

# Conflict of Interest and Standards of Business Conduct Policy

## **Document Status:**

This is a controlled document. Any printed or downloaded copies are not controlled. The version of this document published on the Central East Integrated Care Board website is the controlled copy [www.centraleast.icb.nhs.uk](http://www.centraleast.icb.nhs.uk)

## **Sustainable Development - Environmental**

Do you really need to print this document?

Please consider the environment before you print this document and where possible copies should be printed double-sided. Please also consider setting the page range in the print properties, when relevant to do so, to avoid printing the document in its entirety.

## Document Control

<b>Document Owner</b>	Executive Director Corporate Services
<b>Document Author(s)</b>	Head of Corporate Governance
<b>Directorate</b>	Corporate Services
<b>Approved By</b>	ICB Board
<b>Date of Approval</b>	1 April 2026
<b>Date of Next Review</b>	31 March 2026
<b>Effective Date</b>	1 April 2026

## Version Control

<b>Version</b>	<b>Date</b>	<b>Reviewer(s)</b>	<b>Revision Description</b>
1.0	1 April 2026	ICB Board	Board approval

## Contents

Document Control .....	2
Version Control.....	2
1. Introduction .....	3
2. Purpose and Scope.....	3
3. Definitions .....	3
4. Policy Statement .....	5
5. Roles and Responsibilities .....	5
6. Processes and Procedures .....	5
7. Statutory and National Guidance .....	12
8. Stakeholder Engagement Record .....	14
Accessibility Statement .....	14
Implementation Plan.....	14
Appendix 1: Equality Impact Assessment.....	16
Appendix 2: Data Protection Impact Assessment.....	19

Appendix 3: Process Flow Diagram (Recommended for complex procedures) ..... **Error!**  
**Bookmark not defined.**

## 1. Introduction

1.1 Central East Integrated Care Board (ICB) is committed to the highest standards of probity, transparency, and accountability in all its activities. This policy sets out the principles and requirements for managing conflicts of interest (COI) and standards of business conduct, supporting robust governance, operational consistency, and compliance with legal and regulatory requirements. It aligns with NHS England's 'Managing Conflicts of Interest in the NHS' guidance (2024), the Health and Care Act 2022, the Bribery Act 2010, the Fraud Act 2006, and the Equality Act 2010. The policy ensures that all relationships and decisions lead to clear benefits for patients and the public, represent value for money, and maintain public trust.

## 2. Purpose and Scope

2.1 This policy applies to all Central East ICB staff, Board members, Committee and Sub-Committee members, contractors, volunteers, and others acting on behalf of the ICB. It covers all activities where conflicts of interest may arise, including commissioning, procurement, contracting, partnership working, and any situation where private interests could conflict with public duties. The policy ensures that all individuals understand their responsibilities to declare and manage conflicts of interest, and that the ICB operates within the legal framework and upholds public confidence.

2.2 This policy must be read in conjunction with:

- The ICBs:
  - Anti-Fraud and Bribery Policy
  - Freedom to Speak Up Policy
  - Recruitment and Selection Policy & Procedure
  - Policy for Sponsorship and Joint Working between the ICB and the Pharmaceutical Industry and other non-NHS organisations
- Managing conflicts of interest in the NHS (2024) issued by NHS England  
[NHS England » Managing conflicts of interest in the NHS](#)

## 3. Definitions

### 3.1 **Conflict of Interest:**

A set of circumstances by which a reasonable person would consider that an individual's ability to apply judgement or act, in the context of delivering,

commissioning, or assuring taxpayer-funded health and care services is, or could be, impaired or influenced by another interest they hold.

### 3.2 **Types of Interests:**

- **Financial Interests:** Direct financial benefit from a decision (e.g., shareholding, directorship, secondary income, grants, payments, research funding).
- **Non-Financial Professional Interests:** Non-financial professional benefit (e.g., reputation, advisory roles, research, advocacy, professional memberships).
- **Non-Financial Personal Interests:** Personal benefit not linked to professional career (e.g., voluntary sector roles, lobbying, personal health needs).
- **Indirect Interests:** Close association with someone who has a relevant interest (e.g., family, friends, business partners).

