

## CONFLICT OF INTEREST POLICY FOR NUS STAFF

Policy Document Information				
Policy Document Category:	Administrative			
Policy Document Owner:	Office of Risk Management and Compliance (email: rmcsec@nus.edu.sg)			
Applies:	All Staff			
Effective Date:	1 December 2021			
Intended Use	Avoidance of Conflict of Interests, unless approved, is important to maintain independence and integrity in dealings of interests with the university. Staff is expected to declare all Conflict of Interests immediately.			
POLICY DOCUMENT HISTORY				
Version No.	Approved By	Approval Date	Effective Date	Policy Document Change
V2	President	25 November 2021	1 December 2021	Updated

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## 1 DEFINITIONS

Please refer to Appendix 1 for the definition of the various capitalised terms used in this Conflict of Interest Policy for NUS Staff. ("**Policy Document**").

## 2 OBJECTIVES

Avoidance of Conflict of Interests, unless approved, is important to maintain independence and integrity in dealings of interests with the university. Staff are expected to declare all Conflict of Interests immediately.

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## POLICY STATEMENTS

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## 3 PRINCIPLES

- 3.1 The Policy applies to all staff (as defined in the NUS' Staff Disciplinary Procedures and Sanctions Policy) ("Staff"). A conflict of interest ("Conflict of Interest") occurs when there is a divergence between a Staff's private interests and his/her professional obligations to NUS, such that an independent observer might reasonably question whether the Staff's actions or decisions are determined by considerations of personal gain, financial or otherwise. For the avoidance of doubt, any reference to a "Conflict of Interest" can refer to either an actual or potential conflict of interest, and may be declared by the Staff or otherwise brought to the attention of NUS.
- 3.2 NUS is in a position of trust in relation to many external organizations. In addition, Staff have a responsibility to the government, donors, parents, students, and other sources of resources to use such resources prudently and ethically. Considerations for personal gain, financial or otherwise, must not influence the decisions or actions of Staff in carrying out their responsibilities to NUS.
- 3.3 Accordingly, Staff should be sensitive to situations which could raise questions of actual or potential conflicts between personal interests and NUS' interests. Staff should conduct their affairs so as to avoid or minimize such Conflicts of Interest, and must respond appropriately when Conflicts of Interest arise.
- 3.4 For the avoidance of doubt, the responsibility for avoiding or resolving (where the conflict cannot be avoided) the Conflict of Interest rests, in the first instance, with the Staff.
- 3.5 Deans, Heads and supervisors shall also be alert to situations or work arrangements that create or may create Conflicts of Interest and ensure that any Conflict of Interest is addressed.

## 4 INSTANCES OF CONFLICTS OF INTEREST

- 4.1 Staff must ensure that they do not place themselves in a position of Conflict of Interest (unless specifically allowed to do so by NUS or pursuant to any policy of NUS), including, but not limited to:

- a. avoiding situations in which their personal or financial interests conflict with those of NUS or which can interfere with their ability to make impartial decisions in the best interests of NUS;
- b. not directly or indirectly exploiting any business opportunities available to NUS for their own benefit, or for the benefit of 3<sup>rd</sup> parties with which they may be connected with;
- c. not pursuing any interests of their own within the context of doing their jobs that conflict with the interests of NUS;
- d. not accepting or engaging in any employment, consulting, public service, or pro bono work which can result in conflicts with an individual's primary commitment of time and energy to the University and/or which contravenes:
  - (i) the Consultation Work Scheme; or
  - (ii) Rules on Acceptance of Non-executive Directorships and Executive Directorships/Managerial Positions;
 unless prior approval/exception has been granted by NUS;
- e. avoiding situations and/or engaging in activities which may detract from the prestige and standing of the University or the professional stature of the Staff.

4.2 Any Conflict of Interest is to be avoided and must be immediately declared by the Staff.

There is no exhaustive list of situations that could potentially give rise to a Conflict of Interest. Examples of Conflict of Interest are provided below but not intended to be exhaustive:

Use of NUS Property/Information

- a. Using for personal gain or other unauthorized purposes any NUS-funded or supported property (including Intellectual Property), work products, results, materials, property records, or information, facilities and equipment ("NUS Property") (unless specifically allowed to do so by NUS or pursuant to any policy of NUS).
- b. Using for personal gain or other unauthorized purposes, University Data classified as NUS Confidential or NUS Restricted (as defined by NUS' Data Management Policy) acquired in connection with the Staff's NUS- supported activities.

