**Policy authorisation form**

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| --- | --- |
| **Name of policy:** **1** | Standards of Business Conduct Policy |
| **Policy Number** | 2 |
| **Job title of author:**  | Associate Director of Corporate Affairs |
| **Sponsor:** | Chief Executive Officer |
| **Name of group:** | Board of the ICB |
| **Equality and diversity – mandatory requirement****2** |
| An Equality & Diversity assessment has been completed*(Please contact the Equality & Diversity Lead)* | **Date Completed:** \* |  |
| **Consultation**  |
| **Name of group/s** | **Date considered** |
| Name of Local Committee or Specialist Group? | \* |
| Name of Countywide Committee or Specialist Group?  |  |
| Other relevant Forum/Individual? | \* |
| County Wide Policy:  | NO |
|  **Approved by****3** |
| **NAME** Board of the ICB | **Date approved** |
| September 2025 |
| **To be reviewed by: (author)** | **Date to be reviewed:** |
| Associate Director of Corporate Affairs | September 2028 |
| **Policy updates/changes** |
| Date  | Summary of Changes  | Author/Editor  | Approved by  | Version |
|  |  |  |  |  |
|  |  |  |  |  |
|  |  |  |  |  |

The Policy Authorisation Form is part of the overall policy template and forms the front of the document and must be completed in all cases

**Equality and Diversity** - Part 2 of the form (Appendix 1)

The policy should be checked to see if it has any adverse effect on any personal group covered by Discrimination Legislation. In order to do this an ‘Impact Assessment’ must be completed. Further advice can be obtained from the Equality and Diversity Lead.

**Approval & Review -** Part 3 of the form

Once the Policy has been approved the name of the group/individual and date of approval should be included. The policy document should be sent to the Policy Co-ordinator to log on the Policy Register.

Review and amendments are the responsibility of the Author and Director of the Policy and a date for review must be set and included on the form. However, the Policy Co-ordinator will give a reminder to an author when a policy is overdue a review. The review date must be at least annually.

If, after a review, changes are made the document must be resubmitted, by the Author, for approval and therefore the ‘Policy for Policies’ must be followed again. Any changes should be included in the necessary ‘Policy updates/changes’ section at the beginning of the document.

**Standards of Business Conduct Policy**

|  |  |
| --- | --- |
| **Version**  | 3 |
| **Policy no** | 2 |
| **Author** | Associate Director of Corporate Affairs |
| **Sponsor** | Chief Executive Officer |
| **Approved by** | Board of the ICB |
| **Approval date** | September 2025 |
| **Review date** | September 2028 |

*This document may be made available to the public and persons outside of the ICB as part of the ICB’s compliance with the Freedom of Information Act 2000.*

## Contents

|  |  |  |
| --- | --- | --- |
| Section | Section Heading | Page Number |
| **1** | Introduction  | 6 |
| **2** | Guidance and Legal Framework | 7 |
| **3** | Responsibilities | 8 |
| **4**4.1 | Declarations of InterestDefinition | 1010 |
| 4.24.3 | Who should declare interests 11Conflicts of Interest Guardian 11  |  |
| 4.4 | Types 12  |  |
| 4.5 | Managing Conflicts at Meetings 14 |  |
| **5** |  Gifts, Hospitality and other areas of Business Conduct |  17 |
| 5.2 | Gifts 17 |  |
| 5.3 | Hospitality 17 |  |
| 5.4 | Commercial Sponsorship 18 |  |
| 5.5 | Secondary Employment 20 |  |
| 5.6 | Co-operation with product suppliers 20 |  |
| 5.7 | Personal Conduct 21 |  |
| 5.8 | Political Activities 21 |  |
| 5.9 | Appointing Board or Committee Members 21 |  |
| 5.10 | The Commissioning Cycle 22 |  |
| **6** |  Registers of Interests |  24 |
| **7** | Counter Fraud |  25 |
| **8** | Internal Audit |  25 |
| **9** | Target Audience |  25 |
| **10** | Communication |  25 |
| **11** | Training |  26 |
| **12** | Managing Breaches |  26 |
| **13** | References/ Further Reading |  26 |
| **14** | Commitment to Review |  27 |
|  |  |  |
| Supporting Documents  |

|  |  |  |
| --- | --- | --- |
| Appendix 1 | Types of Conflicts of Interests | 29 |
| Appendix 6 | Template Declaration of Interest Checklist (for meetings) | 36 |
| Appendix 7 | Template for Meeting Reports | 38 |
| Appendix 8 | Template for register of interest declared during a meeting | 39 |
| Appendix 9 | Procurement Checklist – For commissioning General Practice | 40 |
| Appendix 10 | Template Procurement Decisions and Contracts awarded | 42 |
| Appendix 11 | Template Declaration of conflict of interest for bidders/contractors  | 43 |
| Appendix 12 | Best Practice – Conflicts of Interests a Call to Action | 47 |
| Appendix 13 | Process for declaring an interest | 50 |
| Appendix 14 | Training Requirements | 52 |
| Appendix 15 | Key contacts (CoI Guardian & Freedom to Speak Up Guardians) | 54 |

### Introduction

* 1. Gloucestershire Integrated Care Board (the ICB) aspires to the highest standards of business conduct and has therefore developed this policy to ensure that the Board of the ICB, all staff, and others acting on behalf of the ICB observe and comply with all relevant legislation and regulations and undertake business in a way that is ethical, and act with integrity at all times.
	2. Standards of Business Conduct are the standards set and expected of staff who work within the public sector in order to ensure that they operate with integrity, openness and honesty and are accountable to the public for the actions that they take on behalf of the ICB. The ICB has a duty to ensure fairness and honesty in its relationships with suppliers, contractors, service providers and service users or any other person or organisation with whom it has or might have business connections with. This policy sets out how the ICB will manage standards of business conduct and underpins the ICB’s constitution see here.
	3. To further support the management of conflicts of interest, Gloucestershire ICB will:
* **Conduct business appropriately:** Conflicts of interest become much easier to identify, avoid and manage when the processes are clear, because we will withstand scrutiny;
* **Be proactive, not reactive:** the ICB will seek to identify and minimise the risk of conflicts of interest at the earliest possible opportunity;
* **Being balanced**, appropriate and proportionate to the circumstances and context – rules will be clear and robust but not overly prescriptive or restrictive. They should ensure that decision-making processes are transparent and fair whilst not being overly constraining, complex or restrictive but robust and balanced.
* **Recognising that the perception of wrongdoing**, impaired judgement or undue influence can be as detrimental as any of them actually occurring. If in doubt, it is better to assume the existence of a conflict of interest and manage it appropriately rather than ignore it. For a conflict of interest to exist, financial gain is not necessary.
* **Be transparent:** We will document clearly the approach and decisions taken at every stage in the commissioning cycle so that a clear audit trail is evident.
* Create an **environment and culture** where individuals feel supported and confident in declaring relevant information and raising any concerns.
	1. The principles contained within this policy are aimed at Board members of ICB, all staff system partners and others acting on behalf of the ICB who must therefore be aware of this policy and comply with the details within it.
	2. The policy describes processes and procedures in place to manage Standards of Business Conduct within the ICB in the following areas:
* in the operation of the ICB Board;
* in the procurement of services;
* commercial sponsorship; the acceptance of gifts and hospitality;
* further areas of business conduct including private practice, sponsored events and secondary employment;
* commissioning of new care models and pathways.

### Guidance and Legal Framework

2.1 This policy has considered a number of statutory and regulatory guidance in its development, all of which the ICB expects its staff and employees working on its behalf to comply with. In particular, this policy respects the seven key principles of the NHS Constitution:

* The NHS provides a comprehensive service, available to all.
* Access to NHS services is based on clinical need, not an individual’s ability to pay.
* The NHS aspires to the highest standards of excellence and professionalism.
* The patient will be at the heart of everything the NHS does.
* The NHS works across organisational boundaries and in partnership with other organisations in the interest of patients, local communities and the wider population.
* The NHS is committed to providing best value for taxpayers’ money and the most effective, fair and sustainable use of finite resources.
* The NHS is accountable to the public, communities and patients that it serves.

2.2 The Standards of Business Conduct policy also respects the seven principles of public life promulgated by the Nolan Committee, which form a basis for the standards expected of all staff. The seven principles are:

* Selflessness
* Integrity
* Objectivity
* Accountability
* Openness
* Honesty
* Leadership

The Nolan Principles can be found in full [**here**](https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2)**.**

2.3 Bribery Act 2010

 The ICB has a responsibility to ensure that all staff are made aware of their duties and responsibilities with regards to the Bribery Act 2010. Under this act there are four offences, the first three are most applicable to the NHS:

1. Offer, promise or give a bribe to another person to perform a relevant

 function or activity improperly (this is known as ‘active bribery’).

2. Request, accept or agree to receive a bribe to perform a function or

 activity improperly (even if the bribe is not for the recipient’s benefit or

 is received via a third party). This is known as ‘passive bribery’.

3. Failure of an organisation to prevent bribery.

4. Offer, promise or give a financial or other advantage to a foreign

 public official.

For further information, please refer to the ICB Counter Fraud, Bribery and Corruption Policy.

2.4 NHS England Guidance (2024) imposes duties on the ICB in relation to maintaining registers of interest and managing conflicts of interest..

