is countersigned by either their Head of Department/Faculty Dean.

4.4 The use of College facilities as part of a College Member's Interest with an external organisation requires prior Head of Department/line manager approval and an appropriate arrangement to be entered into with College to manage liabilities and to provide for (as an example) cost reimbursement.

4.5 Where such Interest is approved, details will be held as part of the College's confidential Register of Interests.

4.6 Exclusions

The activities listed below are exempt from College's Register of External Interests and Annual Declaration Policy; those listed in section 4.6.1 do not require permission to be undertaken and do not need to be annually declared. Those listed in section 4.6.2 only need to be annually declared.

4.6.1 College Members do not require permission to undertake the exempt activities listed below under the College's Register of External Interests and Annual Declaration Policy nor do they need to declare these as part of the Annual Declaration of Interest process:

- a. Academic activities, including but not limited to:
 - i. Awarded grants;
 - ii. Research contracts (such as MTAs or CASE studentships) that have been entered into by College with an external organisation;
 - iii. Involvement in research programmes or clinical trials (e.g. as a Chief-Investigator, Co-Principal Investigator, or researcher), unless the College Member believes such work falls within section 4.2.2 of the College's Conflict of Interest Policy;
 - iv. Attending a scientific congress or conference.
 - v. Authorship of scholarly works such as books, articles, papers and columns. College Members are required to familiarise themselves with the Copyright section of the Intellectual Property Policy;
 - vi. Giving lectures, talks, interviews and speaking to the media;
 - vii. External examiner of a PhD viva;
 - viii. Revenue received via College's Reward to Inventors Scheme;
 - ix. Intellectual Property Right applications filed by Imperial Innovations;

- b. Membership (including unpaid board membership) of a residents' association or of a property management company operating where the staff member is a resident
- c. Shareholding of less than 5%, unless such shareholding is in a company which may engage in business with the College and the College Member has a significant influence in that company;
- d. Membership (including being an unpaid board member or trustee) of non-scientific societies (e.g. sporting or leisure societies), charities, and voluntary organisations provided that such work is unpaid, does not fall within the Conflict of Interest definition at section 2.4.1 of the College's Conflict of Interest Policy and that the work has no link to what is being carried out by the College.

Information relating to (a)(vii) and (a)(viii) above is held centrally in College and summaries can be provided to Heads of Departments to coincide with HR's Annual Declaration process. Heads of Departments/line managers may request further information to fully consider an approval request for an Interest.

Relating to (d) above: if there is any slight prospect that the voluntary activity or charity work might in future relate or be linked to the work of the College, this should be declared from the start, or, if the circumstances are unexpected, this should be declared when the link arises.

4.6.2 College Members do not require permission to undertake the exempt activities listed below but they must declare these as part of the Annual Declaration of Interest process:

- a. Undertaking academic activities on behalf of external organisations (rather than in a College capacity), including but not limited to:
 - i. Examining taught degree programmes for other Universities;
 - ii. Teaching at other Universities;
 - iii. External assessment (e.g. promotion panels or competition judging) for other Universities;
- b. Editor of a journal (including membership on an editorial board);
- c. Casual work within Imperial College (outside of contracted hours) e.g. bar or retail work.

However, should any exclusion described in this section 4.6. later give rise to a Conflict of Interest as described in the College's Conflict of Interest Policy, that Interest must be disclosed in accordance with College's Conflict of Interest Policy and managed as described therein.

5.0 External funding

College Members must refer to and comply with all relevant external research funding bodies' policies pertaining to conflicts of interests and external interests, such as CRUK's Conflict of Interest Policy for Investigators participating in CR-UK sponsored (DDO) clinical trials, the Wellcome Trust's Policy on relationships between Trust-funded researchers and commercial organisations, and the NIH's Financial Conflict of Interest policy. Should there be a conflict between this policy and the policies of external research funding bodies, the external policy obligations do not negate those contained here. However, to the extent that the policies of external research funding bodies contain

additional requirements, beyond what is required by this Policy, those additional requirements shall be complied with in full.

