*Agenda Item No.18*

The Queen Elizabeth Hospital King's Lynn
NHS Foundation Trust

## REPORT TO THE BOARD OF DIRECTORS (IN PUBLIC)

| RESPONSIBLE DIRECTOR: | REPORT FOR: | | IMPACT ON BUSINESS: | | |
|---|---|---|---|---|---|
| Jon Green, CEO | Decision | ✓ | High | Med | Low |
| | Discussion | | | ✓ | |
| | Information | | | | |
| **LEAD MANAGER:** | **REPORT TYPE:** | | **BAF REFERENCES & RAG:** | | |
| Gill Rejzl, Trust Secretary | Strategic | | Risk 4 | | |
| | Operational | | | | |
| | Governance | ✓ | | | |
| | **IMPLICATIONS:** | | **RELATED WORK: (PREVIOUS PAPERS TO BOARD/COMMITTEE)** | | |
| | Patient Care/Safety/ Experience | | Audit Committee – Feb 2017 (minute 17/17 refers) | | |
| | Finance | | | | |
| | Workforce | ✓ | | | |
| | Operational Performance | | | | |
| | Policy | ✓ | | | |
| **PEER ASSIST:** | **PEER REVIEW:** | | | | |
| Nick Lyons, Medical Director<br>Georgie Goodman, Workforce<br>Martin Taylor, Purchasing and Supplies | None | | | | |
| **CQC Domain: (safe, caring, effective, responsive, well-led)** | Well-Led | | | | |

**Meeting Date:** **30 May 2017**

**Report Title:** **Management of Conflicts of Interest Policy**

**PURPOSE:**

To align the Trust's policy with revised and strengthened NHSE guidance on the management of Conflicts of Interest.

**SUMMARY:**

An NHS England (NHSE) task and finish improvement group, led by Professor Sir Malcolm Grant (Chair of NHSE) has since 2016, been developing stricter rules on potential conflicts of interest. Key policy elements considered by NHSE relate to:

- Gifts
- Hospitality
- Outside Employment
- Shareholding
- Patents
- Loyalty interests
- Donations
- Sponsored events
- Clinical private practice

In February 2017, NHSE published guidance on strengthened management of conflicts of interest in

the NHS, due to come into effect from June 2017.

NHSE's guidance:

- introduces common principles and rules for managing conflicts of interest
- provides simple advice to staff and organisations about what to do in common situations
- supports good judgement about how interests should be approached and managed
- sets out the issues and rationale behind the policy.

NHSE's plans for the implementation of revised Conflicts of Interest guidance was reported to the Audit Committee in February 2017 (Minute 17/17refers).

In assimilating the revised guidance, the Trust has taken the following steps:

- 'Management of Conflicts of Interest' and 'Gifts, Hospitality and Sponsorship' Policies have been combined and aligned with NHSE's model policy (draft revised policy attached at **Appendix A**)
- Declarations (Interests and Gifts and Hospitality) have been reviewed and revised in line with draft revised policy

**Next Steps**

The strengthened guidance and policy on the Management of Conflicts of Interest will impact on a large number of Trust staff from a range of disciplines. Disseminating the new policy / ensuring compliance is likely to be challenging. The Trust expects to be held to account for the effectiveness of its controls and processes in this respect. For these reasons, a rigorous implementation plan is set out below:

- Board approval of the initial draft revised policy (Workforce Committee approval at further review)
- CEO sponsorship, via a communications plan
- Development of interdepartmental working (e.g. Workforce and Purchasing & Supplies)
- Development of supporting protocols (e.g. appraisal and procurement)
- Identification of 'decision-making' staff
- Development of systems for reporting, prompting relevant staff, support and training
- Development of Audit Committee role in monitoring effectiveness of policy and controls
- Process audit to be added to Internal Audit Plan for 2018/19

**Financial Implications / Efficiency Savings / Quality Improvements:**

None as a direct result of this report.

| Strategic / External | Operational | Financial | Clinical | Legal/ Regulatory | Reputational / Patient Experience | Workforce |
|---|---|---|---|---|---|---|
| | | | | ✓ | ✓ | ✓ |

**RECOMMENDATION/S:**

The Board is invited to:

- Approve the Management of Conflicts of Interest Policy (including Gifts, Hospitality and Commercial Sponsorship Policy)
- Endorse plans for policy dissemination, implementation and monitoring