2.5 NHS England’s guidance on the management of conflicts of interest in 2024, has been incorporated into this policy.. Guidance was updated in 2024 to take account of changes introduced by the Health & Care Act 2022, specifically with the establishment of ICB’s. Full NHS England guidance can be found [here](https://www.england.nhs.uk/long-read/managing-conflicts-of-interest-in-the-nhs/). This policy also addresses NHS England’s Best Practice Update on Conflicts of Interest Management: see Appendix 12

2.6 The legal context for this policy is also found in section 14O of the National Health Service Act 2006 (as amended by the Health and Social Care Act 2012) (“the Act”) sets out the minimum requirements of what both NHS England and ICBs must do in terms of managing conflicts of interest. This policy reflects the legal requirements and the statutory guidance issued by NHS England under sections 14O and 14Z8 of the Act. In addition to complying with the guidance issued by NHS England, ICBs are also required to adhere to relevant guidance issued by professional bodies on conflicts of interest, including the British Medical Association (BMA), the Royal College of General Practitioners, and the General Medical Council (GMC), and to procurement rules including The Public Contract Regulations 2015 and Provider Selection Regime (which has replaced The National Health Service (procurement, patient choice and competition) (no.2) regulations 2013), as well as the Bribery Act 2010.

2.7 Staff may also wish to read the Good Governance Standards for Public Services, and the Equality Act 2010 in which this policy also respects.

### Responsibilities

3.1 Gloucestershire ICB

3.1.1 The ICB is responsible for ensuring that the requirements of this policy are brought to the attention of the Board of the ICB, all staff, contractors and others acting on behalf of the ICB, and that processes are put in place for ensuring that statutory and regulatory guidelines are effectively implemented.

3.2 The Board of ICB

3.2.1 The membership of the ICB meet as a unitary board and thus all members of Gloucestershire ICB Board are collectively responsible for decisions made by the organisation and are equally obliged to avoid, and/or manage, any real or perceived material conflicts of interest in accordance with this policy as appropriate. The ICB Constitution clearly lays out the Board’s duties with regard to conflicts of interests (s. 6.1.1 – 6.1.7). The board sub-committee Terms of Reference s.7 provides an overview of the Committee’s responsibilities for ensuring that interests are declared where relevant, managed and reported.

3.2.2 The Board has ultimate responsibility for all actions carried out by staff and committees throughout the ICB’s activities. This responsibility includes the stewardship of significant public resources and the commissioning of healthcare to the community.

3.2.3 It is therefore the duty of the Board to ensure the organisation inspires confidence and trust amongst its patients, staff, partners, funders and suppliers by demonstrating integrity and avoiding any potential or real situations of undue bias or influence in the decision-making of the ICB.

3.3 Chief Executive Officer

3.3.1 The Chief Executive Officer has overall responsibility for business conduct and is the Executive Lead on the Board for all corporate governance processes operated by the ICB.

3.4 Chairs of Committees, Sub-committees and Meetings

3.4.1 All Chairs will ensure that meetings are conducted in accordance with this policy and that every meeting gives members an opportunity to declare any conflict of interest in relation to items on the agenda. The Chair is also responsible for ensuring that any declarations are recorded appropriately and suitable action is taken within the meeting, with the assistance of the secretariat for the meeting.

3.4.2 The Chairs have ultimate responsibility for deciding whether there is a conflict of interest and for taking the appropriate course of action in order to manage this.

3.4.3 In the event that the Chair themselves hold a conflict of interest, the Deputy Chair is then responsible for deciding the appropriate course of action. If the Deputy Chair is also conflicted then the remaining non-conflicted voting members of the meeting should agree between themselves how to manage the conflict(s).

3.4.4 The Chair of the Primary Care & Direct Commissioning Committee (Non-Executive Director) has a particularly important role in the management of conflicts of interest due to the responsibilities the Committee has towards delegated commissioning and the matters that subsequently arise.

3.4.5 It is good practice for the Chair, with support of the ICB’s Associate Director of Corporate Affairs, to proactively consider any potential conflicts that may arise at a meeting and consider how these should be managed. The Corporate Governance Team will ensure that the Chair has sight of the register of interests before the meeting which is contained in the meeting papers. .

3.4.6 The Corporate Governance Team will be responsible for maintaining the ICB Committee declarations of interest register and ensuring that it is kept up to date with conflicts of interests arising at committees and other meetings.

3.4.7 Further information regarding the management of conflicts of interests at meetings can be found at 4.5.

3.5 Senior Managers / line manager

 Senior managers / line managers should ensure that on appointing staff to the organisation the relevant conflicts of interests declaration have been made and are reviewed. It is also senior / line managers responsibility to check that staff and contractors working in their team / directorate have completed declarations of interests either by way of declaring their interests on the Civica Platform or a CoI form for contractors, agency workers and lay workers. The Contracts Team will ensure that contractors and agency workers complete the CoI form and that senior/line manager’s are responsible for reviewing any declarations made.

3.5 All Staff

3.5.1 All staff employed by the ICB including , senior managers, staff, contractors and others working for or on behalf of the ICB must familiarise themselves with this policy upon their appointment within the organisation. This will include all those acting on behalf of the ICB including contracted and temporary staff and lay persons.

3.6 Associate Director of Corporate Affairs

3.6.1 The Associate Director of Corporate Affairs will provide advice and assistance to all ICB staff members on matters pertaining to business conduct, and ensure that appropriate registers are maintained.

3.6.2 The Corporate Governance team should be contacted to report any declarations of interests as soon as possible and must be declared within 28 days, these will then be recorded, using the online platform Civica Declare, as appropriate.

3.7 Associate Director Procurement

3.7.1 The Associate Director Procurement is responsible for ensuring that there are robust procedures and processes in place to support the ICB’s contracting and procurement responsibilities and activities including declaring, managing and reporting of conflicts of interests.

3.7 Audit Committee

3.7.1 The Audit Committee is responsible for reviewing the registers of Gifts, Hospitality and Commercial Sponsorship including Pharmaceutical rebates on behalf of the ICB and receives reports on these at least quarterly.

3.8 Primary Care & Direct Commissioning Committee

3.8.1 The Primary Care & Direct Commissioning Committee (PC & DC) has delegated responsibility for agreeing matters pertaining to primary care, pharmacy, optometry and dental (POD) and will therefore ensure it complies with the guidance of this policy in terms of managing conflicts of interest. Further information about how the PC & DC will manage conflicts can be found at point 4.5.13.

3.9 ICB Operational Executive Team

3.9.1 The ICB Operational Executive Team is responsible for reviewing the full register of declarations of interest and provides sufficient scrutiny on these on a quarterly basis.

* 1. Integrated Locality Partnerships

3.10.1Integrated Locality Partnerships (ILPs) were originally implemented across the

six Localities in Gloucestershire between 2018 and 2020. This followed sign up to delivering place based integrated health and social wellbeing by all organisations comprising the One Gloucestershire ICS. Whilst a local construct, ILPs owe their existence to national and local drivers, appreciating the value of collaborative working across organisations for the benefit of the people and communities we serve. This includes the local establishment of general practice clusters followed by the national Primary Care Networks (PCNs) which focus on neighbourhood populations as aggregations of the registered lists of constituent GP practices but are designed to be wider than general practice.

3.10.2 ILPs focus on innovation and collaboration across primary care, and ICS partners including local providers and district councils. They aim to tackle the root cause of health inequalities; improve health and wellbeing; and develop new ways of working to support people to live well at home. The purpose of the partnerships means that representatives from partner organisations are included as equivalent members, therefore it is likely that there will be individuals with roles in both the ICB and a local provider from an organisation commissioned to provide new services.

3.10.3 The ICB will ensure that it manages conflicts of interest in relation to ILPs and PCNs locally and in compliance with Annex K of the NHS England guidance which can be found [here.](https://www.england.nhs.uk/publication/conflicts-of-interest-management-templates/)

**4. Declarations of Interest**

 ***Statutory requirements:*** ICB must make arrangements to ensure individuals declare any conflict or potential conflict in relation to a decision to be made by the group as soon as they become aware of it, and in any event within **28 days.** ICBs must record the interest in the registers as soon as they become aware of it.

**4.1 Definition of a Conflict of Interest**

4.1.1 A conflict of is 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..’ Conflicts of interest can arise in many situations, environments and forms. Conflicts of interest can arise throughout the whole commissioning cycle from needs assessment, to procurement exercises, to contract monitoring.

4.1.2 A conflict of interest may be actual or potential:

* Actual – There is a material conflict between one or more interests.
* Potential – There is the possibility of a material conflict between one or more interests in the future.

4.1.3 Conflicts of interest are not possible to avoid in all instances, however, recognising where and how they arise and dealing with them appropriately will enable the ICB to demonstrate proper governance and decision making with regard to the use of public resources.

4.1.4 The individual does not need to exploit his or her position or obtain an actual benefit, financial or otherwise. A potential for competing interests and/or a perception of impaired judgement or undue influence can also be a conflict of interest.

**4.2 Who should declare interests**

4.2.1 Declarations of interest and gifts and hospitality should be made by the following groups upon appointment to the ICB:

* **All ICB employees including:**
* Any full and part time staff
* Any staff on sessional or short term contracts
* Any students and trainees
* Agency and contractor staff
* Seconded staff
* Voluntary staff
* Apprentices & Trainees
* Members of the Board
* Members of the ICB Committees, Boards and Groups including Integrated Locality Partnership (ILP) members where the gift / hospitality is connected to their role within the ILP;
* And any individual directly involved with the business or decision-making of the ICB.

4.2.2 All ICB staff shall complete a declaration of interests online on appointment see Appendix 13 which describes the process.

**4.3 Conflicts of Interests Guardian (COIG)**

4.3.1 The ICB has a Conflicts of Interest Guardian (akin to a Caldicott Guardian) who will be the Chair of the Audit Committee:

* Act as a conduit for members of the public who have any concerns in regard to conflicts of interest;
* Be the safe point of contact for a whistleblower within the organisation for issues pertaining to conflicts of interest; and
* Support the rigorous application of conflict of interest principles and policies;
* Provide independent advice and judgement where there is any doubt about how to apply conflicts of interest policies and principles in an individual situation;
* Provide advice on minimising the risks of conflicts of interest.