### 3.3 **Actual, Potential, and Perceived Conflicts:**

- **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.
- **Perceived:** An observer could reasonably suspect there to be a conflict of interest, regardless of whether there is one or not.

### 3.4 **Decision-Making Staff:**

Board members, Committee/Sub-Committee members, senior managers (Agenda for Change Band 8a and above), and others with significant influence over the use of public funds.

### 3.5 **Other Key Terms:**

- **Gifts:** Any item of cash or goods, or any service, provided for personal benefit, free of charge or at less than its commercial value.
- **Hospitality:** Offers of meals, refreshments, travel, accommodation, and other expenses in relation to attendance at meetings, conferences, education, and training events.
- **Sponsorship:** Financial or in-kind support for events, posts, research, or other activities.
- **Loyalty Interests:** Decision-making influenced by association with colleagues or organisations out of loyalty rather than objectivity.
- **Outside Employment:** Any employment or engagement outside the ICB, including directorships, consultancy, or private practice.
- **Commercial Sponsorship/Joint Working:** Collaboration with external organisations, including the pharmaceutical industry, for mutual benefit.

## 4. Policy Statement

- 4.1 Central East ICB is committed to openness, transparency, and integrity in all its activities. All individuals must declare any interests that may influence, or be perceived to influence, their judgement or actions. Declarations must be made as soon as practicable and within 28 days of the interest arising. Registers of interests, gifts, hospitality, and sponsorship will be maintained and published, with exceptions only in cases where disclosure could cause real risk of harm or is prohibited by law. The policy aligns with NHS England statutory guidance and all relevant legislation.

## 5. Roles and Responsibilities

- 5.1 The following have specific responsibilities in relation to this policy:
- **Board:** Ensure compliance, best practice, and robust audit arrangements.
  - **Chief Executive Officer:** Accountable for conflict of interest management and standards of business conduct.
  - **Chief of Staff / Governance Lead:** Maintain registers, provide advice, ensure policy accessibility, and support the Conflicts of Interest Guardian.
  - **Conflicts of Interest Guardian:** Independent advisor, safe point of contact, supports rigorous application of policy, and advises on exceptional publication cases.
  - **All Staff, Board and Committee Members, Contractors:** Declare interests promptly, act with honesty and integrity, complete mandatory training, and support others in managing conflicts.
  - **Audit and Risk Committee:** Oversee arrangements, and ensure effective management of conflicts.
  - **NHS Counter Fraud Authority:** Contact for concerns over fraud or bribery.
  - **Line Managers:** Support staff in declarations, escalate concerns, and ensure compliance within their teams.

## 6. Processes and Procedures

The following processes must be followed to comply with this policy:

### 6.1 Declaring and Managing Conflicts of Interest

#### 6.1.1 When to Declare:

All individuals must declare any actual, potential, or perceived interests:

- As soon as they become aware, and
- In all cases within 28 days of the interest arising.
- On appointment to the ICB.
- Annually as part of the annual declaration/renewal process.

- Whenever personal circumstances or responsibilities change in a way that may create a conflict.
- At the beginning of a new project, programme of work, procurement, or commissioning activity.
- Prior to submitting an application for appointment.
- At the start of any meeting where an item relates to an interest they hold.

#### **6.1.2 How to Declare:**

- Declarations must be submitted using the ICB's Declaration of Interests Form or online platform. Email submission is acceptable to support agile working.

#### **6.1.3 Annual Renewal and Nil Returns:**

- All decision-making staff must confirm or update declarations annually, making a nil return where appropriate.
- Declarations received will be checked against publicly accessible sites including those by Companies House, and Disclosure UK – with particular focus on individuals holding decision making roles within this ICB.

#### **6.1.4 Register Management:**

The Governance Team will:

- Review all declarations for completeness and clarity.
- Update the Register of Interests within 28 days of receipt.
- Publish the register (subject to redaction in exceptional circumstances where disclosure could cause a real risk of harm).
- Retain expired interests for six years after expiry.

#### **6.1.5 Decision-Making at Meetings:**

All meeting attendees must declare relevant interests at the start of each meeting. The Chair will determine and record in the minutes the appropriate mitigation action which may include;

- Allowing full participation.
- Allowing discussion but excluding from the decision.
- Excluding the individual from the entire agenda item.
- Providing redacted papers in advance.

