

Process for declaring interests and dealing with conflicts of interest

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1. Scope

1.1 As a matter of good governance, it is important for HQIP to demonstrate probity in the way it conducts its business. An important part of this commitment is the requirement to demonstrate objectivity and integrity as well as the effective stewardship of public funds. The identification and management of any declarations and then potential conflicts of interest is an important part of ensuring the high standards of probity required to protect HQIP's reputation and organisational standing and re-assure it's Board of Trustees.

This document is written for the HQIP Board, Chair, executive and non-executive directors of the Board, the members of HQIP advisory bodies, the experts who assist advisory bodies, HQIP employees and those organisations that provide HQIP with the data, information and advice relating to commissioned activity and reported outputs / outcomes. This document describes the:

- Circumstances in which people should declare an interest that might conflict, or be perceived to conflict, with their duties and responsibility to HQIP.
- Process and provides guidance on what interests need to be declared, who needs to declare them, when and what actions should be taken to manage declarations and avoid conflicts of interest influencing the conduct of HQIP's business.

1.2 This document has taken into account and where possible aligned with other agencies relevant policy and process documents and legal requirements including:

- The Charities Act
<http://www.legislation.gov.uk/ukpga/2016/4/contents/enacted/data.htm>
- National Institute for Health and Care Excellence (NICE) Code of Practice for Declaring and Dealing with Conflicts of Interest
<https://www.nice.org.uk/Media/Default/Get-involved/Fellows%20and%20scholars%20unsecure/Conflicts-of-interest-policy.pdf>
- NHSE Managing conflicts of interest: revised statutory guidance for CCGs 2014
<https://www.england.nhs.uk/commissioning/pc-co-comms/coi/>

1.3 It is acknowledged that members of the HQIP Board, advisory bodies and employees have a good understanding of healthcare work, including healthcare industries, professional bodies (for example Royal Colleges), professional associations, universities, the NHS, advocacy groups with a primary focus on health or public health, and private healthcare organisations. To avoid public concern that financial or other interests might prejudice the advice provided to HQIP when commissioning activity on behalf of NHS England, Wales, Scotland, Northern Ireland, the Republic of Ireland and other relevant devolved nations as appropriate, the arrangements, processes and activities should be transparent and freely available for public scrutiny. This principle also applies when applied to those whose services are procured to support HQIP deliver its core function as part of HQIP's commitment to secure best value.

1.4 Because HQIP places such reliance on the work undertaken by its employees, as well as advisory bodies and external bodies that it commissions to produce work, it is essential that standards are applied in declaring and assessing the importance of potential COI be applied to all.

1.5 HQIP is keen to ensure transparency. This process document is available on the HQIP website and the DOI register is available on request.

1.6 Having identified a conflict of interest, those responsible for the administration of this process must act only in the best interests of the work or business under consideration. This means that they must consider the issue of the conflict of interest so that any potential effect on decision making is eliminated. How they prevent the conflict from affecting decision making will depend on the specific circumstances.

1.7 In part, this is achieved by having a formal process that ensures that interests are routinely declared as part of HQIP business activity and that that declaration is considered against the types of interests outlined in this process and appropriate action is taken and recorded. The process for 'inviting' Declarations of interest should be:

- Declared annually for all HQIP employees, Trust Board, Executive & / or Advisory Boards, and contractors (thereafter any NEW DOI should be requested and declared as a standing agenda item at each meeting).
- Declared at each meeting for expert and / or new advisors / members / personnel who will not have submitted an annual return (i.e. people accessed on an irregular basis).
- DOI should be a standing agenda item at all HQIP meetings.

1.8 The determination of whether or not a 'declared' interest constitutes a 'conflict' of interest in relation to the specific HQIP activity under consideration will involve the careful application of this process document and may require careful judgement based on the facts provided (by the Chair or relevant Operations or Associate Director in the absence of a Chair). Declarations should be considered in light of risk to the programme or activity under consideration and the broader reputational risk to HQIP. Where there is any doubt, this may be best determined by considering how the interest may be perceived by a member of the general public.

1.9 All those involved in delivering HQIP business should consider carefully if they have an interest in which they are engaged that might unduly influence their judgement and objectivity. Particular care should be taken if the interest declared involves any payment or inducement from the commercial sector or if there is any reputational interest related to positions held in other organisations. Similarly, publications authored or publically expressed opinion on the issue or business under review should be considered.