4.3.2 Whilst the COIG has an important role within the management of conflicts of interests, executive members of the ICB Board have an on-going responsibility for ensuring the robust management of conflicts of interest, and all ICB employees, Board and committee members will continue to have individual responsibility in playing their part on an ongoing and daily basis.

4.3.3 The COIG for Gloucestershire ICB is the NED who Chairs the ICB Audit Committee, who will be supported by the Associate Director of Corporate Affairs and Corporate Governance Manager.

4.3.4 Details about how to get in touch with the COIG can be found in Appendix 14**.**

**4.4 Types of Conflicts of Interests**

4.4.1 Types of conflicts of interest that can arise include the following and are explained with examples within Appendix 1:

 Interests’ can arise in a number of different contexts. A material interest is one which a reasonable person would take into account when making a decision regarding the use of taxpayers’ money because the interest has relevance to that decision.

 A benefit may arise from the making of a gain or the avoidance of a loss.

 **Financial interest**– where an individual may get direct financial benefit from the consequences of a decision they are involved in making.

 **Non-financial professional interests**– where an individual may obtain a non-financial professional benefit from the consequences of a decision they are involved in making, such as increasing their professional reputation or promoting their professional career.

 **Non-financial personal interests**– where an individual may benefit personally in ways which are not directly linked to their professional career and do not give rise to a direct financial benefit, because of decisions they are involved in making in their professional career.

 **Indirect interests**– where an individual has a close association with another individual who has a financial interest, a non-financial professional interest or a non-financial personal interest who would stand to benefit from a decision they are involved in making. These associations may arise through relationships with close family members and relatives, close friends and associates, and business partners. A common-sense approach should be applied to these terms. It would be unrealistic to expect staff to know of all the interests that people in these classes might hold. However, if staff do know of material interests (or could be reasonably expected to know about these) then these should be declared.

4.4.2 It is not possible, or desirable, to define all instances in which an interest may be a real or perceived conflict. It is for each individual to exercise their judgement in deciding whether to register any interests that may be construed as a conflict. Individuals can seek guidance from the Associate Director of Corporate Affairs, but as a general rule “if in doubt, declare”.

4.4.3 Accordingly, members of the Board of the ICB are required to declare any relevant and material interests, and any gifts or hospitality offered and received in connection with their role in the ICB. Interests that may impact on the work of the Board and should be declared include:

* any directorships of companies likely to be engaged with the business of the clinical commissioning group;
* previous or current employment or consultancy positions;
* voluntary or remunerated positions, such as trusteeship, local authority positions, other public positions;
* membership of professional bodies or mutual support organisations;
* investments in unlisted companies, partnerships and other forms of business, major shareholdings and beneficial interests;
* gifts or hospitality offered to you by external bodies and whether this was declined or accepted in the last twelve months;
* any other conflicts that are not covered by the above.

4.4.4 Declaration must be made by all staff, members of the Board and others whose activities and interest are connected with the ICB. The declarations are made online. The declaration of interests form must be completed in the following instances:

***On appointment***

4.4.5 Applicants for any appointment to the Board of the ICB or its committees are required to declare any relevant interests. If any potential conflicts of interests arise these will be considered on a case by case basis by the recruiting manager and interview panel.

4.4.6 If it is considered that any individual has a material interest in an organisation which provides/is likely to provide substantial business to the ICB they shall not be entitled to be a member of the Board. A material interest can be defined as being so significant that the individual would be unable to make a full and proper contribution to the Board as this interest would preclude them from having involvement in the majority of discussions and decisions.

***At meetings***

4.4.7 All attendees at meetings are required to declare relevant interests as a standing agenda item for every Board, Committee, Sub-committee or working group meeting, before the item is discussed. It is also good practice to consider any potential interests in relation to the agenda items ahead of the meeting, when meeting papers are sent out and received. These declarations will be recorded within the minutes as appropriate.

4.4.8 A series of guides has been developed by NHS England to help effectively manage conflicts of interests including a summary guide for administrator staff responsible for organising and administering meetings. A copy is available **here** and on the ICB’s intranet.

 ***When prompted to by the ICB***

4.4.9 The ICB will ensure that at the beginning of each financial year, staff are prompted to update their declarations of interest or make a nil return (via an online platform called Civica Declare) even where there are no interests or changes to declare. The ICB may ask for updates from individuals or groups on an adhoc basis where gaps are identified e.g. within internal audit or there has been a change in organisational circumstances which require a review of declarations.

***Change of role or responsibility or circumstance***

4.4.10 Whenever an individual’s role, responsibility or circumstances change in a way that affects the individual’s interests (e.g. where an individual takes on a new role outside the ICB or enters into a new business or relationship), a further declaration should be made to reflect the change in circumstances as soon as possible, and in any event within **28 days**. This could involve a conflict of interest ceasing to exist or a new one materialising, and it is the responsibility of the individual concerned to make a further declaration as soon as possible, rather than waiting to be asked.

4.4.11 Whenever interests are declared they should be promptly reported to the Declarations of Interest Lead within the Corporate Governance team who has designated responsibility for maintaining the register of interests (further information at section 6).

**4.5 Managing Conflicts of Interest at Meetings**

***Statutory requirements:*** The ICB must make arrangements for managing actual or potential conflicts of interest in such a way as to ensure that they do not, and do not appear to, affect the integrity of the group’s decision making. The ICB’s Board duties with regard to conflicts of interests are set out in its Constitution (sections 6.1.1– 6.1.7) and includes how conflicts of interests will be managed and reported. The Board sub-committees’ Terms of Reference include a section on conflicts of interests and set out the requirements that at each meeting members and participants / attendees must declare any relevant Conflicts of Interests in addition to the Register of Interests made available at each meeting. The declarations made are considered and managed by the Committee Chair and recorded in the minutes of the meeting.

4.5.1 All members of the Board, sub-committees and meetings will be required to declare any interests in any agenda item before it is discussed or as soon as it becomes apparent, albeit if an interest is declared in the register of interests. Declarations of interest will be recorded in minutes of meetings accordingly.

4.5.2 When an interest is declared at a Committee or other decision making body, the Chair should make the decision as to whether that individual remains out of the discussion with regards to the topic in which the interest is declared, or other action taken as appropriate (see below). Further information regarding the Chair’s role can be found at 3.4 of this policy.

4.5.3 It is imperative that the ICB ensures complete transparency in decision-making processes through robust record-keeping. If any conflicts of interest are declared or otherwise arise in a meeting, the Chair must ensure the following information is recorded in the minutes:

* Who has the interest;
* The nature of the interest and why it gives rise to a conflict;
* The items on the agenda to which the interest relates;
* How the conflict was agreed to be managed; and
* Evidence that the conflict was managed as intended.

It must also be recorded that no declarations of interest were made if applicable.

Exclusion of Individuals on Account of an Interest

4.5.4 All members of the Board of the ICB are required to declare their interests in relation to any items on the agenda at the start of each meeting however it is also good practice to consider potential conflicts against each agenda item before the meeting, and discuss these with the Chair and Associate Director of Corporate Affairs. Where the conflict is material to the discussion of the Board, that member shall withdraw from discussions pertaining to that agenda item, the conflict and the action will be recorded in the minutes of the meeting and the register of interests updated accordingly.

4.5.5 In some instances, a conflict may be so significant that an individual should not receive any documents/reports in relation to that agenda item. The Chair, with the assistance of the Associate Director of Corporate Affairs will be responsible for making this decision prior to the forwarding of meeting papers. This issue demonstrates the importance of proactive conflicts of interest management.

4.5.6 It is the responsibility of the Associate Director of Corporate Affairs to monitor quorum and advise the Chair accordingly to ensure it is maintained throughout the discussion and decision of the agenda item. Should the withdrawal of the conflicted individual result in the loss of quorum, the item cannot be decided upon at that meeting.

4.5.7 Where permitted under the ICB’s Constitution or the conditions of its governance arrangements, the Board has the power to waive restrictions on any clinical professional member participating in the business of the ICB, where to authorise such a conflict would be in the interests of the ICB. The application of a waiver can, therefore, be used in the following situations:

* a member of the Board is a clinical professional providing healthcare services to the ICB that do not exceed the average for other practices and NHS entities commissioned to provide services by the ICB; or
* where the Board member has a pecuniary interest arising out of the delivery of some professional service on behalf of the ICB, and the conflict has been adjudged by the Chair and the Conflict of Interest Guardian not to bestow any greater pecuniary benefit to other professionals in a similar relationship with the ICB.

4.5.8 Where the Chair and the Conflict of Interests Guardian have approved the use of the waiver, the Chair must have discussed it with the Chief Executive Officer before the meeting. In such circumstances where the waiver is used, the Board member:

* must disclose their interest as soon as practicable at the start of the

 meeting;

* may participate in the discussion of the matter under consideration; but
* must not vote on the subject under discussion.

4.5.9 The minutes of the meeting will formally record that the waiver has been used, and that this policy and the appropriate document provisions have been observed in managing that authorised conflict. Where a member has withdrawn from the meeting for a particular item, the Associate Director of Corporate Affairs will ensure that the minutes for that member do not contain such information that may compound the potential conflict, but do not unnecessarily disadvantage the member in their performance of their functions and legal responsibilities.

Decisions Taken With an Interest

4.5.10 In the event of the Board having to decide upon a question in which a member has an interest, all decisions will be made by vote, with a simple majority required. A quorum must be present for the discussion and decision; interested parties will not be counted when deciding whether the meeting meets quorum. Conflicted members ***must not vote*** on matters affecting their own interests, even where the use of the waiver has been approved by the chair and used.

4.5.11 All decisions under a conflict of interest will be recorded by the Associate Director of Corporate Affairs and reported in the minutes of the meeting as outlined within section 4.5.3 but should also include the use of the waiver if there has been one, and the reason behind it implementation.

