

CONFLICT OF INTERESTS POLICY

For members of the Research Advisory Panel and for external reviewers

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Prepared for: RAP members, External reviewers

Date reviewed: September 2025

Next review date: September 2026

YORKSHIRE CANCER RESEARCH

Conflict of Interests Policy

Members of the Research Advisory Panel and external reviewers

1. General

- 1.1 This policy applies to members of the Charity's Research Advisory Panel (the "**Panel**") and to external reviewers who provide advice and assistance to the Charity in connection with the applications to receive charitable funding.
- 1.2 The purpose of this document is to minimise the potential for conflict of interests arising and to protect the Charity and those who work for it from any perception, real or otherwise, that the external interests and affiliations of those individuals might interfere with their ability to work towards the furtherance of the Charity's objectives.

2. The terms "conflict of interests" and "conflict of loyalties"

- 2.1 A conflict of interests is any situation in which an individual's personal interests or loyalties could, or could be seen to, prevent them from giving advice and/or opinions only in the best interests of the Charity.
- 2.2 A conflict of loyalties means a particular type of conflict of interests, in which an individual's duty to another person or organisation could prevent them from giving advice and/or opinions only in the best interests of the Charity.
- 2.3 A connected person means family, relatives or business partners of an individual, as well as businesses in which that individual has an interest through ownership or influence. The term includes an individual's spouse or unmarried or civil partner, children, siblings, grandchildren and grandparents, as well as a business where the individual or a family member holds at least one-fifth of the shareholding or voting rights.

3. Identifying a conflict

- 3.1 A conflict of interests exists even where there is a **possibility** that an individual's personal or wider interests **could** influence the role they fulfil on behalf of the Charity.
- 3.2 Even the perception that there is a conflict of interests can damage the Charity. Where the perception is not accurate because there is no conflict of interests, it is the trustees who should always be able to respond appropriately to the situation by managing the risks to the Charity.
- 3.3 Conflict of interests relate to an individual's personal interests and the interests of those connected to them. This means that there is a conflict where there is a proposed transaction between the Charity and a connected person. Similarly, there is a conflict where there is a benefit or a potential benefit to a connected person.
- 3.4 A conflict of interests usually arises where either:
 - 3.4.1 there is a potential financial or measurable benefit directly to an individual, or indirectly through a connected person; or
 - 3.4.2 an individual's duty to the Charity may compete with a duty or loyalty they owe to another organisation or person.

- 3.5 A conflict of loyalty arises because, although the affected individual does not stand to gain any benefit, their decision-making at the Charity **could** be influenced by his or her other interests. For instance, an individual's loyalty to the Charity could conflict with his or her loyalty to:
- 3.5.1 another organisation such as their employer;
 - 3.5.2 another charity of which they are a trustee;
 - 3.5.3 a member of their family;
 - 3.5.4 another connected person or organisation.
- 3.6 The test is always that there is a conflict if the individual's other interests, duty or loyalty could, or could be seen to, interfere with their ability to provide advice and/or opinions only in the best interests of the Charity.
- 3.7 Deciding that a conflict is low risk and that the affected individual can provide advice and/or opinions is ultimately a judgement for the trustees. It is not possible to give a definitive view of when this is appropriate. It depends on the particular circumstances. The trustees must take all relevant factors into account and be ready to explain their approach if asked.

4. Declaration of interests

- 4.1 Members of the Panel must declare any disclosable external interest on their appointment as a member of the Panel and when asked to review a specific application as part of the excellence test or review an application during a Research Advisory meeting. External reviewers must declare any disclosable external interest when asked to provide a review. They must also comply with the obligations in paragraphs 4.3 and 5.6 when necessary. A register of interests will be kept up to date by the Charity.
- 4.2 Interests which should be disclosed include:
- 4.2.1 Equity interests in, or any contractual relations with, any of the enterprises listed in the Appendix (being enterprises in the Restricted Areas (as defined below) in which the Charity has equity or revenue-sharing interests or with which it has formal contractual relations);
 - 4.2.2 Equity interests in any enterprise with involvement in pharmaceuticals, healthcare, biotech or related areas ("**Restricted Areas**") or in any other enterprise that may have a real or perceived interest in the work of the Charity ("**Restricted Enterprises**") where such interest represents 3% or more of the equity in such enterprise;
 - 4.2.3 Consultancies and other external appointments (paid and unpaid) in any Restricted Area or with any Restricted Enterprise.
- 4.3 At every meeting of the Panel or groups of members of the Panel, any person present with a conflict of interests, duties or loyalties should declare that to the meeting.
- 4.4 Each member of the Panel or external reviewer should adhere, as far as is possible, to the spirit of this document and in so doing should declare any other interests which the individual feels may be a potential source of conflict, or which might be perceived to conflict, with the interests of the Charity.