Gifts & Meals

- c. Notwithstanding anything in NUS' Policy of Gifts and Meals, Staff must not accept from any 3<sup>rd</sup> party any Gifts or Meals if the acceptance of such Gifts or Meals would be perceived as an attempt to influence the Staff to make a decision in favour of that 3<sup>rd</sup> party or such other party at the request of the 3<sup>rd</sup> party.

Additional Commitments – Within NUS and with external parties

- d. Accepting any advisory (including non-executive directorships in a company) or consultative role, or position with a 3<sup>rd</sup> party (as an employee, executive director or in an executive/managerial role in a company, partnership or sole proprietorship),

whether for payment or otherwise which contravenes:

- (i) the Consultation Work Scheme; or
- (ii) Rules on Acceptance of Non-executive Directorships and Executive Directorships/Managerial Positions;

unless prior approval/exception has been granted by NUS.

- e. Part-time staff should seek the prior approval of their respective Heads by way of declaration on the on-line [Ad-hoc Declaration Form](#) for such roles if such roles present a Conflict of Interest or give the appearance of conflict with their responsibilities to NUS.

### 3rd Party Agreements

- f. Where the Staff has an interest in 3<sup>rd</sup> party entities who have an agreement or contractual relationship with NUS and/or:
  - (I) is involved in negotiating agreements (contractual or otherwise) between NUS and the 3<sup>rd</sup> party entities; and or
  - (II) is involved in giving approvals to transactions between NUS and the 3<sup>rd</sup> party entities.

Such interest in the 3<sup>rd</sup> party entities would include the Staff:

- (i) having a controlling equity interest in a 3<sup>rd</sup> party;
- (ii) having a substantial shareholding comprising of 5% or more shares or voting rights in the 3<sup>rd</sup> party company;
- (iii) being a director of the 3<sup>rd</sup> party;
- (iv) receiving some form of remuneration from a 3<sup>rd</sup> party; or
- (v) having a known family relation who falls under paragraphs (i), (ii), (iii), or (iv).

### Employment of family relation and other relationship

- g. Be involved in the hiring, supervision and/or evaluation of the work performance of any known family relation or other relationship in NUS.

### Involvement in research projects

- h. Where a Staff who is the Principal Investigator or a Co-Investigator, or where a Staff whose appointment is funded in part or whole by the research project, undertakes a consultancy on (i) a research project of NUS; or (ii) a research project where NUS is involved or otherwise affiliated.

## **5 STUDENT ACADEMIC AND ADMISSIONS PROCESSES**

### **5.1 Notwithstanding anything in this Policy, if a Staff:**

- a. (i) has access to the undergraduate and graduate admissions systems, (ii) is involved in any stage of the assessment process of undergraduate and graduate admissions (i.e. setting NUS Entrance Examination/Admissions Test questions, typing, printing, safekeeping and transporting of question papers, marking of examination answer scripts, entering, uploading or checking of marks, examination

processing, etc.), or (iii) is involved in conducting admissions, scholarships and financial aid interview and selection of an applicant; and has a known family relation or other relationship with an applicant;

OR

- b. has access to student academic-related systems and/or is involved in any stage of the assessment process of students (i.e. setting continuous assessment (CA) or examination questions, typing or printing question papers, safekeeping or transporting of question papers, marking of CA or examination answer scripts, entering, uploading or checking of marks, examination processing, etc.) and has a known family relation or other relationship with a student;

the Staff must declare such relationship in accordance with the process provided for such declaration.

## **6 APPLICATION OF OTHER NUS POLICIES**

- 6.1 Staff are reminded to also comply with the following NUS policies which may result in a Conflict of Interest:

- a. The University's Code of Conduct
- b. Conflict of Interest Policy Relating to Spin-off Companies
- c. Consultation Work Scheme
- d. Rules on Acceptance of Non-executive Directorships and Executive Directorships/Managerial Positions
- e. Sponsorship by Industry
- f. Policies Relating to University Intellectual Property
- g. Policy on Acceptance of Gifts and Hospitality by Staff
- h. University Procurement Policy

- 6.2 Staff at Yale-NUS College are reminded to comply with the respective Yale-NUS College policies.

- 6.3 Staff who have an appointment at National University Hospital (NUH) / National University Health System (NUHS) are reminded to comply with the respective National University Hospital (NUH) / National University Health System (NUHS) policies.