2. Applying the process

2.1 Types of Interest

This process document is intended as a guide to the kinds of interests that should be declared. When sending out a declaration of interest form (appendix 1), this process document should be sent with the form. Along with the declaration of interest form, consideration should be given to whether a confidentiality form should be issued at the same time (appendix 2). This will depend on the nature of the business being prepared for and should consider legal requirements and sensitivity of any information being discussed. This is most usually required for activities related to the National Clinical Audit and Patient Outcome Programme.

If in doubt, all interests should be declared. If there is uncertainty about whether an interest should be declared, please seek advice from the following people:

- Directors of Operations
- Associate Director.

The HQIP CEO and Chair of the HQIP Board of Trustees may act as final arbiters if there is uncertainty or unresolvable disagreement over the classification and relevant action linked to a declaration of interest.

Interests can be specific or non-specific and financial or non-financial. Financial interest can be personal or non-personal. An interest is considered 'specific' if it is related directly to the matter, work programme or service under consideration. An interest is 'non-specific' if it does not relate directly to the matter, work programme or service under discussion.

Definitions are provided in table 1.

Table 1	
FINANCIAL	Anything of monetary value, including payments for services, equity interests, including stocks, stock options or other ownership interests and intellectual property rights, including patents and copyrights and royalties arising from such interests
Personal financial interest	Where there is or appears to be opportunity for personal financial gain or financial gain to a direct family member.
Non personal financial interest	Where there is payment or other benefit to a department or organisation in which the individual is employed but does not receive personally.
NON FINANCIAL	
Personal non financial interest	Where there is opinion on the matter, work programme or service under consideration or where personal relationships exist linked to the matter

2.2 Who should declare

This process applies to the following people:

- Anyone providing advice, inspecting, commissioning and / or providing services to HQIP (whether paid or unpaid), or any individuals considered by HQIP to be subject to this policy.

2.3 When should interests be declared and what action is required?

It will be the responsibility of each individual to maintain the accuracy and timeliness of their declaration and to notify the relevant contact in HQIP of any changes. HQIP may ask for further detail if clarification is required.

Table 2 sets out the type of declaration and the action required.

Table 2	
Type of interest	Action
FINANCIAL	
Personal financial specific interest	Declare and withdraw from activity and engagement. May respond to enquiries if approved by senior HQIP lead ¹
Personal financial non- specific interest	Declare. Activity and engagement unaffected
Non personal specific financial interest	Declare. Activity and engagement unaffected unless, exceptionally, the Chair rules otherwise
NON FINANCIAL	
Personal specific non financial	<u>Non-Procurement Decisions</u> Declare. Activity and engagement unaffected unless, exceptionally, the Chair rules otherwise
	<u>Procurement Decisions</u> Declare and withdraw from activity and engagement. May respond to enquiries if approved by senior HQIP lead ¹ and at Chair's discretion

¹ This is the Director of Operations or an Associate Director

In relation to the Personal Specific Non-Financial type of interest, actions are separated by whether the activity being undertaken relates to procurement decision making or not. In this circumstance, even non-financial declarations can constitute a conflict of interest for which appropriate action is required. For example, an individual may hold an advisory position on a bidder's Board / Steering group but not be remunerated for this – This relationship would still constitute a conflict of interest and they would not be able to participate in scoring and evaluating bids.

3.Process for declaring

Table 3 sets out when it is necessary to declare an interest.

Table 3			
Who	On appointment	Annual	DOI at meetings
HQIP Board of Trustees	Yes	Yes	Yes
HQIP employees (including secondees)	Yes	Yes	Yes
HQIP agency workers and contractors on temporary contracts or employed through an agency to work for HQIP	Yes	Yes	Yes
HQIP advisory bodies	Yes	Yes	Yes
Expert advisors	Yes	Not relevant	Yes
Anyone providing advice to HQIP (both in a paid or unpaid capacity)	Yes	Yes or on a one off basis	Yes

4.Declaration of interest register

4.1 A DOI register should be kept using the standard HQIP DOI register template (see appendix three). The register should be kept updated and each HQIP work stream has agreed micro-process

documents regarding the operationalisation and enactment of the processes outlined in this document.

4.2 Information about any interests declared under this document will be made available on request to the HQIP CEO.

5. Review Date

This process should be reviewed for update in January 2021 but may be reviewed earlier if required