##  Supplier Conflict of Interest For Tender Ref: PROC/TB/DPS 452

**What is a conflict of interest?**

The National Audit Office (NAO) defines a conflict of interest as a *“set of circumstances that creates a risk that an individual’s ability to apply judgement or act in one role is, or could be, impaired or influenced by a secondary interest”.*

As the definition highlights, a conflict can arise even if the individual doesn’t actually benefit from the conflict, it is sufficient that the circumstances create a risk that their ability to make a decision may be impaired or influenced by a secondary interest. Secondary interests might include direct or indirect financial interests: non-financial or personal interests (such as gifts or hospitality) and competing loyalties between an organisation the decision-maker owes a duty to and some other person or entity.

For public procurement, under domestic legislation (section 24 of the Public Contract Regulations 2015) there is an obligation on contracting authorities to take appropriate measures to effectively prevent, identify and remedy conflicts of interest arising in the conduct of procurement so as to avoid any distortion of competition and to ensure equal treatment of all economic operators.

*“.. the concept of conflicts of interest shall at least cover any situation where relevant staff members have, directly or indirectly, a financial, economic or other personal interest which might be perceived to compromise their impartiality and independence in the context of the procurement procedure.”*

**Supplier Conflict of Interest Declaration**

For the purposes of this declaration, the term “Conflict of Interest” means:

1. In relation to the procurement process, the supplier has an unfair advantage or engages in conduct, directly or indirectly, that may give it an unfair advantage, including but not limited to (i) having, or having access to, confidential information of the University in relation to this procurement that is not available to other suppliers, (ii) communicating with any person with a view to influencing preferred treatment in the procurement process (including but not limited to the lobbying of decision makers involved in the procurement process), or (iii) engaging in conduct that compromises, or could be seen to compromise, the integrity of the procurement process; or
2. In relation to the performance of its contractual obligations contemplated in the contract that is the subject of this procurement, the supplier’s other commitments, relationships or financial interests (i) could, or could be seen to, exercise an improper influence over the objective, unbiased and impartial exercise of its independent judgement, or (ii) could, or could be seen to, compromise, impair or be incompatible with the effective performance of its contractual obligations.

[ ]  I have no conflict of interest to report

[ ]  I have the following conflict of interest to report in relation to the preparation of my proposal and/or quote, and/or declare that I foresee an actual or potential Conflict of Interest in performing the contractual obligations contemplated in the procurement.

Please set out details below of the potential or actual Conflict of Interest:

|  |  |
| --- | --- |
| **Name of Individual** |  |
| **Signature** |  |
| **Date** |  |

If a Conflict of Interest is declared an appropriate course of action will be determined to ensure that there is no potential for bias, whether perceived or actual.

Detail of Action Plan

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| --- | --- |
| **Head of Category Management** | **Denise China** |
| **Signature** |  |
| **Date** |  |

NOTE: Please complete a new form for each individual. If a false declaration is given this will lead to disqualification from this tender process.