

## Declaration of interests for candidates for Board and Committee Membership

### Introduction

It is the responsibility of each individual to identify and to declare all relevant interests which are currently held.

An interest, for this purpose, is something which the individual is connected with which may draw them into conflict with their role at IHE. Conflicts of interest arise if an individual has or might have, or might be perceived to have a 'personal' interest when making or influencing decisions on behalf of IHE. This includes relevant indirect interests through a partner, spouse or immediate family.

Relevant interests in this context include:

- remunerated or honorary positions and other connections with HE providers and/or organisations connected with such providers (e.g. advisory or representative groups, sector bodies, government departments)
- employment by, ownership or part-ownership of organisations which may seek to do business with IHE or HE institutions
- membership of societies or professional bodies with a relevant interest
- in receipt of services (such as teaching) from an HE provider

Other non-financial interests may also be considered to be relevant. This is dependent on the circumstances and matters under consideration by the Board. There are no hard and fast rules concerning "other" interests that need to be declared. In considering whether an interest is relevant and therefore should be declared, the guiding principle must be whether the matter might reasonably be perceived as affecting a member's impartiality.

### Declaration

Organisation	Nature of interest (e.g. employment, governance involvement, shares, fees, consultancy, salary, grants, etc.)	Period interest held or date held (month/year)
Additional information		

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## Declaration of links to other educational institutions over the preceding 10 years

Organisation	Nature of interest (e.g. employment, governance involvement, shares, fees, consultancy, salary, grants, etc.)	Period interest held or date held (month/year)
Additional information		

I declare that this information is correct to the best of my knowledge and belief. If elected to the Board, or appointed to a Committee I will advise IHE of any changes to this information during my period of appointment, and will update this form annually. I understand that failure to disclose such information could result in my appointment being terminated.

**Signature:**

**Date:**

*Please continue to the fit and proper person test overleaf*

## Fit and proper person test for candidates for Board or Committee Membership

### What does 'fit and proper' mean?

An individual is 'a fit and proper person' if they ensure, or are likely to ensure, that IHE's funds are used in support of our objectives. It also means that the person is of good character; has the qualifications, competence, skills and experience necessary for their role; is able by reason of their health, after reasonable adjustments are made, to properly perform the tasks of the office or position for which they were appointed; and has not been responsible for, been privy to, contributed to, or facilitated any serious misconduct or misalignment (whether unlawful or not) in their employment or in the conduct of any entity with which they are or have been associated.

### What do I need to do?

Click each of the checkboxes and sign the declaration (an e-signature is adequate).

If you wish or need to provide any additional information as part of your declaration, there is a space at the end of the form – you should specify to which element(s) of the declaration your additional information relates.

If you need to disclose additional information, this will not necessarily exclude you from being appointed as a member of the Board or Committee. However, we may need to investigate further to consider the appropriateness of your behaviour and that of any associated companies. The investigation will be conducted by the Governance and Nominations Committee.

Specifically, any past involvement in a higher education provider which has been subject to negative regulatory findings and/or enforcement action will not necessarily preclude your appointment as a Board or Committee Member but it does need to be declared with sufficient information provided so that the Governance and Nominations Committee can come to a reasonable conclusion on your eligibility.

Declarations will be retained by IHE until the term of your appointment to the Board or Committee ends and for a subsequent seven years. Declarations will not be disclosed outside of IHE unless required by law.

### Declaration

I, the undersigned, declare that:

- I am not disqualified from acting as a company director or charity trustee, as set out in the Company Directors Disqualification Act 1986 or the Charities Act 2011, respectively.
- I have not been removed from serving as a charity trustee, been stopped from acting in a management position within a charity, or dismissed from a position of trust or similar.
- I have not been convicted of a criminal offence either in the UK or abroad, or any such conviction is legally regarded as spent.

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I have not been subject to any adverse findings in civil proceedings, in the last three years.

I have not been subject to any adverse findings in any disciplinary proceedings by any regulatory authorities or professional bodies.

I have not been connected with any business that has gone into insolvency, liquidation or administration, or been associated with that business within a year of it going into insolvency, liquidation or administration.

I am not an undischarged bankrupt person and I have not made compositions or arrangements with my creditors from which I have not been discharged.

I have not been involved in fraudulent behaviour including misrepresentation and/or identity theft, tax fraud or the abuse of tax systems, including:

- I have not used arrangements notified under the Disclosure of Tax Avoidance Schemes ('DOTAS') rules in Part 7 Finance Act 2004 in respect of which a reference number has been issued under section 311 of Finance Act 2004, where the arrangements featured charitable reliefs or which used a charity, and where my tax position has been adjusted by HMRC to wholly or partly remove the tax advantage generated by the arrangements and such adjustments have become final.
- I have not used tax arrangements which have been successfully counteracted under the general anti-abuse rules (see Part 5 of Finance Act 2013 or section 10 National Insurance Contributions Act 2014, as enacted or as amended from time to time) where such counteraction has become final.
- I have not been actively involved in designing and/or promoting tax avoidance schemes featuring charitable reliefs or which used a charity, and I am not:
  - a promoter named by HMRC under the Promoters of Tax Avoidance Schemes (POTAS) legislation in Part 5 of Finance Act 2014, or
  - a promoter of any tax arrangements designed or intended to obtain for any person a tax advantage and such tax advantage has successfully counteracted by HMRC under the general anti-abuse rule (see Part 5 of Finance Act 2013 and section 10 National Insurance Contributions Act 2014 as enacted or as amended from time to time) and such counteraction has become final, or
  - a promoter of arrangements notified under DOTAS, in respect of which a reference number has been issued under section 311 of Finance Act 2004, and the tax position of all or any of the users of the arrangements has been adjusted by HMRC to wholly or partly remove the tax advantage generated by the arrangements and such adjustments have become final

I have not been involved with any higher education provider that has had its registration refused or revoked by the Office for Students or has had similar action taken against it by another regulator (relevant involvement includes, but is not limited to, serving on a board/governing body, having voting rights, being a significant shareholder/owner, serving in a senior position, etc.)

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I have had no involvement with any entity that has been refused registration to carry out a trade or has had that registration terminated.

I have not committed an act of academic fraud or misconduct, or falsely claim to hold a qualification I do not, or claim to hold a qualification which was not awarded by a recognised institution with the relevant authority to do so;

- I have not held a key decision-making role in an institution at a time when it
- seriously and/or persistently breached consumer protection law (and the minimum requirements for compliance as set out in CMA guidance to UK higher education providers),  
*or*
  - was implicated in fraud or other criminality,  
*or*
  - failed to maintain the systems and processes necessary to prevent the proliferation of fraud, academic misconduct, or consistently poor student outcomes.

## Additional information

If you need to disclose any information relating to your declaration, please use the box below. Please ensure that it is clear which element(s) of the declaration your additional information relates to.

**Signature:**

**Date:**