4.5.12 Where a Board member benefits from the decision; this will be reported in the annual report and accounts, as a matter of best practice. All payments or benefits in kind to Board members will be reported in the ICB’s accounts and annual report, with amounts for each Board member listed for the year in question.

4.5.13 Primary Care & Direct Commissioning Committee (PC & DC)

1. Gloucestershire ICB holds delegated commissioning responsibility for Primary Care and therefore has an established Primary Care & Direct Commissioning Committee.
2. The Committee also has delegated commissioning responsibility for primary care services as well as community dentistry, optometry and pharmacy and therefore this policy will apply to those commissioned services.
3. The Committee is organised and conducted on the same basis of other sub-committees of the board; where registers of interests are included at each meeting, declarations are made and managed according to the ICB’s conflicts of interests policy and Constitution. .

d) In the interest of minimising these risks, the ICB ensures that GPs are not members of the PC&DC committee. The arrangements do not preclude GP participation in strategic discussions of Primary Care and POD issues, subject to appropriate management of conflicts of interest. They apply to decision-making on procurement issues and the deliberations leading up to the decision. GP and other clinical professionals input into clinical issues in Primary Care and POD is important therefore they shall remain as an attendee/participant at PC&DC meetings,.

e) It is also important that conflicts of interests are managed appropriately within sub-committees and sub-groups. Therefore as an additional safeguard, sub-groups must submit their minutes to the PC&DC, detailing any conflicts and how they have been managed. The PC&DC should be satisfied that conflicts of interest have been managed appropriately in its sub-committees and other relevant groups, and take action where there are concerns.

f) Similar arrangements to those described above will be established as the ICB takes on delegated commissioning for other primary care services such as dentistry, optometry and pharmacy.

**5. Gifts, Hospitality and other areas of Business Conduct**

5.1 Staff in the NHS offer support during significant events in people’s lives, and we should be proud that services are valued, but situations where the acceptance of gifts could rise to conflicts of interest should be avoided. Employees of the ICB may accept gifts, sponsorship and/or hospitality under certain circumstances, which are outlined in the following sections of this policy. In the interests of transparency, any offers outside these circumstances must be refused however must still be recorded. A central register will be maintained by the Corporate Governance team and reported to the Audit Committee at quarterly intervals as part of the ICB’s internal assurance process.

5.1.1 ICB staff and members should be mindful that even gifts of a small value may give rise to perceptions of impropriety and might influence behaviour if not handled in an appropriate way. This is also the case where the ICB staff give gifts on behalf of the ICB to other organisations and individuals. As a general rule the ICB discourages its employees accepting or giving gifts except in exceptional circumstances (see conditions below). Employees are encouraged to seek advice from the Associate Director of Corporate Affairs and / or the Conflicts of Interests Guardian.

5.2 Gifts

5.2.1 A 'gift' is defined as any item of cash or goods, or any service, which is provided for personal benefit, free of charge or at less than its commercial value.

5.2.2 All gifts of any nature offered to ICB staff, Board and committee members

 by suppliers or contractors linked (currently or prospectively) to the ICB’s business should be declined, whatever their value. However, low cost branded promotional aids may be accepted and not declared where they are under the value of a common industry standard of ***£6.*** The person to whom the gifts were offered should also declare the offer to the Corporate Governance team who have designated responsibility for maintaining the register of gifts and hospitality so the offer which has been declined can be recorded on the register.

5.2.3 Gifts offered from other sources (e.g. ***patients, families, service users***) may be accepted if they are ***under the value of £50*** and do not need to be declared. Gifts at over this value should be treated with caution and should only be accepted on behalf of an organisation, not in a personal capacity and should be declared. Multiple gifts from the same source over a twelve month period should be treated in the same way as single gifts over £50 where the cumulative exceeds £50. ICB staff and members should not request gifts, and staff should operate a common sense approach to the valuing of gifts.

5.2.4 Any personal gift of cash or cash equivalents (e.g. vouchers, tokens, offers of

remuneration to attend meetings whilst in a capacity working for or representing theICB) ***must always be declined***, whatever their value and whatever their source, and the offer which has been declined must be declared to the Corporate Governance team who have designated responsibility for maintaining the register of gifts and hospitality and recorded on the register.

5.2.5 Employees must declare any gifts using the online platform (Civica Declare) provided, whether or not the offer has been refused or accepted to ensure that the employee and the ICB are protected against any subsequent accusation of compromise.

5.3 Hospitality

5.3.1 Hospitality means offers of meals, refreshments, travel, accommodation and other expenses in relation to attendance at meetings, conferences, education and training events.

5.3.2 A blanket ban on accepting or providing hospitality is neither practical nor desirable from a business point of view however, all offers of hospitality should be approached with caution by employees of the ICB. Any offers of modest hospitality including a drink or a sandwich during an external meeting or free parking to attend a meeting do not require approval from a manager.

5.3.3 Employees should refuse any hospitality which may compromise or be reasonably seen to compromise their ability to exercise judgement in their role. Offers of hospitality including holiday accommodation, sporting fixtures, theatre or other events ***must be declined***. Particular caution should be exercised when hospitality is offered by actual or potential suppliers or contractors, these can be accepted if modest and reasonable, but individuals should always obtain senior approval (e.g. Director or Associate Director of Corporate Affairs ) and declare these.

5.3.4 Hospitality must be secondary to the purpose of the meeting and should not be out of proportion to the occasion or exceed the level which the staff member would normally adopt under normal circumstances when paying for themselves, or that would normally be acceptable to the NHS.

5.3.5 Meals and refreshments:

* Under the value of **£25** may be accepted and ***need not be declared;***
* Of a value between ***£25 and £75 may be accepted*** and must be declared;
* Over a value ***of £75*** should be ***refused*** unless (in exceptional circumstances) ***senior approval is given***. A clear reason should be recorded on the register as to why it was permissible to accept;
* A common sense approach should be applied to the valuing of meals and refreshments (using the actual amount, if known).

5.3.6 Travel and accommodation

* Modest offers to pay some or all of the travel and accommodation costs related to attendance at events may be accepted however must be declared;
* Offers which go beyond modest, or are of a type that the ICB itself might not usually offer, need approval by senior staff and should only be accepted in exceptional circumstances.

5.4 Commercial Sponsorship

5.4.1 For the purpose of this policy commercial sponsorship is defined as “NHS funding from an external source, including funding of all or part of the cost of a member of staff, NHS research, staff training, pharmaceuticals, equipment, meeting rooms, costs associated with meetings, meals, gifts, hospitality, hotel and transport costs, provision of free services and buildings or premises.”

5.4.2 Commercial sponsorship can include different forms, the most applicable to the ICB include:

* Financial support and hospitality for meetings;
* Attendance at conferences;
* Publications;
* Training.

5.4.3 ICB employees should read the ‘Policy for the Joint Working between NHS Gloucestershire ICB and the Pharmaceutical Industry’ in conjunction with this policy where commercial sponsorship is from pharmaceutical companies.

5.4.4 In all cases, ICB employees must declare sponsorship or any commercial relationship linked to the supply of goods or services ***where this is above the estimated value of £25.00.*** This should be declared on the provided platform (*the ICB uses Civica Declare system*). The Governance Team record the declaration within the Commercial Sponsorship Register.

5.4.5 As a general rule, sponsorship arrangements involving the ICB will be at a corporate, rather than individual level.

5.4.6 If publications are sponsored by a commercial organisation, that organisation should have no influence over the content of the publication. The company logo can be displayed on the publication, but no advertising or promotional information should be displayed. The publication should contain a disclaimer which states that sponsorship of the publication does not imply that the ICB endorses any of the company’s products or services.

5.4.7 All ICB employees and individuals acting on behalf of the ICB should discuss the implications, with their manager, before accepting an invitation to speak at a meeting organised by a pharmaceutical company. The company should have no influence over the content of any presentation made by the ICB employee/representative. It should be made clear that ICB presence does not imply that the ICB endorses any of the company’s products or services.

5.4.8 Under no circumstances will the ICB agree to ‘linked deals’ whereby sponsorship is linked to the future purchase of particular products or to supply from particular sources.

5.4.9 Sponsorship of NHS events can sometimes occur and is valued. Offers to meet some or part of the costs of running an event secures their ability to take place, benefiting NHS staff and patients. However, there is potential for conflicts of interest between the organiser and the sponsor, particularly regarding the ability to market commercial products or services. As a result of this, the ICB will ensure proper safeguards in place to prevent such conflicts occurring.

5.4.10 When sponsorship is offered, the following principles must be adhered to:

* Sponsorship of events by appropriate external bodies should only be approved if a reasonable person would conclude that the event will result in clear benefit for the ICB/ICS and the NHS;
* During dealing with sponsors there must be no breach of patient or individual confidentiality or data protection rules and legislation;
* No information should be supplied to the sponsor from which they could gain a commercial advantage, and information which is not in the public domain should not normally be supplied;
* At the ICB’s discretion, sponsors or their representatives may attend or take part in the event but they should not have a dominant influence over the content or the main purpose of the event;
* The involvement of a sponsor in an event should always be clearly identified in the interest of transparency;
* The ICB should make it clear that sponsorship does not equate to endorsement of a company or its products and this should be made visibly clear on any promotional or other materials relating to the event. An appropriate disclaimer by the ICB should be included on any brochures / leaflets (consult the Associate Director of Corporate Affairs for further advice);
* Staff should declare involvement with arranging sponsored events to their line manager and the Governance Team.

5.5 Secondary Employment

5.5.1 As per the standard contract of employment, individuals working for the ICB are required to notify the ICB of any secondary employment on appointment and during the course of their employment with the ICB. This is also covered in the Secondary Employment Policy and relates to s 4.2 (3.3) Working Hours - .Working Time Policy and Procedure. The ICB reserves the right to take action where it believes a conflict will arise which cannot be effectively managed.

