

Conflicts of Interest Policy

Applicable to :

All staff including Decision Makers as defined in
the ICB Conflicts of Interest Policy



Introduction

The public rightly expect the highest standards of behaviour in the NHS, and we take our responsibility as custodians of taxpayers' money very seriously. Decisions involving the use of NHS funds should never be influenced by outside interests or expectations of private gain, but we recognise that conflicts of interest are unavoidable in complex systems.

NHS staff need to be empowered to use good judgement in managing conflicts of interest effectively, and need to be safeguarded so they can continue to work innovatively with partners while also providing transparency to the taxpayer.



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Definition of Conflict of Interest

“A set of circumstances by which a reasonable person would consider that an individual’s ability to apply judgement or act, in the context of delivering, commissioning, or assuring taxpayer funded health and care services, is or could be impaired or influenced by another interest they hold.”

Staff may hold interests for which they cannot see potential conflict. However, caution is always advisable because others may see it differently. It will be important to exercise judgement and to declare such interests where there is otherwise a risk of imputation of improper conduct.

Interests may broadly fall into one of the following groups:

- Financial interests
- Non-financial professional interests
- Non-financial personal interests
- Indirect interests



Background

- In 2017 NHS England introduced a refreshed framework for the management of conflicts of interest across the NHS, which the CCG implemented.
- The Integrated Care Board approved a refresh of the local policy in July 2022 as part of the transition from the CCG.
- The aim of the national policy is to
 - Introduce common principles and rules for managing conflicts of interest.
 - Provides simple advice to staff and organisations about what to do in common situations.
 - Support good judgement about how interests should be approached and managed.
- The policy applies to all staff irrespective of employment status.
- From March 2023 the ICB will be moving to a web-based portal called Declare for the management of Conflicts of Interest. Following the implementation of Declare, all other systems for the collection of declarations outside of meetings will be discontinued with the exception of forms for new starters.



Accessing Declare

- All staff will have an account on Declare. The accounts will be generated by a monthly data transfer from the Electronic Staff Record, therefore for new members of staff there may be a short delay in accounts being generated.
- Declare is a cloud based system and available from any internet enabled device. Insert hyperlink
- Declare will automatically assign your email address on the Electronic Staff Record as your user name. Your password can be recovered via the Password recovery option on insert hyperlink.
- Any issues in accessing the system should be directed to cpicb.coireturns@nhs.net



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02/03/2023 13:15:30

Sign in

Welcome to Cambridgeshire and Peterborough ICB's Declarations of Interest system

Making it easier for staff to declare their interests

This is where Cambridgeshire and Peterborough ICB's staff can make their declarations of interest in line with NHS England guidance. It is a web portal that provides easy access for staff to view and submit declarations of interest.

[Learn More](#)



Making a declaration (1)

- Log into <https://cpics.mydeclarations.co.uk/> using your email address and password
- If you have nothing to declare or no changes to your previous declaration on Declare select 'Nil Declaration' and follow the prompts.
- If you have something to declare select 'New' and follow the prompts.

Welcome: **Martin Whelan** Your session will expire in **1191** seconds

Current year compliance : N/A

My Declarations

[Nil Declaration »](#) [Filter »](#) [+ New »](#)

Your past declarations are listed below. To view further details of any declaration click on the declaration text or down arrow. You can update a declaration provided it is for the current year and you can delete a declaration on the same date it was created. To submit a new declaration please click the '+ New' button.

13/09/2022 - Loyalty Interests



Making a declaration (2)

- Each declaration type has a guidance note and specific list of questions which appear when 'select' is clicked.
- Fully complete all the questions and select submit.
- Guidance is available from the Governance Team cpicb.coireturns@nhs.net regarding declaration requirements.

Welcome: **Martin Whelan**

New Declaration

[< go back](#)

To complete a new declaration choose the appropriate declaration type from the list below and click the green 'Select' button. The selected declaration form will appear along with a brief explanation of the associated usage and criteria. For a detailed explanation click on the blue 'Guidance' button in the list below to display the full NHS England guidance for the associated declaration type. You may update a declaration within 30 days of it being submitted. You may delete a declaration on the same date it was created.

