

Conflicts of Interest Policy		THE	
		NATIONAL	
For The National Archives' Board		ARCHIVES	

1.0 Introduction

Public bodies have a duty to provide high quality public services at the best value for money. Holders of public office are expected to work to the highest personal and professional standards. In discharging their responsibilities, individuals may be placed in a position where a real or perceived conflict of interest arises, which can undermine decision-making. Good governance in public sector organisations recognises the need to have arrangements in place that prevent, counter and deal with potential conflicts of interest to guard against the perception of impropriety and to maintain public trust and confidence in the organisation and individuals.

2.0 Purpose

This corporate governance policy document outlines the approach to handling potential and perceived conflicts of interest (COI) at The National Archives.

The aim of this policy is to ensure that interests are managed appropriately and consistently and to promote public trust and confidence in The National Archives and maintain the integrity and impartiality of its decision-makers.

3.0 Scope

This policy applies to members of The National Archives Board, including the Chief Executive and Keeper (also the Principal Accounting Officer), senior managerial staff (Executive Directors), the Chair of The National Archives' Board, Non-executive Board Members and the Independent Member of the Audit and Risk Committee.

The National Archives has a separate conflicts of interest policy for staff and managers.

4.0 General principles

All public office-holders are required to abide by [The Seven Key Principles of Public Life](#) (also known as the Nolan Principles). These are: Selflessness, Integrity, Objectivity, Accountability, Openness, Honesty and Leadership.

All non-executive board members of UK public bodies are required to abide by the principles set out in the [Code of Conduct for Board Members of Public Bodies](#) (last revised in 2019).

All public servants are required to abide by the standards set out in the [Civil Service Code](#) (2015) and the [Civil Service Management Code](#) (2016). They are also required to abide by [Business appointment rules for crown servants](#) (last updated 2016) when accepting new appointments after Crown service.

[Managing Public Money](#) (last updated 2023) and the [Financial Reporting Manual](#) (updated annually) set out the standards for Accounting Officers.

The National Archives Framework Document with DCMS sets out the specific roles and responsibilities of Board members.

It is your responsibility to ensure that you are familiar with, and comply with, all the relevant provisions of the codes applicable to your role at The National Archives.

The National Archives recognises that as an organisation, experience from outside the public sector and the wide variety of responsibilities, obligations and personal interests that Non-executive Board Members and Senior managerial staff have brings valuable perspective and expertise to the organisation. This needs to be done in a way which maintains the integrity and impartiality by ensuring any possible conflicts of interest are identified at an early stage and that appropriate action is taken to resolve them. By complying with this policy, you will minimise the potential risk whereby your actions, or omissions, could be construed as having compromised personal judgment or integrity or as having brought The National Archives into disrepute.

Proportionality is the key principle in The National Archives' approach to the declaration and management of interests.

5.0 What is a conflict of interest?

A conflict of interest is a set of circumstances that creates a risk that an individual's ability to apply judgement or act in one's role is, or could be, impaired or influenced by a secondary interest. It can occur in any situation where an individual or organisation (private or government) can exploit a professional or official role for personal or other benefit.¹

6.0 How to identify a conflict of interest

Conflicts of interest may arise in a number of different circumstances, including but not limited to:

- Professional roles or interests.
- Direct or indirect financial interests.

¹ This definition is from the National Audit Office guidance on [Conflicts of Interests](#) and is based on generally accepted standards.

- Non-financial or personal interests.
- Through becoming beholden to other bodies or individuals including by accepting gifts or hospitality from them.
- Conflicts of loyalty due to your role or affiliation with another organisation or person, for example your employer, another body of which you are a member or Trustee or the role or interest of one of your family members or close associates, may influence or be seen to influence your decision-making.

The mere existence of a professional, personal, financial, or other interest on its own, may not necessarily cause a conflict. A conflict arises only if, in a particular situation, there is a connection between that interest and your responsibilities to The National Archives as a public body.