Further information can be found on the External Interests web-site.

6.0 Compliance and Access

- 6.1 The Register of Interests is noted on ICIS and, once a decision has been recorded, a copy kept on the individual's personal file in accordance with the Data Protection Act (2018). Deans of Faculties and the Business School, the Director of HR and the College Secretary and Registrar will be responsible for ensuring and maintaining compliance, along with instructing College Members in their areas to make an annual declaration of Interests in order to confirm and update records. This will involve, for example, sampling annual declarations and requiring Heads of Departments to follow up incomplete or inaccurate declarations with College Members.
- 6.2 Access to the Register of Interests is restricted to those who require it to fulfil their College responsibilities. The Chairman of the College Council, the President, the College Secretary and Registrar, Deans of Faculties and Business School, Faculty Operating Officers, the Director of HR, the Director of Enterprise and the Director of the Research Office reserve the right to access the information and may make specific further delegations in writing. The Auditors reserve the right to access the information and Heads of Departments/Divisions have the right of access to the section of the Register of Interests dealing with College Members in their own Faculty/Department/Division. Other requests for access require authorisation by the Director of HR and information held on an individual may not be disclosed to any third party, other than those identified above, without the written permission of that individual. Under the provisions of the Data Protection Act (2018) individuals have the right to a copy of the data held on them by the College by application to the College Data Protection Officer.

7.0 Failure to disclose

Failure to seek approval for and/or disclose complete and accurate information on Interests for inclusion on the Register of Interests may constitute misconduct and result in disciplinary action being taken by the College.

8.0 Linked policies

- 8.1 The College has a number of related ordinances, policies and procedures already in place, which should be considered in conjunction with this Policy. These include:
- a. The College's Conflict of Interests Policy;
 - b. The College's Ordinance A5 relating *inter alia* to the declaration of Council, Court and Council Committee members' interest in any matter under discussion at these committee meetings;
 - c. The College's Ordinance C1 (Financial Matters Part 8) relating *inter alia* to financial ethics and conflict of interest;
 - d. The College's Purchasing Regulation PR7 relating to the Declaration of Interests;
 - e. The College's Policy and Procedure for the Acceptance of Gifts and Hospitality by Staff which sets out the standards of behaviour the College expects from its employees, members of the Court and Council and members of College Advisory Boards when they are offered gifts and hospitality by external

organisations or have personal, financial or other beneficial interests in any transaction between the College and a third party;

- f. The College's Guidance on Personal/Familial Relationships within the College; and
- g. The College's Post Award Management (of Externally Funded Research) Policy relating inter alia to conflict of interests [Appendix I Faculty Owners of Delegated Processes] under which College Members are required to declare any conflicts of interest relating to active research awards.

8.2 The College treats equality of opportunity seriously and has an equality framework that is applicable to staff in order to promote and ensure equality of opportunity. Implementation of this procedure must be clear and transparent and not subject to any unfair discriminatory practices.



Attachment 1 - Waiver for private work
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Waiver for private work of staff of wishing to accept Directorships, Partnerships, Consultancies, Trade Engagements, Other Remunerated Engagements (the “Appointment”)

Name of Applicant

BLOCK CAPITALS

Department/Division

BLOCK CAPITALS

The College encourages liaison between outside organisations and members of staff. College Members acting in a personal capacity must obtain the written permission of the College through their Head of Department/line manager before accepting an Appointment. Permission will normally be given so long as acceptance does not prejudice the efficient discharge of the College Member’s College and Faculty/Departmental/Divisional duties.

To safeguard its own position the College will, however, only give its permission for work in a personal capacity on the understanding that the terms and conditions set out below in this schedule shall apply. To establish the legal position, a copy of this schedule should be signed by the external organisation and referred to in, and appended to, any Agreement or Exchange of Letters which covers the appointment between the external organisation named below and the member of staff which covers the Appointment.