5. General guidance on the management of conflict of interests

- 5.1 Trustees must act only in the best interests of the Charity. This means that they must consider the issue of any conflict, including any arising within the Charity's advisory processes, so that any potential effect on their decision-making is eliminated.

- 5.2 The trustees must consider whether a serious conflict of interests or loyalty should be removed or require authority.
- 5.3 As a general rule, neither affected members of the Panel nor external reviewers should provide advice and/or opinions in circumstances where they stand to gain, whether directly or indirectly through a connected person.
- 5.4 Where there is a conflict of loyalties, trustees should carefully handle any participation by a conflicted member of the Panel or external reviewer.
- 5.5 Irrespective of the approach trustees take to prevent a conflict in the Charity's advisory processes from affecting their decision-making, they should be able to demonstrate that their decision was made in the best interests of the Charity.
- 5.6 Members of the Panel and external reviewers should raise any actual or perceived conflict of interests with the Charity's Director of Research, Services and Policy at the earliest moment and, in the case of Panel members, in advance of the meeting of the Panel at which the conflict will or might arise. The Company Secretary will be responsible for dealing with the resolution of the conflict and communicating the outcome to the affected Panel member or external reviewer.

6. Discussion of and decision-making regarding research proposals

- 6.1 Specific guidance on matters relating to charitable expenditure follows below.
- 6.2 Details of applications, project proposals, meeting papers and related correspondence related to applications for charitable expenditure and the names of external reviewers are strictly confidential and should not be discussed with persons outside the review process.
- 6.3 If a member of the Panel or an external reviewer is approached by an applicant for any advice on an application, such request for advice should be referred to the relevant member of the Charity's staff.
- 6.4 In certain conflict situations, an individual may be excluded from discussion of a proposal, or from participation in a funding round, at the discretion of the Charity. The existence of a direct interest (for instance those detailed in paragraphs 6.4.1 to 6.4.4) will make exclusion from a funding round the likely solution. Examples of conflict situations in the context of funding applications include:
 - 6.4.1 the individual concerned is the sole applicant on the funding proposal;
 - 6.4.2 the individual is a joint applicant on a funding proposal;
 - 6.4.3 a connected person of the individual is the sole or joint applicant;
 - 6.4.4 an applicant on the proposal is a business partner of the individual;
 - 6.4.5 an applicant on the proposal is a member or employee of the same organisation¹ as the individual concerned;
 - 6.4.6 the individual concerned being seen as a direct competitor of the applicant; i.e. they are currently being funded or are currently applying for funding on a project of a similar nature to the proposal under discussion;
 - 6.4.7 the individual has acted as an external reviewer, or on a funding panel/committee in respect of the proposal under discussion at a time when the proposal was being discussed by another funding body;

¹ For the purposes of this document, federated organisations should not be regarded as a single organisation.

6.4.8 the individual has collaborated or published with the applicant within the past three years;

6.4.9 the individual is aware of any other issue that might reasonably be expected to give rise to, or give rise to the perception of, a conflict of interests or loyalties.

6.5 The Charity will, after seeking any information required from the affected Panel member or external reviewer, determine how to deal with the conflict issue which has arisen. If an individual is concerned about a possible conflict of interests involving another member of the Panel or an external reviewer, then he or she should raise the matter with the Company Secretary.

7. Updating the policy

7.1 This policy will be reviewed every two years.

The Appendix

- Cizzle Biotechnology Limited
 - Incanthera Limited