7.0 Examples of where a potential conflict of interest can arise

The wide remit of The National Archives is such that there is always a potential for a conflict of interest to arise. However, there are certain areas where the issue of conflict is more likely to arise, and where you should be particularly vigilant in complying with your obligation to avoid a conflict, or the perception of a conflict, and any reputational damage to The National Archives.

Examples of conflicts of interest include:

- Misuse of your official position or information gained in the course of official duties to further your private interests or those of others. This could be financial interests or more broadly related to private interests e.g. membership of societies, clubs or other organisations.
- Acceptance of gifts, hospitality or other benefits which could be seen to compromise your judgement or integrity.
- Awarding paid work or contracts for service without following the rules on procurement and best value.
- Working for a competitor of, or for someone who provides a service to, The National Archives.
- The appointment of a relative, or someone with whom you have a close personal relationship, to a post at The National Archives, or a commercial organisation with which we do business/are connected. This is not intended to prevent these individuals from serving on The National Archives Board but rather, to ensure fairness and transparency in the appointment and management processes. Any relationship to existing members of The National Archives staff must be declared.

- Awarding grants and funding which could be seen to compromise your judgement and integrity.
- Procurement of goods and services by The National Archives. The National Archives will invite tenders for goods and services. Care needs to be taken to avoid issues of conflict arising, for example, by virtue of employment or involvement with another organisation. That is not to automatically preclude an organisation of which a Member is associated with from bidding for Commission work or applying for grant funding.

These examples are not exhaustive. If you are in any doubt, you should discuss the circumstances with the Head of Governance, Chief Executive and Keeper and/or Chair of The National Archives' Board. Where the matter relates to the Chief Executive and Keeper, they should discuss their circumstances with the Head of Governance, Chair of The National Archives' Board and, where appropriate, the relevant DCMS Director General.

8.0 Declaring interests

Upon appointment, the Head of Governance will issue you with a copy of this policy as part of your induction. It is your responsibility to familiarise yourself with the policy and all relevant guidance and associated documents.

As soon as possible and no later than 28 days from the date of your appointment, you should complete the Register of Interest Declaration form, **Annex A**, declaring any financial, non-financial, political and other interests, including those of family members or those you have a close association with, which are, or could be perceived to be, in conflict with your role at The National Archives.

In considering what interests could give rise to a potential, perceived or actual conflict of interest, you should have in mind the following questions:

“Does my involvement in this activity have a direct bearing on the business of The National Archives?”

“Would a fair-minded person think my involvement in this activity might influence my judgement?”

If the answer to either or both is “yes” then the interest should be declared. If there is doubt, it is better for you to err on the side of caution and declare rather than not.

The completed Register of Interest Declaration form should be submitted to The Head of Governance and will inform The National Archives' public register of interests.

9.0 The Register of Interests

As a public body, The National Archives is committed to be open and transparent and maintain and publish a register of interests of Non-executive Board Members and key managerial staff.

The purpose of the register of interests is to meet the requirements set out in [Government Financial Reporting Manual 2023 to 24](#) [Section 6.4.3(e)], [Corporate governance in central departments: code of good practice](#) (paragraph 4.15) and the [Code of Conduct for Board Members of Public Bodies](#) (Section 5).

The information provided in **Annex A** (and in any updates subsequently submitted) will be added to the public register of interests, covering the previous 12 month period.

The public register of interest will be reviewed at least annually and published on The National Archives' website and a 'live' copy will be available, at request, for public inspection from the Head of Governance.

The Head of Governance is responsible for maintaining the register of interests, and ensuring it is published appropriately.

10.0 Declaring interests – periodically

You are responsible for informing the Head of Governance in writing of any amendments to your entry in the register of interests within 28 days of the change in your circumstances, including the ceasing of interests.

You will also be asked to complete a Register of Interest Declaration form, **Annex A**, on an annual basis, usually in April, covering the previous 12 month period. This information will be used to complete our statutory disclosures around declarations of interest and related party transaction within the Annual Report and Accounts which is laid before Parliament.

Upon expiry, an interest will be removed from the public register. Historic records will be maintained by the Head of Governance in accordance with the General Data Protection Regulation (GDPR) and The National Archives' retention policy.