Declaration Type

Gifts	Guidance	Select
Nil Declaration		Select
Hospitality	Guidance	Select
Outside Employment	Guidance	Select
Clinical Private Practice	Guidance	Select
Sponsored Events	Guidance	Select
Sponsored Research	Guidance	Select
Sponsored Posts	Guidance	Select
Loyalty Interests	Guidance	Select
Shareholdings and other ownership interests	Guidance	Select
Patents	Guidance	Select
Donations	Guidance	Select



Updating interests

- Users can close, update or amend interests via the login page.
- To close, update or amend an interest find the relevant interest and click on it.
- At the bottom of the screen two options will appear 'End' and 'Update'. End will close the interest on the system. Update will allow the originally submitted interest to be updated.
- Interests can not be deleted from system by the user. Information will be retained on the system. If an interest has been added genuinely in error the Governance Team should be contacted cpicb.coireturns@nhs.net

My Declarations

Nil Declaration »

Filter »

+ New »

Your past declarations are listed below. To view further details of any declaration click on the declaration text or down arrow. You can update a declaration provided it is for the current year and you can delete a declaration on the same date it was created. To submit a new declaration please click the '+ New' button.

13/09/2022 - Loyalty Interests
Wife employed as Senior Physiotherapist

Approval: Not Required

Approver: N/A

Approvers Comment: N/A

[View Full Details](#)

[End Interest](#)

[Update Interest](#)



Decision Makers

- Decision Makers are the most senior individuals within the organisation and includes;
 - Members of the ICB Board
 - Members of the ICB Board Committees, who are not members of the ICB Board.
 - Individuals employed by the ICB on agenda for change terms of Band 8d and 9.
- The ICB has the discretion to designate additional posts as decision makers.
- The same general obligations apply to Decision Makers in terms of declaring interests.
- The ICB is also required to publicly publish a register of interests declared by Decision Makers. This is managed via the Declare site.



Personal responsibilities (all staff)

- During March 2023, to engage with the onboarding process for Declare. For the majority of staff this will involve logging into Declare and making a declaration.
- After the initial declaration to declare any new or changes to existing interests in a timely manner (within 28 days).
- Assuming there are no interests to declare, as a minimum all staff are expected to make a minimum of single annual 'nil declaration' from May 2023 (from 2024/25 this will move to April each year), and each financial year thereafter.
- To seek advice from the Governance Team as appropriate.



Managing Conflicts of Interest

- Each case will be different and context-specific, and the Trust will always clarify the circumstances and issues with the individuals involved.
- Staff should maintain a written audit trail of information considered and actions taken.
- Staff who declare material interests should make their line manager or the person(s) they are working to aware of their existence.

If a material interest is declared the following actions should be considered:

- Restricting staff involvement in associated discussions and excluding them from decision making.
- Removing staff from the whole decision making process.
- Removing staff responsibility for an entire area of work.
- Removing staff from their role altogether if they are unable to operate effectively in it because the conflict is so significant.



Declaration requirements (All staff)

Gifts	Hospitality	Shareholding and other ownership issues	Patents
Loyalty Interest	Donations	Sponsored Events	Sponsored Posts
	Sponsored Research	Clinical Private Practice	



Examples of declarations

The following are some examples of declarations that would need to be made under the Policy:

- Gifts from patients, relatives or suppliers. Gifts valued at over £50 should be treated with caution and only be accepted on behalf of the organisation and not in a personal capacity.
- Offer of hospitality from a supplier.
- Outside employment, even if undertaken in non-contracted time or while on annual leave - this includes consultancy, agency and similar arrangements
- Speaking fees, hospitality (e.g. hotel, accommodation or travel) to attend a conference
- Holding elected office (e.g. as a local councillor)
- Detailed requirements are available [here](#) and advice can be requested from cpicb.coireturns@nhs.net



Compliance and Audit

- Compliance with the policy will be reviewed regularly by the Audit and Risk Committee.
- Non compliance with the policy may be escalated to the relevant line manager and/or Chief Officer.
- The Governance Team will review at least annually publicly available records and cross reference with interests submitted on Declare. These will typically include;
 - Companies House
 - Association of the British Pharmaceutical Industry – Disclosure UK
- Concerns regarding compliance with the policy should be raised in confidence in the first instance with the Head of Governance and Data Protection Officer (Martin Whelan – martin.whelan1@nhs.net).



Further information

- The Conflicts of Interest policy is available [here](#).
- For further questions arising from the policy please contact cpicb.coireturns@nhs.net

Any questions?