### **6.2 Gifts, Hospitality, and Sponsorship**

#### **6.2.1 Declaration timeframe**

All individuals must declare any offer of gifts, hospitality or sponsorship, whether accepted or declined, as soon as possible and no later than 28 days after the offer is made. This applies to all staff, Board members, Committee/Sub-Committee members, contractors, and anyone acting on behalf of the ICB.

### **6.2.2 Gifts**

- a. Gifts from suppliers or contractors:
- Must be declined, whatever their value.
  - Low value, branded promotional items up to £6 may be accepted and do not need to be declared.
  - All other gifts must be declined and declared within 28 days.
- b. Gifts from patients, families, service users, or the public:
- Cash or vouchers must always be declined and declared.
  - Modest gifts up to £50 or the equivalent value, may be accepted and do not need to be declared.
  - Gifts over £50 may only be accepted on behalf of the organisation (e.g., charitable funds) and must be declared.
  - Multiple gifts from the same individual/source in a 12-month period must be treated cumulatively and declared if the total value exceeds £50.
- c. Principles:
- Staff must not ask for gifts.
  - A common-sense approach should be used when valuing gifts.

### **6.2.3 Hospitality**

- a. Modest hospitality:
- Hospitality under £25 per head may be accepted (e.g., tea, coffee, light refreshments) and does not require declaration.
- b. Medium value hospitality:
- Hospitality between £25–£75 per head, or the equivalent value where hospitality is offered for free or at a reduced rate, may be accepted but must be declared within 28 days.
- c. High value hospitality:
- Hospitality exceeding £75 per head, or the equivalent value, should normally be refused.
  - Exceptionally, if there is a genuine business reason:
    - prior approval from an Executive Director is required.
    - the acceptance must be declared within 28 days with a clear rationale recorded on the Register.
- d. Special caution:
- Extra care must be taken with hospitality offered by suppliers or contractors.
  - Offers may be accepted only if modest, proportionate, fully justified, and declared.

## 6.2.4 Sponsorship

### Principles:

- Sponsorship must not influence, or be perceived to influence, commissioning decisions, procurement, clinical judgement, or organisational behaviour.
- All offers of sponsorship, whether accepted or not, must be declared within 28 days of the offer.
- All sponsorship and joint working arrangements must comply with:
  - NHS England statutory COI guidance.
  - Association of the British Pharmaceutical Industry (ABPI) Code of Practice.
  - ICB Procurement and Conflicts of Interest Policies.
  - Relevant legislation (Bribery Act 2010, Health and Care Act 2022)

### Requirements:

- A written agreement must be completed before any sponsorship is accepted, including:
  - purpose
  - benefits
  - roles and responsibilities
  - conditions and limitations
  - break clauses
  - monitoring arrangements
- Sponsors must not have undue influence over content, decision making, or operational arrangements.

## 6.3 Procurement and Joint Working

### 6.3.1 Procurement: Principles

#### ICB procurement must be:

- open, fair, transparent and non-discriminatory
- compliant with the Provider Selection Regime (PSR) for relevant health services
- compliant with Public Contracts Regulations (PCR 2015) for non-health services
- delivered in line with NHS England COI guidance and best practice
- supported by clear record-keeping and audit trails

### 6.3.2 Declaring conflicts of interest

#### All individuals involved in procurement must:

- declare any relevant interests as soon as possible and within 28 days
- complete a conflict declaration before participating in any procurement activity

- update declarations immediately if interests change during the process

Undeclared conflicts identified later must be declared immediately and still within 28 days of awareness.

### **6.3.3 Managing conflicts in procurement**

Where a conflict is identified, the ICB will take proportionate action, which may include:

- removing or replacing panel members
- issuing redacted papers
- appointing independent evaluators
- enhanced oversight by Governance or Internal Audit

Individuals must not participate in developing specifications, evaluating bids, moderating scores or influencing decisions where they have a conflict (actual or perceived).

### **6.3.4 Documentation and audit**

For each procurement, the ICB will maintain:

- a decision log
- a conflict of interest record
- copies of panel declarations and mitigation actions
- an audit trail showing how conflicts were identified and managed
- records will be retained for six years.