5.5.2 The purpose of this is to ensure that the ICB is fully aware of any potential conflicts of interest. Examples of work which might conflict with the business of the ICB include:

* Employment with another NHS body;
* Employment with another organisation which might be in a position to supply goods or services to the ICB;
* Self-employment, including private practice, in a capacity which might conflict with the work of the ICB, duplicate the work of the ICB or situations in which the ICB may seek to commission services and / or supply goods or services..

5.5.3 Outside employment and private practice (secondary employment) must be declared as a potential conflict of interest, whether the individual believes it to be a conflict or not. Staff should discuss any potential secondary employment with their line manager before commencing a new role or taking on additional work. In all circumstances the staff member should complete the declaration form for secondary employment as per the Secondary Employment policy and submit this to their line manager for consideration.

5.5.4 Should a staff member hold any secondary employment which may conflict with the work of the ICB, the ICB will consider whether, practically, such an interest is manageable at all. If it is not, the appropriate course of action may be to refuse to allow circumstances which give rise to the conflict to persist. This may require an individual to step down from a particular role, cease such work and/or move to another role within the ICB.

5.6 Co-operation with product suppliers

5.6.1 All requests for co-operation from product suppliers that are received by members of staff should be referred to their senior managers. Suppliers should also be provided with a copy of this policy and the Counter Fraud, Bribery and Corruption Policy. They must be reminded that the ICB has a zero tolerance approach to fraud and bribery (see the ICB Bribery Statement **here**)*.*

5.6.2 There are occasions when it may be beneficial to patients and clients for staff to participate in trials of products and appliances which may be used in the delivery of our services. Patients may ultimately benefit from the development of new products, and being involved in such trials ensures our staff are up to date with current product development.

5.6.3 Any financial incentives offered to staff to participate in such trials should be dealt with in the same way as monetary gifts given by patients. Staff are reminded that if they are asked to participate in any research or trials, this must be submitted to their Line Manager / Director before any agreement to participation is given. Advice can also be sought from the Associate Director of Corporate Affairs / COIG.

5.6.4 Employees who attend educational meetings or conferences where some part of their costs (registration fees, travel or accommodation) are paid by commercial companies, they must declare the sponsorship to the Corporate Governance team on the online platform (Civica Declare) provided in addition to seeking the usual agreement for study leave.

5.7 Personal Conduct

5.7.1 The lending or borrowing of money between staff should be avoided, whether informally or as a business, particularly where the amounts are significant.

5.7.2 It is a particularly serious breach of discipline for any member of staff to use their position to place pressure on someone in a lower pay band, a business contact, or a member of the public to loan them money.

5.7.3 No member of staff may bet or gamble when at work or on ICB premises, any involvement in lottery syndicates or sweepstacks should be carried out in staff member’s personal time, outside of the work environment.

5.7.4 Staff who become bankrupt or insolvent must inform their line management and Human Resources as soon as possible. Staff who become bankrupt or insolvent cannot be employed in posts that involve duties which might permit the misappropriation of public funds or involve the handling of money.

5.7.5 A member of staff who is arrested and refused bail or convicted of any criminal offence must inform their line management and Human Resources who will take appropriate action in line with the ICB disciplinary policy. All ICB staff should make themselves aware of the ICB Counter Fraud, Bribery and Corruption Policy. ICB managers must ensure they adhere to the NHS Management Code of Conduct at all times.

5.8 Political Activities

5.8.1 Any political activity should not identify an individual as an employee of the ICB. Conferences or functions run by a party political organisation should not be attended in an official capacity, except with prior written permission from the Chief Executive Officer and Chair of the ICB in exceptional circumstances.

5.9 Appointing Board or Committee Members

5.9.1 The ICB needs to consider whether conflicts of interest should exclude individuals from being appointed to the Board or to a Committee or Sub-Committee membership. This will be considered on a case by case basis with reference to the disqualification criteria outlined in the **ICB’s Constitution**, NHS England guidance. :

5.9.2 In these instances, the ICB will assess the materiality of the interest, in particular whether the individual could benefit from any decision the ICB might make. This will be particularly relevant for Board, committee and sub-committee appointments, but should also be considered for all employees and especially those operating at a senior level.

5.9.3 The ICB will need to determine the extent of the interest and the nature of the appointee’s proposed role within the ICB. If the interest is related to an area of business significant enough that the individual would be unable to operate effectively and make a full and proper contribution in the proposed role, then that individual should not be appointed to the role.

5.9.4 The responsibility for this decision will sit with the recruiting manager for the particular post (usually the Chair of the Board for board members) in liaison with the interview or appointment panel as appropriate. For committee membership issues, this will be the responsibility of the Chair with advice and support from the Associate Director of Corporate Affairs and the Chief Executive Officer. Sometimes the Board as a whole may wish to discuss the issue together to reach a decision. However, this decision relies on the applicants declaration of interest as outlined in this policy.

5.10 The Commissioning Cycle

a) Conflicts of interest need to be managed appropriately throughout the whole commissioning cycle. At the outset of a commissioning process, the relevant interests of all individuals involved should be identified and clear arrangements put in place to manage any conflicts of interest. This includes consideration as to which stages of the process a conflicted individual should not participate in, and, in some circumstances, whether that individual should be involved in the process at all.

b) The way in which services are designed can either increase or decrease the extent of perceived or actual conflicts of interest. Particular attention should be given to public and patient involvement in service development.

5.10.1 Commissioning Services from GP Practices

 The ICB will abide by the NHS England’s Code of Conduct which sets out additional safeguards to use when commissioning services for which GP practices that could be potential providers.

5.10.2Procuring Services

1. The ICB has in place robust procedures for the management of conflicts or potential conflicts of interest that may arise in relation to procurement and throughout the commissioning cycle. The ICB ensures that procurement and commissioning is managed in an open and transparent manner, compliant with procurement and other relevant law, to ensure there is no discrimination against or in favour of any provider.
2. The ICB has ensured that the requirements set out in the provider selection regime (PSR) which came into force on 1 January 2024 are incorporated into its procedures. The PSR is a set of rules for procuring health services which are designed to be a more flexible and proportionate decision-making process for selecting providers to deliver healthcare services. To note the Provider Selection Regime (PSR) is the [Health Care Services (Provider Selection Regime) Regulations 2023](https://www.legislation.gov.uk/uksi/2023/1348/contents/made),  legal framework for procuring healthcare services in England, replacing previous procurement rules under the Public Contracts Regulations 2015
3. The ICB complies with the PSR when arranging for the provision of “relevant health care services,” either on their own or as part of a “mixed procurement” see Part 1 s.2 and s.3 of [The Health Care Services (Provider Selection Regime) Regulations 2023](https://www.legislation.gov.uk/uksi/2023/1348/part/1/made) .
4. Appropriate measures are taken to effectively prevent, identify and remedy conflicts of interest arising in the conduct of procurement processes under The Health Care Services (Provider Selection Regime) Regulations 2023 (‘PSR Regulations’).  The definition of conflicts of interest for the purposes of the PSR is set out in regulation 21(2)(a) of the PSR Regulations[[4].](https://www.england.nhs.uk/long-read/managing-conflicts-of-interest-in-the-nhs/%22%20%5Cl%20%22_ftn4)
5. Procurement processes are conducted in a manner that does not constitute anticompetitive behaviour - which is against the interest of patients and the public. Anyone participating in the procurement, or otherwise engaging with the ICB, in relation to the provision of services or facilities, will be required to make a declaration of interest and undertaken relevant training where required. This includes those who will take part in any tender evaluation or decision making with regards to the award of a contract.
6. Records must show a clear audit trail of how conflicts of interest have been identified and managed as part of procurement processes. At every stage of procurement steps should be taken to identify and manage conflicts of interest to ensure and to protect the integrity of the process.

The ICB will consider the following points when engaging with potential service providers:

1. • Use engagement to help shape the requirement but take care not to gear the requirement in favour of any particular provider(s);
2. • Ensure at all stages that potential providers are aware of how the service will be commissioned, e.g. through competitive procurement or through the ‘Any qualified provider’ process;
3. • Work with participants on an equal basis, e.g. ensure openness of access to employees and information;
4. • Be transparent about procedures; and
5. • Maintain commercial confidentiality of information received from providers. The ICB will, as far as possible, specify the outcomes to be delivered through a new service, rather than the way in which these outcomes are to be achieved. Practical steps to manage conflicts of interest may include:
6. • Identifying and discussing any actual or potential Conflicts of Interest at all stages of the commissioning cycle, including but not limited to the production of procurement specifications, bid scoring, and decision-making meetings;
7. • Conflicts of Interest as a standing item at all procurement and or contract meetings;
8. • Advertising the fact that a service design/re-design exercise is taking place widely (e.g. on Find a Tender) and inviting comments from any potential providers and other interested parties (ensuring a record is kept of all interactions);
9. • As the service design develops, engaging with a wide range of providers on an ongoing basis to seek comments on the proposed design, e.g. via the ICB’s website or workshops with interested parties; •

More detailed information can be found in the Procurement Policy see here

Where appropriate engage the advice of an independent clinical adviser on the design of the service.

b)

d) The ICB will complete the Procurement checklist (Appendix 9) when procuring services from providers, to ensure full due consideration is given to the process of procurement. This information will then be transferred onto the Register of procurements decisions and contracts awarded (Appendix 10 and 11) and made publicly available.

e)

**6. Registers of Interests**

**6.1 Statutory *requirements:*** The ICB must maintain one or more registers of interest of: for members of its Board, members of its committees or sub-committees of its Board, and its employees. The ICB must publish, and make arrangements to ensure that members of the public have access to, these registers on request.

