



Advice &
Support at
Keele SU

CONFLICT OF INTEREST

Advice & Support at Keele SU (ASK) is a dedicated advice service that is independent from the university. ASK Advisers provide free, confidential, and impartial advice to our students on a range of issues.

A conflict of interest arises where ASK cannot give independent and impartial advice to a client for a particular reason, or where we are seen as not able to give independent and impartial advice.

To be able to advertise our service as impartial there must not be any factor influencing the advice we give other than the clients' best interests. Neither the ASK Adviser, nor the organisation will have any significant personal interest in the outcome of the inquiry or case that they deal with.

ASK will spot conflicts of interest quickly; the computerisation of case recording makes this easier. However, it is not always easy to identify e.g., a client may have changed their name, or address, the conflict may arise through a relative or third party. Sometimes conflicts are identified through chance conversations.

The most common situations for conflicts to occur are:

- Landlord and tenant (we cannot give advice to landlords, except where it is in the tenants' interest to do so)
- Issues arising out of a relationship breakdown
- Harassment or sexual misconduct
- Collusion
- Neighbour disputes in halls / off campus accommodation
- ASK does not give advice to someone involved in a dispute with the Students' Union, Students' Union staff or services, on that issue, however we can provide help to that individual on other unrelated matters.

This list is not exhaustive

Note: It is not a conflict of interest to give assisted information (e.g. to explain the University regulations) to both parties in a dispute, however if both parties ask for advice or representation a conflict will arise.

How ASK identifies a conflict of interest:

If the nature of the inquiry means that a conflict is possible:

- Clients are asked for information on possible conflicts in our online booking form.
- ASK Advisers check the other party's name on our records system.
- We then check if the two parties are in dispute,

Where there is no conflict of interest then no action is taken and both parties are advised by ASK. If both parties subsequently differ and a dispute occurs, the Advocacy and Advice Manager) has discretion to deal with the matter appropriately.

Where a conflict or a potential conflict of interest has been identified, and the two parties are in dispute, ASK will offer advice, information, and representation to the first person accessing the service for help about the specific issue in question.

The subsequent party will be unable to access the service regarding that issue, ASK will continue to provide advice and assistance on any other matters.

Where other parties approach ASK and we can't help, due to a conflict of interest, we will signpost them to appropriate alternative services, which may include the following:

- An external quality assured information provider (e.g., Citizens Advice, Shelter or National Debtline)
- Another service based at Keele University or Keele SU (e.g., Elected Officers, Student Services)
- Refer the student to Staffs SU Advice Centre under the Reciprocal Arrangement. More information about this [agreement can be found on our website](#).

This paragraph covers the specific issue of collusion.

ASK has an exception to the conflict of interests' policy. Please see [our FAQ on Collusion and Conflict of Interest](#) for more information.

In the event of a potential conflict of interest between clients in a collusion case, ASK can still advise both parties, provided that:

- Different advisers (with different supervisors) deal with different clients and never discuss their clients with each other and
- Both clients are told that the other party is being advised by ASK, understand what the arrangements are and agree to them. This means that

for this purpose alone, the duty of confidentiality does not apply

- ASK has a conflict-of-interest policy which includes how ASK would deal with this eventuality

In cases of multiple parties, we will judge each case, and try to offer impartial assistance to all involved, however, if at any time our impartiality is compromised, we reserve the right to withdraw help to all parties involved.

Confidentiality and Conflict of Interest

Confidentiality will need to be breached when ASK identifies a conflict of interest, as that necessitates ASK informing one party that it cannot act on their behalf. By its very nature, this will draw attention to the fact that ASK is acting for the other party. This is the only information that is disclosed.

The ASK Adviser will explain the Conflict-of-Interest policy, give the client either a physical or digital leaflet about the policy and direct the service user to another agency for help.

If ASK has been advising both parties the Advocacy and Advice Manager should be informed. Potentially, both parties could be referred to another agency for assistance.

If this is not possible both parties should be informed that a conflict of interest has been identified and that if the case goes further e.g., to a hearing or to court the ASK will cease to act for both parties and that if this is likely the ASK Adviser will consider referral at the earliest opportunity.

If someone is involved in a dispute with the Students' Union ASK cannot advise that person on that dispute but can advise on other matters.

The nature of conflict of interests is that it cannot always be identified as a conflict or potential conflict; issues will be dealt with in accordance with the above guidance and on a case-by-case basis, the policy being updated on a regular basis.