

## **Guidelines on Conflicts of Interest in Supervision Examination and Administration of Research Degrees**

### **1. Purpose**

The aim of these Guidelines is to ensure preventative action is taken wherever possible to avoid conflicts of interests, whether potential or actual, perceived or alleged and that such conflicts are managed transparently to avoid any compromise to the professional integrity of the University's staff and its examiners.

The Guidelines are intended to do the following:

- clarify what is considered to be a conflict of interest
- ensure that there are no issues which could impede fair and appropriate supervision and that any assessment of progress is unbiased and independent
- ensure that there is independence and impartial evaluation in the examination process
- clarify the circumstances where individuals who are proposed as supervisor, advisor, referee, research degree tutor, examiner or independent chair at examination would not be appropriate to undertake the role
- clarify where a change in circumstances renders continuation in the role of supervisor, advisor, referee, research degree tutor, examiner or independent chair as being no longer viable.

The guidance aims to protect all parties: the student, supervisors, advisors, referees, research degree tutors, examiners and independent chairs as well as the University at admission and throughout the period supervision and examination from complaints of bias or unfair practice and to ensure the reputation of the University's awards is not compromised.

In applying the guidelines, particularly in cases where remedial action is required, staff are expected to act with due sensitivity and to ensure all parties including the student understand the position and the remedial action taken.

It should be noted that the examples in Appendix 1 do not constitute an exhaustive list and careful consideration must be given to all those to be given the roles above to ensure there are no conflicts of interest or that the mitigating circumstances are sufficient to warrant the appointment.

### **2. Types of relationships where of conflict of interest arise**

A conflict of interest can be perceived or actual. Its existence does not necessarily arise due to unethical or unlawful behaviour, it may just be a coming together of circumstances. Conflicts of interest might be legal, ethical, moral, financial, personal, academic or of another nature:

- Professional and personal relationships between supervisors/advisors/examiners/referees/research degrees tutors/ independent chairs and the student;

- Professional and personal relationships between any of the parties: supervisors/advisors/examiners/referees/research degrees tutors/ independent chairs
- Relationships between examiners and the University, eg external examiner for a taught course, visiting academic or honorary status.

### **3. Perceived conflicts of interest and damage to the University's reputation**

Situations which give rise to the perception that there is a conflict of interest should also be addressed as they have the potential to damage the University's reputation. A common example is where the examiner has had personal contact with the candidate or supervisor and this may give rise to the perception that the examiner may be dealing with the candidate in a less than objective manner. Gifts are the cultural norm in some countries but acceptance of a gift prior to a transfer viva or examination might lead to a perception of lack of objectivity.

### **4. Disclosure**

All parties involved should disclose and justify potential or real conflicts of interest prior to the establishment of supervisory or examination arrangements.

Any third parties who become aware of a conflict of interest should raise the matter with the person/persons who provide the final authorisation of any arrangements relating to the supervision, assessment of progress or examination of the candidate.

All gifts eg from a student, should be disclosed in line with the University's policy.

Consideration of whether any conflicts of interest exist must be determined prior to each of the following:

- nomination for an interview panel for a studentship or general admission
- nomination of supervisors at admission
- nomination of the research degrees tutor for admission and after enrolment
- nomination of a referee
- nomination of an advisor
- submission of the Research Programme Approval application
- submission and assessment of the Transfer from MPhil to PhD application
- submission for approval of a change of supervisory arrangements
- submission for approval of examination arrangements
- nomination of an independent chair for examination

### **5. Conflicts of interest which arise after appointment**

Any changes in circumstances which would give rise to a conflict of interest after nomination or approval of any of the above in Section 4 must be disclosed without delay either to the Head of School or the School's Research Degrees Tutor or the Research Student Registry who will determine what action should be taken. The person taking action should not be associated with the conflict of interest.

### **6. Remedial Action**

Conflicts of interest must be addressed in a timely way and appropriate manner

- before any nomination or submission listed in section 4 or
- following a disclosure after an appointment

### Responsibility for action

Those providing the final authorisation or if need by the Head of School.

Where a Head of School is involved this will need to be dealt with by the Executive Dean.

Any person appointed in any of the roles above who identifies that they have a conflict of interest can refuse the role or elect to withdraw from that role and should notify Head of School or the School's Research Degrees Tutor or the Research Student Registry immediately.

### **7. Mitigating circumstances**

There may be instances where the conflict of interest is minimal due to the circumstances in which it arises or where it is minimised, for example by the presence of other parties.

Where the School considers the mitigating circumstances mean the conflict of interest can be managed so as not to impede the proper operation of research degree supervision, administration or examination and the objectivity of all parties then the School or Research Degrees Board might approve the proposed supervisor /examiner/ referee/advisor/ research degree tutor/ independent chair.

The conflict of interest must be declared and the case for acceptance should be laid out clearly in any documentation such as the examination arrangements form or a record made and held on the student's file in the Research Student Registry.

## Appendix 1

### Examples of Conflicts of Interest

Notes: For definitions of relative and close family relationship see Appendix 2.