## **7 DECLARATION OF CONFLICT OF INTEREST AND THE MANAGEMENT OF THE PROCESS**

- 7.1 To protect NUS, its Staff and students against allegations relating to Conflict of Interest, Staff shall declare any Conflict of Interest during the online Annual Declaration of Conflict of Interest. If the Staff is aware of the Conflict of Interest outside the Annual Declaration period, he/she should declare the conflict in the on-line [Ad-hoc Declaration Form](#).
- 7.2 The President has tasked the Chief Risk Officer (CRO) and his Compliance Unit of the Office of Risk Management and Compliance (ORMC) to manage the annual and ad-hoc COI Declaration and System. The results of the declaration and testing will be reported to management and subsequently shared with the relevant sub committees of the Board of Trustees for their deliberations.
- 7.3 Major faculties, schools and administrative offices have appointed representatives within their departments to support its staff on COI Declaration matters. These representatives are

members of a COI committee working with the Compliance Unit.

## **8 EXCEPTIONS**

- 8.1 At its discretion, NUS may grant an Exception.
- 8.2 All declarations of Conflicts of Interest and requests for an Exception to any Conflict of Interest shall be referred to and reviewed by the Compliance Unit and the COI committee, where needed. In its review, the COI committee may seek the inputs or assistance of appropriate Staff including but not limited to the respective Dean, Head and consult the respective Cluster Head (where necessary), Office of Human Resources (OHR), Senior Management and President. Upon its review, the COI committee shall inform the Staff of its decision and follow-up actions to be taken, if any. The COI committee may also co-opt other Staff to assist on any follow-up actions to be taken as appropriate. The COI committee will work in close consultation with the respective Dean and Head to ensure that follow-up actions (if any) are taken.

## **9 DECISION REVIEW ON EXCEPTIONS**

- 9.1 If a Staff wishes to request that the COI committee reconsider its decision, the Staff should forward his/her request to their designated Reporting Manager. It would be helpful for the Staff to include in his/her request supporting reasons or any new information which would be assist the COI committee and Compliance Unit in its reconsideration.
- 9.2 In its reconsideration, the COI committee may seek the inputs or assistance of appropriate Staff, not limited to those who may have been consulted earlier. Upon reconsideration, the COI committee shall inform the Staff of the final outcome. No further request for review will be entertained and the decision of the COI committee shall be final and binding.

## **10 NON-COMPLIANCE AND SANCTIONS REGARDING CONFLICT OF INTEREST BREACHES**

- 10.1 Non-compliance of Conflict of Interests policy is a breach of the Code of Conduct for NUS Staff. The non-compliance and sanctions are addressed in section 4.1 and 11 of the Code of Conduct for NUS Staff. Section 11 of the [Code of Conduct for NUS Staff](#) refers to the [Staff Disciplinary Procedures and Sanctions Policy](#).

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## **GENERAL**

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## **11 REVIEW OF POLICY**

- 11.1 This Policy Document shall be reviewed by the Policy Document Owner in accordance with the requirements set out in the University Policy Framework, or more frequently if deemed necessary by the Policy Document Owner. Any recommendation for changes to this Policy Document (whether amendments, repeal or otherwise) must similarly be carried out in accordance with the requirements of the University Policy Framework.

- 11.2 The University shall be entitled to revise, amend or update this Policy Document and to issue additional Policy Documents from time to time. All such revisions, amendments, updates and additions shall be deemed to be a part of this Policy Document. Any revisions, amendments, updates or additions to this Policy Document issued by the University may be published or notified through written notice, electronic mail, the University website, or such other form of communication as the University may deem appropriate.

## **12 QUERIES**

All questions as to the interpretation of this Policy Document shall be referred to the Policy Document Contact.

## **13 INTERPRETATION**

This Policy Document shall be read in conjunction with the University Policy Framework and any Related Documents. Capitalised terms used in this Policy Document that are not otherwise defined shall have the meanings given to them in the University Policy Framework and the Related Documents.

### **13.1 Headings**

The headings of the provisions of this Policy Document are to facilitate reference only and do not form a part of this Policy Document, and shall not in any way affect the construction or interpretation thereof.

### **13.2 Inconsistency with this Policy Document**

In the event of any inconsistency between the requirements set out in this Policy Document and those set out in the Related Documents and any other Policies, Procedures, Guidelines or other documents relating to the subject matter of this Policy Document, the requirements set out in this Policy Document shall prevail unless otherwise stated.