6.1 The ICB has a statutory requirement to maintain one or more registers of interest of, members of the Board, members of its committees or sub-committees of its Board, and its employees in relation to the issues detailed in section 4 and 5 of this policy:

* Interests declared at decision making bodies;
* Interests declared by Board members and other staff which could potentially influence their decision making;
* Gifts and Hospitality declarations;
* Commercial Sponsorship
* Association of British Pharmaceutical Industry (reference to this register shall be included on the ICB website).

6.1.1 The ICB must publish the registers at least annually, and will also make arrangements to ensure that members of the public have access to these registers upon request.

6.2 Interests will be recorded on the ICB’s Register of Interests as and when they are declared, within 28 days. They should be reported to the Associate Director of Corporate Affaris on the relevant form who will maintain the register on behalf of the Accountable Officer. The register will be accessible by the public and inspection of the register of Board members’ interests will be encouraged, as appropriate.

6.3 Any interests must be promptly transferred onto the relevant register and should remain on the public register for a minimum of 6 months after the interest has expired. The register will also remain on file for ***6 years after archiving (see Appendix 13 to describe the process in more details)***

6.4 In exceptional circumstances, where the public disclosure of information could give rise to a real risk of harm or is prohibited by law, an individual’s name and/or other information may be redacted from the publicly available register(s). Where an individual believes that substantial damage or distress may be caused, to him/herself or somebody else by the publication of information about them, they are entitled to request that the information is not published. Such requests must be made in writing. Decisions not to publish information must be made by the COIG for the ICB, who should seek appropriate legal advice if and where required, and the ICB should retain a confidential un-redacted version of the register(s).

6.6 The register(s) of interests (including the register of gifts and hospitality) will be published as part of the ICB’s Annual Report and Governance Statement and can be found on the ICB’s website **see here**.

**7 Counter Fraud**

7.1The ICB aims to ensure that all staff can feel supported should they have any concerns of dishonest or fraudulent behaviour conducted at their workplace.

7.2 Staff concerned about how to raise their suspicions can receive independent and confidential advice from their Local Counter Fraud Specialist, the NHS Fraud and Corruption Reporting Line, the online fraud reporting tool (FCROL) - <https://www.reportnhsfraud.nhs.uk/>; from the charity "Public Concern at Work" or from the ICB’a own whistleblower contact..

7.3 Further information about the ICB’s approach to Counter Fraud can be found within the Counter Fraud, Briberyand Corruption Policy.

**8 Internal Audit**

8.1 The ICB is required to undertake an audit of conflicts of interest management as part of their internal audit on an annual basis. The results of this will be reflected in the ICB’s Governance Statement.

**9 Target Audience**

9.1 The target audience for the policy is the ICB Board, members of staff, primary care and any other persons working on behalf of the ICB or members of ICB committees.

9.2 A copy of this policy will be made available on the ICB external internet site for the public to access, in line with best practice guidance.

**10 Communication**

10.1 This policy will be sent to members of the Board via email, included within the weekly Staff Brief and placed on the ICB intranet site for onward access.

**11 Training**

11.1 NHS England requires that the ICB has a structured conflicts of interests training programme in place for all staff. The ICB will use the NHS England mandatory online training package and other training materials in order to comply with this requirement and all staff will be required to complete training on an annual basis. The training requirements for ICB staff are detailed in Appendix 14.

11.2 ICB Non-Executive members and the rest of the Board may receive additional training in accordance with national guidelines, including any face to face training offered by NHS England. Training will also be offered to non-ICB members who sit on ICB committees so that they may discharge their duties effectively.

**12 Managing Breaches**

12.1 Failure to comply with this policy could have serious implications for the ICB and the individuals concerned.

12.2 It is a duty of every ICB employee, Board member, committee or sub-committee member to speak up about genuine concerns in relation to the administration of the ICB’s policy on conflicts of interest management, and to report these concerns. These individuals should speak to the Associate Director of Corporate Affairs and/or COIG or Freedom to Speak-up Guardian should they have any concerns (see Appendix 15 for contact details).

12.3 Anyone who wishes to report a suspected or known breach of this policy who is not an employee or worker of the ICB, should ensure they comply with their own organisation’s whistleblowing policy. This policy takes into account guidance issued under the ‘Freedom to speak up: raising concerns (whistleblowing) policy for the NHS’. Please refer to the ICB Whistleblowing Policy that incorporates Freedom to Speak up **here.**

12.4 All such notification should be treated with appropriate confidentiality at all times in accordance with the ICB’s policies and applicable laws, and the person making such disclosures should expect an appropriate explanations of any decisions taken as a result of any investigation.

12.5 Individuals who fail to disclose any conflict of interest or who otherwise breach the ICB rules and policies relating to the management of conflicts of interest may be subject to investigation and, where appropriate, to disciplinary action. ICB staff, Board and committee members should be aware that outcomes of such action may, if appropriate, result in the termination of their employment or position with the ICB.

12.6 Any deliberate failure to declare an interest will be addressed through the relevant ICB disciplinary route with the individual concerned.

12.7 The ICB will ensure that any breaches are anonymously published on the public facing website at least annually in line with NHS England guidance, and will also state clearly if no breaches have occurred.

### 13 References/Further reading

13.1 Please find listed below details of organisations used in researching this protocol.

* NHS Commissioning Board – Towards establishment: *Creating responsive and accountable clinical commissioning groups* (February 2012)
* NHS Commissioning Board – Towards establishment: *Technical Appendix 1 - Managing conflicts of interest (*February 2012)
* NHS Commissioning Board – Code of Conduct: *Managing conflicts of interest where GP practices are potential providers of ICB commissioned services (*June 2012)
* ICSA Guidance Note 120228 – *Model conflicts of interest policy for clinical commissioning group board members* (February 2012)
* NHS Confederation / RCGP Centre for Commissioning – *Managing conflicts of interest in clinical commissioning groups* (September 2011)
* NHS England – *Managing Conflicts of Interest: Revised Statutory Guidance for ICBs 20204*
* NHS England’s - *Best Practice Update on Conflicts of Interest Management: Call to Action for ICBs published in February 2019*
* NHS Protect – *Bribery Act 2010 Guidance* 2015
* Department of Health - *Commercial Sponsorship – Ethical Standards for the NHS*
* NHS England - ICB Governing Body members: Roles outlines, attributes and skills (April 2012)
* ICB Improvement and Assessment Framework (March 2016)
* The Good Governance Standards for Public Services (2004)
* The Equality Act (2010)
* ICB Whistleblowing Policy
* ICB Disciplinary Policy
* Counter Fraud, Bribery and Corruption Policy

**14 Commitment to Review**

14.1 The ICB will review this policy at least every three years and where required in order to comply with new guidance and regulations as appropriate.

**Appendix 1**

**Types of Conflicts**

Interests can be captured in four different categories:

**Financial Interest**

This is where an individual may get direct financial benefits from the consequences of a commissioning decision. This could, for example, include being:

* A director, including a non-executive director, or senior employee in a private company or public limited company or other organisation which is doing, or which is likely, or possible seeking to do, business with health or social care organisations.
* A shareholder (or similar ownership interests), a partner or owner of a private or not-for-profit company, business, partnership or consultancy which is doing, or which is likely, or possible seeking to do, business with health or social care organisations.
* A management consultant for a provider.

**Non-financial professional interests**

This is where an individual may obtain a non-financial professional benefit from the consequences of a commissioning decision, such as increasing their professional reputation or status or promoting their professional career. This may, for example, include situations where the individual is:

* An advocate for a particular group of patients;
* A GP with special interest e.g. in dermatology, acupuncture etc
* A member of a particular specialist professional body (although routine GP membership of the RCGP, British Medical Association (BMA) or a medical defence organisation would not usually by itself amount to an interest which needed to be declared)
* An advisor for the Care Quality Commission (CQC) or the National Institute for Health and Care Excellence (NICE)
* A medical researcher.

**Non Financial Personal Interest**

This is where an individual may benefit personally in ways which are not directly linked to their professional career and do not give rise to a direct financial benefit. This could include, for example, where the individual is:

* A voluntary sector champion for a provider;
* A volunteer for a provider;
* A member of a voluntary sector board or has any other position of authority in or connection with a voluntary sector organisation;
* Suffering from a particular condition requiring individually funded treatment;
* A member of a lobby or pressure group with an interest in health.

**Indirect interests**

This is where an individual has a close association with an individual who has a financial interest, a non-financial professional interest or a non-financial personal interest in a commissioning decision (as those categories are described above) for example, a:

* Spouse/partner
* Close relative e.g. parent, grandparent, child, grandchild or sibling;
* Close friend;
* Business partner.

Whether an interest held by another person gives rise to a conflict of interests will depend upon the nature of the relationship between that person and the individual, and the role of the individual within the ICB.