### **6.3.5 Provider Selection Regime (PSR)**

Under the PSR:

- decision-makers must complete conflict declarations before reviewing proposals
- conflicts must be managed and recorded throughout
- the ICB must publish a PSR decision notice including COI information unless redaction is justified

### **6.3.6 Single Tender Waivers (Direct Awards)**

Single Tender Waivers must:

- be legally justified
- include a conflict review
- be recorded in the procurement decision log
- include declarations from all involved individuals within 28 days

### **6.3.7 Joint Working with the Pharmaceutical Industry and External Organisations Principles**

Joint working must:

- deliver clear patient benefit

- be transparent and compliant with ABPI, NHS England COI guidance and relevant legislation
- not influence prescribing, commissioning or procurement decisions

### **6.3.8 Declaration requirements**

All offers of joint working or sponsorship, whether accepted or declined, must be declared within 28 days.

Declarations must be forwarded to the Governance Team and entered into the Register of Gifts, Hospitality and Sponsorship.

### **6.3.9 Approval and agreements**

Joint working must not proceed without:

- a written agreement covering purpose, roles, funding, data handling, monitoring and break clauses
- review by the relevant Governance, Clinical or Prescribing Committee
- confirmation of ABPI Code compliance

### **6.3.10 Prohibited activities**

Joint working must not:

- influence clinical judgement or procurement decisions
- involve access to identifiable patient data unless legally permissible
- imply endorsement of any product or company

### **6.3.11 Monitoring and publication**

All joint working arrangements must:

- be monitored for delivery and compliance
- be reviewed regularly by Medicines Optimisation
- be terminated if conflicts become unmanageable

A summary of all joint working will be published unless there is a lawful reason for redaction.

## **6.4 Outside Employment and Private Practice**

### **6.4.1 Declaration and approval**

- All outside employment, consultancy, directorships, private practice, or any other paid or unpaid work must be declared as soon as possible and within 28 days.
- Individuals must obtain Executive Director written approval 14 days in advance of undertaking any outside employment or private practice.
- Individuals must advise HR once Executive Director approval has been received.

- The ICB may refuse or withdraw permission if the activity creates an actual or perceived conflict of interest that cannot be safely managed.

#### **6.4.2 Changes in circumstances**

- Individuals must update their declaration within 28 days if their outside work or private practice arrangements change, expand, or cease.
- Changes in responsibilities within the ICB may also require a fresh declaration if they create new conflicts.

#### **6.4.3 Clinical staff**

- Clinical staff must declare all private practice or independent clinical work:
  - on appointment,
  - at annual declaration, and
  - within 28 days of any change to private practice arrangements.
- NHS duties always take precedence over private work, including in relation to availability, scheduling, response times, and emergency duties.

#### **6.4.4 Restrictions and safeguards**

- Outside employment must not conflict with the individual's ICB role, undermine public confidence, or create a perception of undue influence.
- Individuals must not:
  - use ICB information, resources, or relationships to further private interests.
  - engage in outside work during ICB time, including periods of sickness absence.
  - enter into external roles with organisations that could benefit from ICB decisions they influence.

#### **6.4.5 Managing conflicts**

Where an outside role overlaps with ICB responsibilities, mitigation may include:

- exclusion from relevant decisions or meetings.
- amended duties.
- increased oversight.
- refusal of the outside employment where mitigation is insufficient.

#### **6.4.6 Record-keeping**

All declarations of outside employment and private practice will be:

- recorded in the Register of Interests.
- retained for six years.
- published for decision making staff unless exceptional circumstances justify redaction.

## 6.5 Raising Concerns and Breaches

### 6.5.1 Duty to report

All individuals working for or on behalf of the ICB have a duty to report:

- suspected or known breaches of this policy
- undeclared or incorrectly declared interests
- failure to act in accordance with agreed conflict management actions

Concerns may be raised with the Governance Team, the Conflicts of Interest Guardian, or via the organisation's Raising Concerns at Work / Freedom to Speak Up (Whistleblowing) Policy.

### 6.5.2 What constitutes a breach

A breach may include (but is not limited to):

- failing to declare an interest within 28 days.
- deliberately withholding or falsifying information.
- influencing decisions where a conflict exists.
- failing to follow agreed mitigation actions.
- accepting gifts/hospitality inappropriately.
- failing to report others' breaches.
- breaching procurement, sponsorship or joint working requirements.

