

Joseph Education University ကျိုးရပ်ပညာရေးတက္ကသိုလ်



Campus Address:

No. (739-741), Bagan Road (3), Quarter No. (123),

East Dagon 11451, Yangon, Myanmar.

Tel: 09426988746, 09777760001, 095040477

Reg. No. 130581889

Email: jeupresident15@gmail.com

Website: www.jeiuniversity.com

ကျောင်းလိပ်စာ၊ အိမ်အမှတ် (၇၃၉-၇၄၁)၊ ပုဂံလမ်း (၃)၊ ရပ်ကွက် (၁၂၃)၊ အရှေ့ဒဂုံမြို့နယ် ၁၁၄၅၁၊ ရန်ကုန်။

Policy On Conflict of Interest

1. Introduction

The University recognizes that its staff will have many interests and contacts within the local, national and international communities, which benefit the University in the achievement of its ambitions.

From time to time, members of University staff may be placed in situations where actual or potential conflicts of interest, of a financial, ethical, legal or other nature, arise between their personal and professional interests and their University duties.

In addition, members of the University Court are legally required to act in the best interests of the University and to avoid situations where there may be a potential conflict of interest. Members of staff appointed to the boards of the University's related companies have similar obligations.

2. SCOPE AND PURPOSE

- 2.1. This Policy applies to all employees of the University, to all members of the University Court, to external members of Committees and working groups set up by the University and to members of Senate.
- 2.2. Any reference in this Policy to a "member of staff" includes any person within the scope of this Policy.
- 2.3. The purpose of this Policy is to protect the University and members of staff from any appearance of impropriety and to enable the University and members of staff to comply with their legal obligations and their contractual obligations to third parties (such as research funders).
- 2.4. This Policy applies in addition to, and does not in any way replace, the requirement for members of staff to seek permission to undertake certain activities as part of or in addition to their usual job role, as set out in their terms and conditions of employment, and the University's Consultancy Policy 1 and Policy for Externally Funded Activities

3. POLICY STATEMENT

3.1. Each member of staff is responsible for:

3.1.1. identifying situations in which he or she has a conflict of interest or where there is potential for a conflict of interest to arise;

3.1.2. disclosing such situations to the University; and

3.1.3. where required, taking appropriate measures to manage the conflict of interest in accordance with the general procedures below (see section 4).

3.2. Some members of staff, due to their position within the University or the nature of the work in which they are involved, have extra responsibilities under this Policy, which are subject to special procedures involving a mandatory return on an annual basis, even if it is a Nil Return (see section 5).

3.3. A breach of this Policy may lead to investigation under the University's disciplinary procedures.

4. Management of a conflict of interest

The relevant Head of College or of Faculty will evaluate any disclosure made by a member of staff and may decide either that:

4.1. Disclosure of the conflict is sufficient; or

4.2. Additional measures may be required to manage the conflict in order to protect the University and/or the member of staff.

4.3. If the relevant Head of College or of Faculty is subject to the same conflict situation, they shall refer the situation to another Head of College for consideration.

4.4. In cases where the relevant Head of College or of Faculty has decided that additional measures may be required to manage the conflict, they will decide on the appropriate measures to be taken and will inform the member of staff of those measures, which may include:

4.5. the member of staff not taking part in University discussions or meetings about the matter causing the conflict;

4.6. the member of staff not being responsible for University decisions regarding the matter;

4.7. the member of staff not signing any contract on behalf of the University regarding the matter;

4.8. including a notice of the conflict in any publications relating to the matter; and/or

- 4.9. in limited cases, where the conflict is severe, restricting one or other of the member of staff's conflicting activities.
- 4.10. In reaching a decision, the Head of College or of Faculty may (but is not required to) consult with the Senior Management Team.
- 4.11. Decisions of the Head of College or of Faculty will be recorded in the conflicts of interest register (see section 6 below).
- 4.12. Members of staff shall comply with any additional measures put in place to manage the conflict of interest.

5. SPECIAL PROCEDURES

Annual declaration for certain members of staff

- 5.1. The following members of staff are required to submit a mandatory annual declaration listing all situations in which they have a conflict of interest (actual or potential), or confirming that there are no such situations:
 - 5.1.1. members of the University Court;
 - 5.1.2. members of Senate;
 - 5.1.3. members of the Senior Management Team;
 - 5.1.4. Heads of School;
 - 5.1.5. Directors of Research Institutes;
 - 5.1.6. all members of staff working in Procurement
 - 5.1.7. members of staff who have declared an interest in accordance with the general procedures above (see section 4) during the previous academic year.
- 5.2. The annual declaration shall be submitted by completing a Conflicts of Interest Annual Declaration Form on the 'My Profile' section of CORE (or where CORE access is unavailable by completing the form attached at Appendix 3).

Members of the University Court

- 5.3. Members of the University Court are reminded of the Code of Conduct for members of the University Court, which also applies to them.

Personal Use of University contractors by members of staff in Procurement and Estates and Buildings

- 5.4. Any member of staff in these departments wishing to engage University contractors for personal contracts should seek the written approval of the Director/Head of Service in advance using the Personal Use of Contractors declaration form on the 'My Profile' section of CORE (or where CORE access is unavailable, by email).

Requirements of external parties relating to conflicts of interest

5.5. Members of staff need to be aware of and comply with any applicable requirements of external parties in relation to conflicts of interest, for example:

5.5.1. Some funders require notification to them of certain conflicts of interests;

5.5.2. Members of staff sitting on committees or boards will need to comply with the conflicts of interest policy of that committee or board.

5.6. If a member of staff is unsure whether there are any external party requirements which affect them in relation to their activities, they should seek advice from their College Research Support Office or the Central Research Support Office.