An external organisation seeking to engage a member of staff of the College in a personal capacity is advised, and with the intention of being legally bound, agrees that:

1. The member of staff named above is acting entirely in a personal capacity and not for or on behalf of the College nor is subject to the control of the College in this respect and shall not hold him or herself out as such.
2. The College accepts no liability for the acts or defaults of the member of staff, to the fullest extent permitted by law, whether negligent or otherwise nor does it extend any indemnity or insurance to the staff member and the external organisation agrees to and shall procure that its employees, agents and sub-contractors waive any claim against the College arising as a consequence of the Appointment of the member of staff.
3. Neither the College Crest, the College name, the College address nor the name of its departments/divisions may be used on any letterhead or similar document in connection with the engagement with the external organisation.
4. The unauthorised use of any College resources or facilities in connection with an Appointment is not allowed. In this context the term College resources or facilities does not include reasonable use of a College computer provided to an individual for work and personal use nor reasonable incoming telephone calls.

Attachment 1 - Waiver for private work
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- 5 Intellectual property rights arising from the work of staff in the course of their College duties belong to the College. Intellectual property rights arising from the work of a member of the College whilst engaged in a personal capacity in work for an external organisation would normally belong to the external organisation. However, where intellectual property is generated by a member of the College staff who is working in the same area of technology, both in the course of College duties and pursuant to the Appointment with an external organisation, in order to determine whether intellectual property arose from College duties, or from the work of the external organisation or from the combination of the two, the member of staff and the external organisation shall promptly inform the College and the College will then approach the external organisation with a view to assessing the prospects of commercial exploitation to mutual benefit.
- 6 Fees will be paid in full by the external organisation direct to the member of staff.

On behalf of _____ (*external organisation*)
BLOCK CAPITALS

I, _____ (*name*) as an authorised signatory of the organisation
BLOCK CAPITALS

Confirm the acceptance of these terms and conditions.

Signed _____ **Date** _____

FAQs – REGISTER OF INTERESTS AND ANNUAL DECLARATION POLICY

General

- 1. As a new College employee, do I need permission to continue with any external interests that I have prior to my College employment?**

Yes, prior to commencing employment or as soon as possible thereafter, new members of staff are required to seek approval from their Head of Department to continue with these where necessary.
- 2. What type of interest outside of the College do I need to seek permission for?**

You are normally required to seek permission for any interest that is additional to your role with the College and has not been allocated by your manager, regardless of your contracted hours.
- 3. What interests would I not normally be required to seek permission for?**

The interests you do not require permission for are listed in section 4.6 of the Register of Interests and Annual Declaration Policy.
- 4. As an academic I am invited to be a viva examiner or review grant proposals, for which I receive a nominal fee. Am I required to seek permission to undertake these tasks and declare them?**

No, you do not need permission to undertake these academic related activities, nor declare them on your Annual Declaration of Interests return.
- 5. I have been invited to be an external examiner for Undergraduate and/or Master degree programmes taught at other Universities. Do I need permission to undertake these interests and declare them?**

You do not need permission for these interests, but you are required to declare them on your Annual Declaration of Interests return.
- 6. I am employed full time in the College but intend to work part-time in the College's Library, Sports Centre etc. Do I need permission to do this?**

No, you do not need permission to undertake casual work, as such bar or retail work, within College in addition to your full time College duties, but you are required to disclose this on your Annual Declaration of Interest return. However, this casual work cannot be undertaken during your normal full time working hours - including your lunch break.
- 7. As a full time or part time employee it is my intention to work for another organisation, do I need to seek permission for this?**

Yes, permission is required to ensure this does not impact on the delivery of or conflict with your role and responsibilities at the College.
- 8. Under what circumstances am I required to provide a waiver for private work (Attachment 1 – Waiver for private work) signed and authorised by the external organisation?**

A signed and authorised waiver for private work must be provided for all requests to undertake external work, apart from external consultancy work routed through Imperial Consultants, Trusteeships, Membership on an External Committee or work that is clearly distinct from the College Member's College duties e.g. bar or retail work.
- 9. Do I need permission for any Intellectual Property Rights filed through Imperial Innovations and any revenues I receive via the College's Reward to Inventors Scheme?**

No, these are excluded interests. You will need to seek permission before being assigned IP in a private capacity and annually declare this thereafter. You will also need to seek permission before receiving any IP commercialisation revenue outside of the College's Reward to Inventors scheme and declare this annually thereafter too.