### 6.5.3 Investigation process

All reported or suspected breaches will be reviewed promptly and where appropriate, handled in line with the ICB's Disciplinary Policy and relevant HR procedures. Investigations may include:

- review of evidence and declarations.
- interviews with those involved.
- advice from HR, Governance, the Conflicts of Interest Guardian, Counter Fraud, or Legal Services.

A written record will document:

- the nature of the breach.
- evidence considered.
- findings.
- required actions.
- learning outcomes.

Support will be offered to individuals throughout the process.

### 6.5.4 Sanctions

Depending on the severity and intent, sanctions may include:

#### **Internal**

- informal management advice
- formal disciplinary action
- removal from a project, panel or Committee
- restrictions on involvement in future decisions
- dismissal (where appropriate)

#### **Professional**

- referral to a professional regulator (e.g., General Medical Council, Nursing and Midwifery Council etc.)
- potential impact on fitness to practice

#### **Civil**

- legal challenge to decisions made
- civil claims (e.g., misfeasance in public office)

#### **Criminal**

- referral to NHS Counter Fraud Authority
- prosecution under:
  - Fraud Act 2006
  - Bribery Act 2010
  - other relevant legislation

### **6.5.5 Publication of breaches**

Anonymised summaries of confirmed breaches will be published on the ICB website to support transparency and organisational learning, unless publication would create a real risk of harm or is prohibited by law.

### **6.5.6 28 day requirement**

For the avoidance of doubt:

- All declarations of interests, and updates to interests, must be made within 28 days of the individual becoming aware of the interest or change in circumstances.

This requirement applies to:

- personal interests
- gifts, hospitality and sponsorship
- outside employment and private practice
- procurement and joint working
- Meeting related declarations

Failure to follow this 28-day rule may itself constitute a breach.

## 7. Statutory and National Guidance

7.1 This policy has been developed with reference to the following statutory and national guidance:

- NHS England 'Managing Conflicts of Interest in the NHS' (September 2024),
- Health and Care Act 2022,
- Bribery Act 2010,
- Fraud Act 2006,
- Equality Act 2010;
- ABPI Code of Practice
- and other relevant NHS and professional codes.

## 8. Stakeholder Engagement Record

8.1 The following stakeholders were engaged in the development / review of this policy:

Role/Group	Date of Engagement	Summary of Feedback
Audit & Risk Committees In Common	20 February 2026	Supported the policy

## 9. Accessibility Statement

This policy is available in alternative formats upon request, including large print, Braille and translated versions, to ensure accessibility for all staff and stakeholders.

## 10. Implementation Plan

**Development and Consultation:** [Insert details]

**Dissemination:** [Insert details]

**Training:** [Insert details]

**Monitoring:** [Insert details]

**Review:** [Insert details]

**Equality, Diversity, and Privacy:** See Appendices

**Associated Documents:** [Insert details]

**References:** [Insert details]

## 11. Appendices

### Appendix 1: Equality Impact Assessment

- Detailed template covering all protected characteristics, summary of impacts, and mitigation actions.

**Appendix 2: Data Protection Impact Assessment**

- Screening questions, guidance on handling personal and sensitive data, and process for full DPIA if required.

**Appendix 3: Register of Interests**

- Template for recording all offers, accepted or declined, with details and reasons.

**Appendix 4: Declaration of Interests Form**

- Comprehensive form with examples, covering all categories of interest and required information.

**Appendix 5: Register of Gifts & Hospitality**

- Template for recording all offers of gifts, hospitality or sponsorship, whether accepted or declined.

**Appendix 6: Declaration of Gifts, Hospitality & Sponsorship**

- Comprehensive form for declaring any offers of gifts, hospitality or sponsorship, whether accepted or declined.

**Appendix 7: Disciplinary Sanctions**

- Summary of potential internal, professional, civil and criminal consequences for breaches of this policy.