## **14 ADHERENCE TO POLICY DOCUMENT**

Compliance with this Policy Document is mandatory and any failure to comply with this Policy Document (including any arrangements that are established under it) may, at the University's absolute discretion, be investigated and result in such corrective and/or disciplinary action(s) as the University deems fit.

## **15 RELATED DOCUMENTS**

This document should be read in conjunction with the Related Documents set out in Appendix 2.

## 16 LIST OF APPENDICES

No.	Appendix
1.	Definitions
2.	Related Documents

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## APPENDIX 1

### DEFINITIONS

In this Conflict of interest Policy for NUS Staff (this “**Policy Document**”), the following words shall have the following meanings:

<b>“Cluster Head”</b>	Refers to the Senior Deputy President & Provost, Deputy President (Research & Technology), Deputy President (Administration & Finance) or Deputy President, NUS Enterprise (Innovation & Enterprise) in relation to their respective clusters. For the purposes of the Staff Disciplinary Procedures and Sanction Policy, Deputy President (Admin & Finance) will be the designated Cluster Head for Staff whose Cluster Head is not the Senior Deputy President & Provost, Deputy President (Research & Technology) or Deputy President, NUS Enterprise (Innovation & Enterprise).
<b>“Controlling Interest”</b>	Refers to (a) holding directly or indirectly 15% or more of the total equity interest of the 3rd party, (although NUS may subsequently determine that a Staff whose total equity interest is 15% or more does not have a controlling interest); or (b) having a right to exercise, or exercises, the capacity to participate in decision-making, directly or indirectly, in relation to the financial and operating policies of the 3rd party.
<b>“Dean”</b>	Refers to the Dean of a Faculty, School or Programme of NUS. “Head” includes the Head of an academic Department or Director of an administrative office, institute, centre, unit or other subdivisions of teaching, research and administration of NUS.
<b>“Family relation”</b>	Refers to a person, means the person’s spouse, child, adopted child, step-child, sibling or parent.
<b>“Financial Interest”</b>	Refers to anything of monetary value gained (whether that value can be easily determined or not). Examples: salary, payments for services, ownership in assets, having equity, creditor or debtor interests in any organisation, intellectual property rights etc.
<b>“Form of Remuneration”</b>	Means the receipt, or expectation of receipt of any monetary value or monetary remuneration from a 3 <sup>rd</sup> party.
<b>“Indirect”</b>	Refers to ownership beneficially held through another investment, estate, trust or other intermediary. Shareholdings in publicly listed companies are excluded.
<b>“NUS Property”</b>	Any NUS-funded or supported property (including Intellectual Property), work products, results, materials, property records, or information, facilities and equipment.
<b>“Related Documents”</b>	All NUS Policy Documents, internal University legislation, external government legislation, websites, forms, templates, publications and other documents referred to in this Policy Document or related to the subject matter of this Policy Document, as amended and supplemented from time to time, including but are not limited to, the documents set out in Appendix 2 below.

<b>"Relationship"</b>	Refers to dealings with any person who you have or had a relationship with that would place you in a conflict of interest situation.
<b>"Staff"</b>	As defined in the NUS' Staff Disciplinary Procedures and Sanctions Policy

### Interpretation

1. The word 'may' when used to bestow a duty or power indicates that the action or decision may be enacted or not, at discretion.
2. For the avoidance of doubt, the words 'must', 'shall' or 'will', if used to bestow a duty or power, indicate that the action or decision is mandatory and must be enacted.
3. A reference to the word 'including' in any form is not to be construed or interpreted as a word of limitation.

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**APPENDIX 2**  
**RELATED DOCUMENTS**

This Policy Document should be read in conjunction with the following Related Documents:

No	Name of Document
1	<a href="#">Code of Conduct for NUS Staff</a>
2	<a href="#">Conflict of Interest Policy Relating to Spin-off Companies</a>
3	<a href="#">Consultation Work Scheme</a>
4	<a href="#">Rules on Acceptance of Non-Executive Directorships and Executive Directorships/Managerial Positions</a>
5	<a href="#">Sponsorship by Industry</a>
6	<a href="#">Policies Relating to University Intellectual Property</a>
7	<a href="#">Policy on Acceptance of Gifts and Hospitality by Staff</a>
8	<a href="#">University Procurement Policy</a>
9	<a href="#">Yale-NUS College Policy Links</a>
10	NUH/NUHS Conflict of Interest policy (NUHS-HAP-HRM-114)
11	Honorarium and Appointment of Directorship policy (NUHS-HAP-HRM-048)
12	Policies relating to *NUH/NUHS Intellectual Property

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