11.0 Declaring interests – meetings and correspondence

The agenda for all corporate governance meetings (The National Archives' Board and Executive Team and their associated sub-committees) will have 'Declarations of interest' as a standing agenda item.

You should declare any change in your circumstances, including new and expired interests, when called upon by the Chair at meetings.

You should also declare the existence and nature of any professional, personal, financial, or other interest in any item of business being discussed at the outset of the meeting.

In the event that you receive a written paper or correspondence on a matter on which you identify as having a conflict of interest, you should notify the Head of Governance, Chief Executive and Keeper and/or Chair of The National Archives' Board at the earliest time possible, in writing.

In the event that you become aware of an interest during the course of a meeting or through correspondence, you should declare this as soon as it arises.

The secretary will formally record in the minutes of the meeting any declarations of interest (including nil returns) and how any potential or perceived conflicts of interests have been managed.

Where an interest has been declared through correspondence, the Head of Governance will maintain a record of these.

12.0 Managing conflicts of interest

Where a Non-executive Board member has declared a professional, personal, financial, or other interest in any item of business, the Chair, in consultation with the Chief Executive and Keeper, will determine whether there is a material conflict of interest and, if so, whether and to what extent (if at all) that person should participate in discussion and decision of the matter.

In the event the Chair of The National Archives' Board has declared an interest, it will be put to the rest of the members present, with guidance from the Chief Executive and Keeper, to determine whether there is a material conflict of interest, and, if so, whether and to what extent (if at all) the Chair should participate in discussion and decision of the matter.

In the event an Executive Director has declared an interest, the Chief Executive and Keeper, will determine whether there is a material conflict of interest, and if so, whether and to what extent (if at all) the Executive Director should participate in discussion and decision of the matter.

Where the Chief Executive and Keeper has declared an interest, it will be put to the rest of the Executive Team or depending on the circumstances, the Chair of The National Archives' Board and/or the relevant DCMS Director General to determine whether there is a material conflict of interest, and, if so, whether and to what extent (if at all) the Chief Executive and Keeper should participate in discussion and decision of the matter.

In all the above, advice and guidance should be taken from the Head of Governance. Where appropriate, the Head of Governance will undertake a risk-based assessment of

the circumstances to determine the best course of action to manage a material conflict of interest and maintain a record.

13.0 Gifts and hospitality

As set out in all the codes of conduct (see section 4 above), you must not accept gifts, hospitality or benefits offered in relation to The National Archives' business, which could or might appear to influence or compromise your judgement or integrity. Further guidance can be found in The National Archives' [Gifts and Hospitality Policy](#).

14.0 Responsibilities

The Principal Accounting Officer has ultimate responsibility for ensuring that conflicts of interest are avoided, whether in the proceedings of The National Archives' Board or the Executive Team and their associated sub-committees or in the actions or advice of its staff, including him/herself.

The Audit and Risk Committee has responsibility for reviewing the operation of The National Archives' corporate governance arrangements, including risk management and compliance with the relevant codes of conducts and to receive assurance in relation to Government business appointment rules.

It is your responsibility to ensure that you are familiar with The National Archives' policy on managing conflicts of interest, that you comply with these rules, and that your entry in the Register of Interests is accurate and up-to-date.

15.0 Non-compliance, raising concerns and consequences of breaches

Failure to adhere to this policy or act in a way that may call into question The National Archives' probity is a breach of the relevant codes applicable to your role.

If you have a concern about a possible breach of this policy or a concern that you or another member have knowingly or unknowing acted in contravention of the principles set out in this policy or the relevant codes applicable to your/their role, then you have a responsibility to raise the matter with the Chief Executive and Keeper or the Chair of the National Archives' Board. If the matter relates to the Chief Executive and Keeper themselves it should be raised with the relevant Directors General at DCMS via the Chair of the National Archives' Board or directly, as appropriate.