**Further information on examples of situations that may arise can be found within the NHS England case studies which can be found** [**here**](https://www.england.nhs.uk/publication/managing-conflicts-of-interest-ccg-case-studies/)**.**

**Appendix 6**

**Template Declarations of Interest checklist (For meetings)**

It is essential that declarations of interest and actions arising from the declarations are recorded formally and consistently across the ICB Board, committees and sub-committee meetings. This checklist has been developed with the intention of providing support in conflicts of interest management to the Chair of the meeting – prior to, during and following the meeting. It does not cover the requirements for declaring interests outside of the committee process.

|  |  |  |
| --- | --- | --- |
| Timing | Checklist for Chairs | Responsibility |
| In advance of the meeting | **1.** The agenda to include standing item on declaration of interests to enable individuals to raise any issues and/or make a declaration at the meeting. Good practice to include a register of members’ interests on the agenda. | **Chair and secretariat** |
|  | **2.** A definition of conflicts of interest should also be accompanied with each agenda to provide clarity for all recipients.**3.** Agenda to be circulated to enable attendees (including visitors) to identify any interests relating specifically to the agenda items being considered.**4.** Members should contact the Chair as soon as an actual or potential conflict is identified and ideally prior to the meeting.**5.** A copy of the members’ declared interests is checked to establish any actual or potential conflicts of interest that may occur during the meeting and advice is given to the member prior to the meeting. Any papers related to that agenda item should not be sent to the individual. | **Chair and secretariat****Chair and secretariat****Meeting members****Chair** |
| During the meeting | **6.** Check and declare the meeting is quorate and ensure that this is noted in the minutes of the meeting**7.** Chair requests members to declare any interest in agenda items – which have not already been declared, including the nature of the conflict.**8.** Chair makes a decision as to how to manage each interest which has been declared, including whether/to what extent the individual member should continue to participate in the meeting, excluded for this meeting and any subsequent meetings on a case by case basis, and this decision is recorded.**9.** As minimum requirement, the following should be recorded in the minutes of the meeting:* Individual declaring the interest;
* At what point the interest was declared;
* The nature of the interest;
* The Chair’s decision and resulting action taken;
* The point during the meeting at which any individuals retired from and returned to the meeting – even if an interest has not been declared but members have left during the meeting.
 | **Chair****Chair****Chair and Secretariat****Secretariat** |
| Following the meeting | **10.** All new interests declared at the meeting should be promptly updated onto the declaration of interest form or on Civica Declare.**11.** All new completed declaration of interest should be transferred into the register of interests for that committee/meeting. | **Individual(s) declaring interest(s)****Designated person responsible for registers of interest for that meeting.** |



**Appendix 7**

**Board / Committee name**

Date

|  |  |
| --- | --- |
| **Report Title**  | **This should be very short and clear (in bold) including version no.** |
| **Purpose (X)** | **For Information** |  | **For Discussion** |  | **For Decision** |
|  |  |  |  |  |
| **Route to this meeting** | Describe the prior engagement pathways this paper has been through, including outcomes/decisions: |
| **ICB Internal** | **Date** | **System Partner** | **Date** |
|  | dd/mm/yyyy |  | dd/mm/yyyy |
| **Executive Summary** | Clearly outline what the report is trying to achieve without going into fine details. It is a summary to briefly state the **purpose of the paper**. |
| **Key Issues to note** | Identify the key issues that the report is attempting to address here, and any issues that have arisen during the project / programme / production of the paper itself.  |
| **Key Risks:****Original Risk (CxL)****Residual Risk (CxL)** | Summarise highest risks associated with the paper and how these have been managed; it is unlikely that there would be none. Has the risk been added to the risk register or BAF? Include relevant information from risk register where applicable.Add a risk rating, even if low:(4x2) 8(4x2) 8 (residual meaning accepted risk) |
| **Management of Conflicts of Interest** | Answer the following questions:* Who has been conflicted in the process / project ?
* How was this managed?
* Has it been logged on the declaration of interest register?
 |
| **Resource Impact (X)** | **Financial** |  | **Information Management & Technology** |  |
| **Human Resource** |  | **Buildings** |  |
| **Financial Impact** | What financial impact will there be to the ICB and/or wider system?If small, include ‘small financial impact’ and try to outline. If significant, this should be further discussed within the detail of the report.  |
| **Regulatory and Legal Issues (including NHS Constitution)**  | Consider statutory requirements and laws. How does the issue / project relate to the NHS constitution and the ICB constitution? Are there any potential legal issues that could arise that the Board/Committee need to be aware of? |
| **Impact on Health Inequalities** | This is about patients. How will this impact on health inequalities for people? |
| **Impact on Equality and Diversity** | An EIA should be completed for large scale projects and initiatives and the outcomes should be included here. |
| **Impact on Sustainable Development** | Will there be any impact on sustainability of programmes, places or people. How does the proposal meet the ICB/ICS objectives for sustainable developments? |
| **Patient and Public Involvement** | Will the decision impact on patients, carers, families or the public? If so, how have they been involved in the process? Will the report be published anywhere? |
| **Recommendation** | The Committee/Board (delete as appropriate) is requested to:* Note … (when provided for information)
* Discuss… (when there are options to consider)
* Support… (direction of travel; set up of xxx)
* Approve... (when seeking sign off)
 |
| **Author** |  | **Role Title** |  |
| **Sponsoring Director****(if not author)** | Executive Lead, if not the author.  |

|  |  |
| --- | --- |
| **Glossary of Terms** | **Explanation or clarification of abbreviations used in the paper** |
| ICS | Integrated Care System |
| ICB | Integrated Care Board |
| GHC | Gloucestershire Health & Care Foundation Trust |
| GHFT | Gloucestershire Hospitals NHS Foundation Trust |
| GCC | Gloucestershire County Council |
| VCSE | Voluntary, Community and Social Enterprise |
| Add more as required |  |

**Appendix 8**

**Template Register of Interests declared during a meeting**

The ICB will hold one register per meeting

|  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- |
| **Date of Meeting**  | **Name** | **Title** | **Agenda item** | **Interest**  | **Action taken**  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |
|  |  |  |  |  |  |

**Appendix 9**

**Procurement Checklist – For Commissioning**

|  |
| --- |
| **Service:** |
|
| **Question** | **Comment/ Evidence** |
| **1. How does the proposal deliver good or improved outcomes and value for money – what are the estimated costs and the estimated benefits? How does it reflect the ICB’s proposed commissioning priorities? How does it comply with the ICB’s commissioning obligations?**  |  |
| **2. How have you involved the public in the decision to commission this service?** |  |
| **3. What range of health professionals have been involved in designing the proposed service?** |  |
| **4. What range of potential providers have been involved in considering the proposals?** |  |
| **5. How have you involved your Health and Wellbeing Board(s)? How does the proposal support the priorities in the relevant joint health and wellbeing strategy (or strategies)?** |   |
| **6. What are the proposals for monitoring the quality of the service?** |   |
| **7. What systems will there be to monitor and publish data on referral patterns?** |   |
| **8. Have all conflicts and potential conflicts of interests been appropriately declared and entered in registers?**  |   |
| **9. In respect of every conflict or potential conflict, you must record how you have managed that conflict or potential conflict. Has the management of all conflicts been recorded with a brief explanation of how they have been managed?**  |  |
| **10. Why have you chosen this procurement route e.g., single action tender?[[1]](#footnote-1)** |   |
| **11. What additional external involvement will there be in scrutinising the proposed decisions?** |  |
| **12. How will the ICB make its final commissioning decision in ways that preserve the integrity of the decision-making process and award of any contract?** |   |
| **Additional question when qualifying a provider on a list or framework or pre selection for tender (including but not limited to any qualified provider) or direct award (for services where national tariffs do not apply)** |
| **13. How have you determined a fair price for the service?**  |   |

**Appendix 10**

**Template Procurement decisions and contracts awarded**

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Procurement Title****&****Tender Reference / Advertisement Reference** | **Existing Contract****or****New Procurement** | **ICB Commissioning Area** | **Provider Name & Address** | **Contract Start Date** | **Contract End Date** | **Total Contract Value****&****Contract Value to ICB** | **Procurement Type** | **Summary of Conflicts of Interest Declared and how these were managed** | **Decision Making Committee****&****Process** |
| Example: |  |  |  |  |  |  |  |  |  |
| Provision of Out of Hours P Medical ServicesNGPT 42 / 20142014S / 123456 | New Procurement | Urgent Care and Contracting | SWAST | 1 April 2015 | 31 March 2018 | £21M£21M | OJEU Restricted Procedure | Out of County GP – Clinical Director in a Social Enterprise who might bid for the service.  The organisation didn’t bid.Senior Manager Engagement & Inclusion – Married to a registered paramedic employed by one of the bidding organisations.  The individual’s line manager monitored the evaluation to ensure it was conducted in a fair and robust manner.Procurement Specialist – Married to a registered paramedic employed by one of the bidding organisations.  Not involved in the decision making process. | BoardFull commercial technical and financial evaluation based on the most economically advantageous tender |

**Appendix 11**

**Template Declaration of conflict of interests for bidders/contractors**

|  |  |
| --- | --- |
| **Name of Organisation:** |  |
| **Details of interests held:** |
| **Type of Interest** | **Details** |
| **Provision of services or other work for the ICB or NHS England** |  |
| **Provision of services or other work for any other potential bidder in respect of this project or procurement process** |  |
| **Any other connection with the ICB or NHS England, whether personal or professional, which the public could perceive may impair or otherwise influence the ICB’s or any of its members’ or employees’ judgements, decisions or actions** |  |

|  |  |
| --- | --- |
| **Name of Relevant Person** | [*complete for all Relevant Persons*] |
| **Details of interests held:** |
| **Type of Interest** | **Details** | **Personal interest or that of a family member, close friend or other acquaintance?** |
| **Provision of services or other work for the ICB’s or NHS England** |  |  |
| **Provision of services or other work for any other potential bidder in respect of this project or procurement process** |  |  |
| **Any other connection with the ICB’s or NHS England, whether personal or professional, which the public could perceive may impair or otherwise influence the ICB’s or any of its members’ or employees’ judgements, decisions or actions** |  |  |

To the best of my knowledge and belief, the above information is complete and correct. I undertake to update as necessary the information.