10. I am a shareholder in a company. Do I need to declare this?

You need to seek permission and declare shareholdings greater than 5% in any one company, or any shareholding in a company which may engage in business with the College and you have a significant influence in that company e.g. being able to influence decisions made by the board of that company.

11. Must the waiver for private work be completed prior to the work commencing?

Yes, it is important that any other organisations for whom you undertake work in a private capacity are clear that they are not working with the College and that you are not undertaking the work in your capacity as an employee of the College.

12. Is there a minimum number of days that have to be declared?

All days must be declared.

13. Once authorisation is given for an external interest, does this need to be re-authorised if the interest goes on for more than a year or evolves into a different interest?

Permission can be granted for an interest for up to five years, and during that period it does not need to be re-authorised, but it must be declared on your Annual Declaration of Interest return for its duration. However, if that interest evolves into a different interest or requires an extension, permission must be sought for that.

Private Clinical Practice requests, where no conflict of interest exists, may be approved for a maximum of five years.

14. The external interest I am seeking permission for is sensitive. Once I have submitted an approval request, who has access to this information?

Access to the 'Register of Interests' is limited to the staff listed in the policy.

Committees

1. Do I need permission to be a Member of a Research Council/Professional Body/ Royal Society/Committee?

Yes, you are required to seek permission to undertake these interests and declare them as part of your Annual Declaration of Interests return.

2. If I am undertaking Committee work, is there a requirement for the waiver for private work (Attachment 1 – Waiver for private work) to be signed?

No, it is not required for the waiver for private work to be completed.

Imperial Consultants

1. Do I have to use Imperial Consultants?

College prefers external consultancy work to be routed through Imperial Consultants, as this route protects the interest of both individuals and the College. If you do not use Imperial Consultants you are expected to ensure you have sought legal advice and taken out your own insurance to ensure you are protecting yourself. Additionally you must get the waiver for private work signed by the client before starting any consultancy work to avoid any implied liability to the College.

2. Can non-academics use Imperial Consultants?

It is only in exceptional circumstances that professional services staff would be expected to be in a position to provide external consultancy work via Imperial Consultants. Permission for this would only be granted in a limited capacity.

3. Is there a cost to working with Imperial Consultants?

Yes, there is a cost of 20% of the contract value, in recognition of the skills and expertise of Imperial Consultants in negotiating the contract and the insurance liability they provide.

Annual Declaration of Interests Return

1. As part of my Annual Declaration of Interests return, do I need to include projects that I am carrying out with Imperial Consultants?

Yes, you should previously have received approval for these consultancies and should check that these are included on the system. If they are not there, please add them.

2. Do I have to complete an Annual Declaration of Interest return if I have nothing to declare?

Yes, you are required to submit a 'nil' return.

3. I am an editor for a journal and am paid for this service, the work is directly related to my research but the publisher has no connection to the College. Do I need to declare this?

Yes, you need to declare this on your Annual Declaration of Interest return, but you do not need to seek permission to do this.

4. I am a trustee or board member of a non-scientific society/volunteer group/charity. Do I need to declare this?

No, complete a 'nil' return unless this work is paid or links to what is being carried out by the College or if it falls within the Conflict of Interest definition at section 2.4.1 of the College's Conflict of Interest Policy.

5. I am a member of a residents' association/society. Do I need to declare this?

No, it is not necessary to declare membership of any societies or residents' associations. If you have no other external interests please complete a 'nil' return.

6. I joined the College after the end of the return period. Do I need to make a declaration?

If you've joined the College after the return period you are not required to declare any external interests for that period but you are required to seek approval for any existing external interests.