6. TYPES OF CONFLICT OF INTEREST

"Conflicts of Interest" arise where there is a conflict between the official responsibilities of a person in a position of trust and any other interests the particular individual may have, e.g. where the individual could be seen to be influencing University matters for actual or potential personal benefit. Such a conflict arises, for instance, when a member of staff is in a position to influence, directly or indirectly, University business, research or other decisions in ways that could lead to gain for them, their family or others to the detriment of the University's integrity and its missions of teaching, research and public service.

These are situations in which financial or other personal considerations may compromise, or have the appearance of compromising, an employee's professional judgment in administration, management, instruction, research and other professional activities.

Conflicts of interest may also include **"Conflicts of Commitment"** which exist when the external activities of a member of staff are so substantial or demanding in terms of time and/or attention so as to interfere with their responsibilities to the University. Conflicts of this type primarily involve questions of obligation and effort, but may often be tied to financial remuneration or other inducements and as such may also constitute a conflict of interest.

The **main categories of conflicts of interest** (discussed in more detail below) are:

- (i) Educational Mission (especially in regard to supervision)
- (ii) Research Integrity
- (iii) Financial Interest
- (iv) Commitment and Loyalty

(i) Conflicts of Educational Mission

The University's employees who are involved in educating, training, supervising or directing the work (education) of students, should ensure that the education they provide is appropriate to the student. The University has a primary objective to educate and train students. For example, special care must be taken to assure that the choice of a student's research project, and the direction of that research is not, and does not appear to be influenced by, their supervisor's personal financial interest. Similarly, teaching provided to another institution should not be in competition with JEU courses.

(ii) Conflicts of Research Integrity

The University's employees should maintain the highest standards of integrity in the conduct of research.

The complete, objective and timely dissemination of new findings through publications, is essential for research integrity. In this context, 'publication' means any means of dissemination of research findings, including publication in a journal, information placed on the web, conference presentations or any other kind of scholarly communication. Note that if a particular research project is covered by a contract with an external sponsor then care should be taken to follow agreed procedures for publication. The potential for personal gain must not jeopardize nor appear to jeopardize the integrity of research activities, including the choice of research, its design, the interpretation of results, or the reporting of such results.

(iii) Conflicts of Financial Interest

The University's employees have a responsibility to respect and promote the financial interests of the University. Staff should wherever possible ensure that the University:

- receives appropriate financial benefits from the provision of research services, including consultancy and other services conducted through the University
- receives appropriate financial benefits from the use or commercialization of its intellectual property
- receives appropriate financial benefits from the use of other resources and assets, including equipment, technical staff and facilities
- makes responsible use of its financial resources in relation to the purchase of goods as specified in the University's Financial Regulations.

(iv) Conflicts of Commitment and Loyalty

The University's employees owe their primary commitment and allegiance to the University. Membership of Committees, Boards, Advisory Groups etc (External Appointments) implies an obligation (and sometimes a statutory duty) to act in the best interests of the external body. These duties may conflict with those duties and obligations as employees of the University. Where an External Appointment is allowed under the Consultancy Guidelines or otherwise allowed by the University, this does not absolve the employee from ensuring that he or she continues to give their primary commitment and allegiance to the University. Managing conflicts of commitment is primarily a matter for individual staff and their Head of School.

Further guidance

Appendix 1 contains for guidance a list of some (but not all) possible situations which may arise, and may help in deciding whether a particular circumstance does represent a conflict of interest.

7. PROCESS OF DISCLOSURE AND REVIEW

The formal process of managing individual instances of actual or potential conflicts of interest is described in detail in the Conflicts of Interest Regulations. In essence, any individual who

believes they may have a conflict of interest should consult their line manager. For most staff this will be their manager within their School or Professional Services Grouping. For managers this will be their Head of School or Head of Major Professional Services Grouping. Heads of School will report to Deans, and Deans and Deputy Vice-Chancellors to the Vice-Chancellor. Heads of Major Professional Services Groupings will report to the Registrar & Chief Operating Officer, who in turn reports to the Vice-Chancellor. Should the Vice-Chancellor be placed in a conflict of interest situation then the Chair of Council must be consulted.

8. Review and Amendment

This policy has been approved by the University Management Team (UMT). Any additions or amendments to this or related policies will be submitted by any member of UMT to the UMT for approval or to whatever authority the UMTO may delegate this role.

The policy will be reviewed every three years by the Information Compliance Manager and Corporate Secretary in light of any legislative or other relevant developments.

9. Policy Adaption

- This policy is adopted on 22nd March 2022.

Appendix (2)

Conflict of Interest Disclosure Form

INSTRUCTIONS:

- (i) Complete details below and sign and date form.
- (ii) Send hard or scanned copy to your Head of College or the Chief Operating Officer (for University Services staff).

Name	
Staff Number	
School (if applicable)	
College/University Service	
Position	
Type of Interest (delete as applicable)	Shareholding/ Directorship/ External Committee/ Other
Short Description	

Signature: -----

Date: -----

Appendix (3)

Conflicts of Interest Annual Declaration Form

INSTRUCTIONS:

- (i) Complete details below and sign and date form.
- (ii) Send hard or scanned copy to your Head of College or the Chief Operating Officer (for University Services staff).

Name	
Staff Number	
School (if applicable)	
College/University Service	
Position	
Declaration (delete as applicable)	No Conflicts of Interest/ Conflict(s) of Interest Already Declared/ Conflict(s) of Interest To Declare (complete below)
Type of Interest (delete as applicable)	Shareholding/ Directorship/ External Committee/ Other
Short Description	

Signature: -----

Date: -----