Where a concern has been raised with the Chief Executive and Keeper, directly or via the Chair of The National Archives' Board, they will be responsible for investigating the matter. The Chief Executive and Keeper should inform the relevant Directors General at DCMS of an ongoing investigation into a possible breach. Following investigation, all confirmed breaches should be reported to senior officials at DCMS to manage potential reputational risks and discuss the course of action.

As Principal Accounting Officer, the Chief Executive and Keeper will also provide the Audit and Risk Committee with anonymised details of all investigations of a possible breach. Advice will be taken from the external auditors on ensuring the appropriate disclosures are made in the Governance Statement within the Annual Report and Accounts.

Depending on the severity, a breach may result in a warning, commitment to complete further training or disciplinary action.

Advice and guidance on this policy or on the registration or declaration of interests is available from the Head of Governance.

16.0 Relevant policies (links to Narnia)

1. [Acceptance of Gifts & Hospitality Policy](#)
2. [Raising a Concern \(formally known as Whistleblowing\) Policy](#)
3. [Anti-Bribery Policy](#)
4. [Fraud Policy](#)
5. [Conflicts of Interest Policy - for employees and managers](#)

17.0 Review

This policy will be reviewed annually by the Audit and Risk Committee, usually at its June meeting, along with the latest copy of the Register of Interest for Board Members.

Reviewed by the Audit and Risk Committee: 24 June 2024

Next Review: June 2025

DECLARATION OF INTERESTS FORM		THE	
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As a public body, The National Archives has a duty to be open and transparent and maintain and publish a register of interest. This declaration of interests form must be completed by key managerial staff and Non-executive Board Members at the start of their position and then on an annual basis (or each time there is a change to an individual's circumstances).

As set out in the draft Conflicts of Interest Policy for Board Members, individuals are asked to declare any professional, personal, political or related party interests that may, or may be perceived by a reasonable member of the public to, influence their judgements in performing their obligations to The National Archives.

Please could you complete each section of the form (noting n/a or none where relevant). The register should cover all current interests and any from the last 12 months, including those that ceased to exist during the period.

Name: Enter text here.

1. List below organisations of which you are a member, with which you are associated or in which you have a financial interest. Indicate in the comments section where a conflict of interest or the appearance of such a conflict may arise:

Organisation	Role	Date from	Date to	Comments

Please continue this table if necessary

2. Within the last 12 months:
 - a. Any pecuniary benefit from a related body (examples might be DCMS, the NAO) to self or an immediate family member (spouse, partner or other dependant):

Enter text here.

3. Any significant and material non-pecuniary benefit from a related body to self or an immediate family member:

Enter text here.

4. Any financial interest or other material interest in a company or organisation which is or is likely to become involved in a commercial or other relationship with The National Archives:

Enter text here.

5. Any political interests (i) which are a matter of public record, for example, election to a local political office (ii) current membership of a political party, even if you are inactive and (iii) any local or national party political activities (examples might be campaigning or fundraising:

Enter text here.

6. Any matter not specified in 1-4 above (examples might be membership of non-party political organisations) which a reasonable third party might consider of clear and material relevance, actual or potential, to your role at The National Archives:

Enter text here.

Close family and associates

List below the names of your close family members and associates where a conflict of interest, or the appearance of such a conflict could arise with The National Archives. Please note that this section will **not** be published on the public register of interest.

Column A: Name of close family member and/or associate	Column B: Their relationship with you	Column C: Any relevant transactions that have taken place

Please continue this table if necessary

Declaration

I confirm that the information provided above is complete and correct. I acknowledge that any changes in these declarations during my work with The National Archives must be notified to the Head of Governance as soon as possible and no later than 28 days after the interest arises.

I give my consent for this information to be published on registers that The National Archives hold and be used to complete the annual governance statement.

Signed*: Enter text here.

Date: Enter text here.

*Signatures can be added electronically, or the document can be printed, signed and scanned.

Once completed please return directly to Asha Bagayat, Head of Governance, as soon as possible.

New non-executive Board members should be sent a copy of The National Archives' gifts and hospitality policy with this form. Key managerial staff can find the policy on Narnia [here](#).

This form was last updated June 2024.