**Signed:**

**On behalf of:**

**Date:**

**Appendix 12**

**NHSE Best Practice – Conflicts of Interests Call to Action**

**Work undertaken in response to the 8 Improvement Areas**

|  |  |  |  |
| --- | --- | --- | --- |
| NHS England CoI Best Practice Update | **Lead** | **Best practice**  | **Action undertaken**  |
| 1. Procurement decisions and contract monitoring processes
 |  | Conflicts of Interest management is needed where a third party organisation leads the bidding process. | Procurement has processes in place to manage conflicts of interests by bidders including the management of CoI of those representatives on individual procurement project groups. |
|  |  | Discussions around conflicts of interests take place when procurement specifications are produced etc. | The Head of Procurement ensures that the individual procurement project groups declare their interests and these are actively managed. Also bidders are required to declare any interests. |
|  |  | Conflicts of Interests are a standing item on procurement / contract meetings. | This is already in place |
|  |  | The ICB should take conflicts of interest into consideration prior to the approval of single tender waiver | There are procurement processes in place with regard to managing CoI for all aspects of procurement including quotes and STW. Procurement documentation contains up-to-date COI statements and templates for bidder completion / return |
| 1. Completeness of registers of interests, gifts and hospitality
 |  | Completeness of Register of Interests, Gifts and Hospitality | Registers are updated as gifts and hospitality is declared and they are published on the ICB’s website in March and September each year and more often if required. The procedures for declaring interests has been changed to ensure that all staff declare their interests by 28 February each year. See appendix 13 for more details. |
| 1. Governance structures for managing conflicts of Interests
 |  | Governance Structures should operate in a manner consistent with the statutory principles identified in the statutory guidance. The ICB’s Constitution needs to reflect current arrangements. | Standards of Business Conduct policy; guidance and forms available; the ICB Constitution and this policy is aligned. |
| 1. Managing conflicts when making joint decisions with other partners e.g. other ICB’s or Local Authorities
 |  | Board, committees, and groups | There is a standing item of declaring conflicts of interests in CPGs, ICB Board and committees, board and groups.A point of good practice is to include the Register of Interest in the Board papers  |
|  |  | Standing Agenda item declaring conflicts of interests | At each and every formal meeting undertaken by the ICB there is a standing item ‘Delcarations of Interests’ and minutes record if there are any interests declared and how they have been handled. |
| 1. Conflicts of Interests Training
 |  | Targeted staff need to complete training on an annual basis  | There is a training programme for all staff see training requirements in appendix 14 Standards of Business Conduct Policy. As part of the Corporate Induction held on a quarterly basis conflicts of interests is covered as well as the ICB’s policy on accepting gifts and hospitality. |
| 1. Accepting Gifts, Hospitality and Sponsorship
 |  | Prior approval is required for gifts, hospitality and sponsorship worth more than £75.00 within 28 days. | ICB has good guidance on accepting gifts and hospitality. Where issues are raised they are discussed with CoI Guardian for final decision. Further communication will be sent out to staff about ensuring that gift / hospitality decleared within 28 days of the interest arising. |
| 1. Management of conflicts of interests at meetings
 |  | Management of CoI in meetingsChairs and secretariat for all committee meetings need access to the role specific guide for admin staff and to remind chairs of their role in managing conflicts of interests | GB and other committee members are asked to leave meetings if it is deemed advisable by the Chair.Committee chairs have been send the CoI Checklist which is also appended to the Standards of Business Conduct Policy. The role specific guide for admin staff has been sent to admin /sec staff to be backed up with face to face training on CoI throughout the year also through corporate induction for new staff and e-learning on CoI. The guide is available on the intranet as well. |
| 1. Appointments to and changes fo roles and responsibilities within decision making bodies
 |  | Appointment process for those individuals appointed to GB roles. Conflicts of Interests need to be declared prior to appointment whether a new appointment or a change in roles | See recruitment process for Board members and search on Companies House / Land Registry (Counter Fraud request) / Fit and Proper Person Test etc. Procedures are in place for ConsultHR to send out the Staff Handbook and CoI form but they will not collect the form and record it; the Governance Team is therefore responsible for following up new starters and obtaining their form from their line manager. |

**Appendix 13**

**Declaring interests**

***The following process is followed in declaring interests.***

All ICB staff are expected to complete a declaration of interests on appointment using an online platform called Civica Declare. The Commissioning Support Unit’s Recruitment Team will inform new starters that it is their responsibility to declare interests.

A statement on conflicts of interests is included in the ICB staff employment contracts. The CSU is responsible for producing an employment contract for each member of staff and sending a copy to them. The CSU sends a list of starters each month to the Governance Team. The Governance Team create an online declaration of interest account for each starter.

The CSU also sends a monthly list of leavers to the Governance Team. A starter and their line manager can also directly contact the Governance Team to confirm the registration. Bank staff are assisted by their line managers to directly register with the Governance Team. When a bank staff leaves, their line manager must inform the Governance Team. Upon registration, starters will receive emails requesting them to declare, and giving them access to the online platform. Line managers must helps the starters to be familiar themselves with the declarations of interest policy which can be found in the Handbook. Support can also be sought from the Governance Team.

At the end of the day on 31st March of each year, all declared interests expire. The online conflict of interest management system (Civica) sends reminders in advance. Members of the Board, all staff and any other person are required to declare interests on 1st April each year whether or not their interests have changed. Those with no interests must declare that they have no interests to declare. Civica makes provision for those whose interests have not changed to confirm that there is no change in their interests. Those who do not declare on time will get daily reminders.

The Governance Team create a register of interest. The register of interests contains details that relate to all staff; however the publishable register will only include those staff members who are in Band 8A and above. The rationale is that staff in these grades relate to senior managers and have a greater role in decision making.

The Governance Team will check names of Board members against the details contained at Companies House with regard to directorships and shares within companies. In addition checks will be made with regard to Fit and Proper Person Tests, Bankruptcy or Debt Relief Restrictions.

The registers of interests will be uploaded onto the ICB website.. The ICB shall retain registers for up to six years in accordance with this policy; thereafter the register will no longer be retained.

Summary of process

* CSU Human Resource provides the Governace Team with the Electronic Staff Register (this includeds Board members) at the beginning of each month. The Register is uploaded on Civica platform
* CSU provides a list of Leavers and Starters at the beginning of each month
* An account will be created on Civica platform for each new staff or Board member
* The new staff will receive an email providing a link and guidance on how to make a declaration
* The new staff must log into Civica and declare. Civica also provides further guidance on its platform
* The login details and link to Civica can also be found on the intranet. See the relevant intranet link: [https://ICBlive.glos.nhs.uk/intranet/index.php/component/k2/item/2652-declarationinterest](https://ccglive.glos.nhs.uk/intranet/index.php/component/k2/item/2652-declarationinterest) and complete your interests
* New staff members need to declare their interest within 28 days of starting with the organisation. If, within a period not exceeding three weeks, new staff do not receive emails requesting them to declare, they and their line manager must contact the Governance Team for assistance
* Everyone in the organisation is required to declare. If staff have nothing to declare they must still complete the process and declare that they have no interests.
* All declared positions expire at the end of 31st day of year. Everyone is required to declare interests on the 1st of April each year
* If one’s circumstances change within the year the affected staff must login and update their declared position on Civica
* Staff who receive offers of gifts or hospitality must promptly seek clearance from their line managers and advice from the Governance Team. If they exceed a period of 28 days without doing so they will be in breach
* Those who do not declare interests in time will receive daily reminders through emails
* The Governance Team will create registers showing declared interests.

The weblink for Civica is [https://gloucestershireICB.mydeclarations.co.uk/home](https://gloucestershireccg.mydeclarations.co.uk/home)

Governance Team contact details:

Gerald Nyamhondoro – gerald.nyamhondoro@nhs.net

Ryan Brunsdon - ryan.brunsdon@nhs.net

Christina Gradowski - christina.gradowski@nhs.net



**Appendix 14**

**Training Requirements**

All staff are expected to complete training in conflicts of interests delivered via e-learning and through face to face opportunities.

All new staff should attend the Corporate Induction which includes a Governance Session covering conflicts of interests.

The conflicts of interests e-learning runs from 1 February to 31 January each year. Staff are required to complete the training in year. If you complete in January for the year ahead it will not register as being completed. Therefore it is best to complete training in the February each year to allow for a full one year before it needs to be repeated.

**Training**

All staff should have completed NHS England’s Module One in Conflicts of Interests

All staff graded 8A and above must have completed NHS England’s Module One and Module Two in Conflicts of Interests.

All sub-committee chairs of the Board and the Board chair to complete Module three on Conflicts of Interests e-learning.

**Module 3** provides advice on how chairs should manage conflicts of interest; an overview of the safeguards that should be applied in Primary Care & Direct Commissioning Committees; and how to identify and manage breaches of conflicts of interest rules, through a series of practical scenarios.

Each training module ends with a short assessment – individuals will need to achieve 80% in the assessment to pass each module.

Training is accessed via ESR.

https://www.consultod.co.uk/login/index.php

***NB. For those members of staff who are not in bands 8A and above but are working in governance or procurement roles modules 1 and 2 should be completed.***

During the year there will be opportunities to attend face to face training in Conflicts of Interests including:

* Corporate induction
* Directorate meetings
* Team meetings
* Lunch and Learn sessions
* Dedicated training in conflicts of interests on request.

The Governance Team arranges face to face training with the respective team / directorate administrators.

**Contact Details**

***Conflicts of Interests Guardian***

Julie Soutter

Non-Executive Director

Email: Julie.soutter@nhs.net

**Freedom to Speak up Guardians**

Rob Mauler, Senior Manager, Quality and Commissioning

A confidential mailbox operates for Freedom to Speak Up concerns: glICB.freedomtospeakup@nhs.net

***Governance Team***

Christina Gradowski

Email: Christina.gradowski@nhs.net

Ryan Brunsdon

Board Secretary

Email: ryan.brunsdon@nhs.net

Gerald Nyamhondoro

Governance Officer

Email: Gerald.nyamhondoro@nhs.net

1. Taking into account all relevant regulations (e.g. the NHS (Procurement, patient choice and competition) (No 2) Regulations 2013 and guidance (e.g. that of Monitor). [↑](#footnote-ref-1)