## Appendix 1: Equality Impact Assessment

Please answer the questions against each of the protected characteristic and inclusion health groups. If there are significant impacts and issues identified a full Equality / Quality Impact Assessment (EQIA) must be undertaken. It is against the law to discriminate against someone because of these protected characteristics. For support and advice on undertaking EQIAs please contact: [agcsu.equalities@nhs.net](mailto:agcsu.equalities@nhs.net)

<b>Name of Policy:</b>	Conflicts of Interest and Standards of Business Conduct
<b>Date of assessment:</b>	23-03-2026
<b>Screening undertaken by:</b>	Head of Corporate Governance

Protected characteristic and inclusion health groups.	Could the policy create a disadvantage for some groups in application or access?  (Give brief summary)	If Yes - are there any mechanisms already in place to mitigate the potential adverse impacts identified? If not, please detail additional actions that could help. If this is not possible, please explain why
<p><b>Find out more about the Equality Act 2010, which provides the legal framework to tackle disadvantage and discrimination:</b> <a href="https://www.equalityhumanrights.com/en/equality-act/protected-characteristics">https://www.equalityhumanrights.com/en/equality-act/protected-characteristics</a></p>		
<p><b>Age</b> A person belonging to a particular age (for example 32 year olds) or range of ages (for example 18 to 30 year olds).</p>	No	
<p><b>Disability</b> A person has a disability if she or he has a physical or mental impairment which has a substantial and long-term adverse effect on that person's ability to carry out normal day-to-day activities.</p>	No	
<p><b>Gender reassignment</b> The process of transitioning from</p>	No	

one gender to another.

**Marriage and civil partnership**

Marriage is a union between a man and a woman or between a same-sex couple. Same-sex couples can also have their relationships legally recognised as 'civil partnerships'.

No

**Pregnancy and maternity**

Pregnancy is the condition of being pregnant or expecting a baby. Maternity refers to the period after the birth and is linked to maternity leave in the employment context. In the non-work context, protection against maternity discrimination is for 26 weeks after giving birth, and this includes treating a woman unfavourably because she is breastfeeding.

No

**Race**

Refers to the protected characteristic of race. It refers to a group of people defined by their race, colour and nationality (including citizenship) ethnic or national origins.

No

**Religion or belief**

Religion refers to any religion, including a lack of religion. Belief refers to any religious or philosophical belief and includes a lack of belief. Generally, a belief should affect your life choices or the way you live for it to be included in the definition.

No

**Sex**

A man or a woman.

No

**Sexual orientation**

Whether a person's sexual attraction is towards their own sex, the opposite sex, to both sexes or none.

**Carers**

Individuals within the ICB which may have carer responsibilities.

No

**Please summarise the improvements which this policy offers compared to the previous version or position.**

**Has potential disadvantage for some groups been identified which require mitigation?**

No – (If there are significant impacts and issues identified a full Equality / Quality Impact Assessment (EQIA) must be undertaken.)

## Appendix 2: Data Protection Impact Assessment

Data protection is the fair and proper use of information about people. Before completing this form, please refer to the Data Protection Impact Assessment (DPIA) Guidance in the Information Governance (IG) section on the staff Intranet or contact the Data Protection Officer for support via **(insert email address once confirmed)**

A DPIA is a process to help you identify and minimise the data protection risks. You must do a DPIA for processing that is likely to result in a high risk to individuals. You can use our screening checklist below to help you decide when to do one. If you have answered 'Yes' to any of the 10 screening questions, you must then carry out a full DPIA using the Stage 2 form, which is also available on the Intranet in the IG section.

<b>Name of Policy:</b>	Conflicts of Interest and Standards of Business Conduct
<b>Date of assessment:</b>	20-03-2026
<b>Screening undertaken by:</b>	Head of Corporate Governance

### Stage 1 – DPIA form

please answer 'Yes' or 'No'