#### Student

- is a member of staff or under consideration for a post at UCLan (*see examples of Remedial Actions*)
- is in a personal relationship with a supervisor, referee or an examiner, the School's Research Degrees Tutor

#### Supervisors, Advisors, Research Degree Tutors and Referees

- The proposed supervisor/referee/advisor/ Research Degrees Tutor is studying for their own research degree. (*see Mitigating Circumstances, example 1*)

Two of the proposed supervisors or a proposed supervisor and student/advisor/Research degree tutor proposed referee/and supervisor/student are:

- married; or
- in a personal relationship, or
- are related, or
- are co-residents; or
- members of a common household

A proposed supervisor is:

- the line manager of the student
- line-managed by the student
- the line manager of the referee/another supervisor
- a relative of the student
- has a business and / or has a financial relationship with the student
- has a current professional relationship with the student [excluding that of a dissertation or Master's (by Research) supervisor]

A proposed referee is:

- the line manager of the student
- line-managed by the student/supervisor
- a relative of the student
- has a business and / or has a financial relationship with the student
- has a current professional relationship with the student [excluding that of a dissertation or Master's (by Research) supervisor]

The School's Research Degrees Tutor or the School's Research degrees Tutor for the subject area is:

- the line manager of the student
- line-managed by the student
- a relative of the student
- has a business and / or has a financial relationship with the student
- has a current professional relationship with the student [excluding that of a dissertation or Master's (by Research) supervisor]

## **Examiners & Independent Chairs**

Any proposed examiner who is studying for their own research degree.

Any proposed examiner who has undertaken one or more of the following:

- co-authored a paper with the candidate or supervisor within the last three years (*see Mitigating Circumstances, examples 2 and 3*)
- worked with the candidate on matters regarding the thesis e.g. previous member of the supervisory team or as an advisor
- acted as referee for the transfer

Any proposed examiner who is or was one of the following:

- in a business and/or financial relationship with the candidate or supervisor or another member of the proposed examining panel in the last five years

Any proposed examiner or independent chair who has undertaken one or more of the following:

- acted as a referee for the candidate for employment
- been an interviewer for a postdoctoral or other research post
- employed the candidate or been employed by the candidate within the last five years
- negotiated to directly employ or be employed by the candidate

Any proposed external examiner or independent chair who is or was one of the following:

- married or in a personal relationship or, is a co-resident or a member of a common household with the candidate or supervisor or another member of the proposed examining panel

Any proposed examiner or the independent chair who is one of the following to the candidate or supervisor or another member of the proposed examining panel:

- a relative
- legal guardian or dependent
- a friend
- associate
- mentor

Any proposed external examiner or independent chair who is or was one of the following:

- a previous research student of the candidate's Director of Studies or second supervisor
- supervisor to another of the candidate's supervisors' students
- in a current professional relationship, such as shared membership of an editorial or grant board or committee (including editorial and grant decision boards), with the candidate or supervisor or another member of the proposed examining panel

Any proposed examiner who has had personal contact with the candidate or supervisor that may give rise to the perception that the examiner may be dealing with the candidate in a less than objective manner.

The external examiner(s) who has taken on one or more of the following roles:

- worked with one or more of the supervisors on a research project (*see Mitigating Circumstances 2 and 3*)
- was a member of staff at UCLan in the past 3 years
- examined three UCLan research degree candidates in the past 5 years
- supervised a UCLan student in the same school in the last 3 years
- an external for a taught course in the school within the last 3 years

### **Examples of Possible Mitigating Circumstances:**

1. The proposed supervisor who is studying for a PhD is to be a second supervisor in a team of three supervisors and this is new area of research at UCLan and their subject research expertise is not available from another source.
2. Mitigating circumstances may exist, where a joint publication has a large author list and where the external examiner and supervisor have not collaborated directly.
3. Mitigating circumstances may exist, where researchers are linked through a joint grant but the grant is held by a large consortium of relatively independent researchers.
4. The submission of the thesis will definitely be outside the time limitation for an external examiner who would otherwise be classed as too frequently appointed.
5. The proposed examiner has recently finished a term as an external examiner for a taught course but is to be one of two external examiners.
6. The proposed examiner is an ex-student of one of the supervisors but has not worked with collaborated or had any professional relationship for over ten years.
7. The proposed external examiner
8. The proposed advisor will only have a short period where their input is required and the expertise is not available from another source.
9. The relationship relating to the conflict of interest is between the referee and advisor.
10. The family relationship is one of a distant relative outside the immediate (see Appendix 2) and close family relationships (see Appendix 2) and there is no social or other form of relationship.

### **Examples of Remedial Actions**

1. Replace the supervisor/ referee/research degrees tutor/examiner with an alternative. (Schools with only one Research Degrees Tutor will need to approach one in another school.)
2. Appoint a second external examiner for students who are members of staff.
3. Change the supervisor studying for a research degree to second supervisor and add a third supervisor.
4. Change a proposed supervisor to an advisor if the expertise is required.
5. Change the independent chair.

## **Appendix 2**

### **Definitions of terms**

Relative means immediate family or close family relationship.

'Immediate family' is defined as follows: spouse or civil partner, son, daughter.

'Close family' relationships include (but this is not intended to be an exhaustive list): unmarried partner, parent, brother, sister, grandparent, grandchild, mother-in-law, father-in-law, sister-in-law, brother-in-law, son-in-law, daughter-in-law, the (unrelated) child of an unmarried partner, as well as half and step members of family.