<b>1. Will the policy result in the processing of personal identifiable information / data?</b> This includes information about living or deceased individuals, including their name, address postcode, email address, telephone number, payroll number etc.	Yes
<b>2. Will the policy result in the processing of sensitive information / data?</b> This includes for living or deceased individuals, including their physical health, mental health, sexuality, sexual orientation, religious belief, National Insurance No., political interest etc.	Yes
<b>3. Will the policy involve the sharing of identifiers which are unique to an individual or household?</b> e.g., Hospital Number, NHS Number, National Insurance Number, Payroll Number etc.	No
<b>4. Will the policy result in the processing of pseudonymised information by organisations who have the key / ability to reidentify the information?</b> <b>Pseudonymised data</b> - where all identifiers have been removed and replaced with alternative identifiers that do not identify any individual. Re-identification can only be achieved with knowledge of the re-identification key. <b>Anonymised data</b> - data where all identifiers have been removed and data left does not identify any patients. Re-identification is remotely possible, but very unlikely.	No
<b>5. Will the policy result in organisations or people having access to information they do not currently have access to?</b>	Yes
<b>6. Will the policy result in an organisation using information it already holds or has access to, but for a different purpose?</b>	No

<b>7. Does the policy result in the use of technology which might be perceived as being privacy intruding?</b> e.g., biometrics, facial recognition, CCTV, audio recording etc.	No
<b>8. Will the policy result in decisions being made or action being taken against individuals in ways which could have a significant impact on them?</b> Including profiling and automated decision making. (This is automated processing of personal data to evaluate certain things about an individual i.e., diagnosis and then making a decision solely by automated means - without any human involvement)	Yes
<b>9. Will the policy result in the collection of additional information about individuals in addition to what is already collected / held?</b>	Yes
<b>10. Will the policy require individuals to be contacted in ways which they may not be aware of and may find intrusive?</b> e.g., personal email, text message etc.	No

## Appendix 3 – Register of Interests

Name	Position within, or relationship with the ICB	Interests to Declare	Type of Interest				Description of interests	Date		Actions to be taken to mitigate risk
Name	Position within, or relationship with the ICB	Interests to Declare	Type of Interest				Description of interests	Date		Actions to be taken to mitigate risk
			Financial	Non-Financial Professional	Non-Financial Personal	Indirect		From	To	



## Appendix 4 – Declaration of Interests Form

### Declaration of Interests

<b>Full name:</b>	
<b>Position/role within, or relationship with the Central East Integrated Care Board (the ICB):</b>	
<b>If employed by the ICB, are you on Band 8d or above (this is the criteria for “decision makers”)</b>	
<b>Department / Team:</b>	
<b>Do you have any interests to declare?</b>	
Please select one and follow the instructions	
<b>Yes</b> <input type="checkbox"/> <b>Please document</b> your interests in the table below, sign the declaration, forward to your line manager for review and signature, and then send to the Corporate Governance Team <b>insert e mail</b>	<b>No</b> <input type="checkbox"/> Please go straight to the declaration section, sign and date the form and forward to your line manager for review and signature. Once received back from your line manager, please send to the Corporate Governance Team at <b>insert e mail</b>

The information provided in this form will be held by the ICB in accordance with Data Protection Act 2018 and will be processed to enable compliance with the ICB’s statutory duties and its Conflict of Interest Management & Standards of Business Conduct Policy.

Please be aware that the information provided in this form will be added to the ICB’s Register of Interests, held for inspection by the public and published on the ICB’s website. If you have provided information about third parties in this form, please make them aware of this. **If you do not want any details on this form to be published please inform the Corporate Governance Team at **insert e mail** providing details of what you do not want to be published and the reasons for it.**

Information may be disclosed to third parties in accordance with the Freedom of Information Act 2000.

**Detail of interests held**

(complete all fields below, sign, date and forward to your line manager for their signature)

What type of Interest is it? <small>(refer to table at end of form, then type yes or no for each)</small>				Description of interest  Please include: <ul style="list-style-type: none"> <li>Company details (if relevant): registered office address, company number etc.</li> <li>For indirect interests, include details of the relationship with the person who has the interest e.g., partner, daughter etc.</li> </ul> <p><b>Please note:</b> All Directorships MUST be declared, irrespective of the type of business.</p>	Date		Actions to be taken to mitigate risk <small>(to be agreed with line manager or a senior ICB manager)</small>
Financial	Non-Financial Professional	Non-Financial Personal	Indirect		From <small>(dd/mm/yy)</small>	To <small>(dd/mm/yy)</small>	
							<p>Please complete this column – some suggestions have been given.</p> <p>Possible suggestions are shown below</p>
							e.g., Exclusion from involvement in related meeting or decision-making

**Declaration:**

I confirm that the information provided above is complete and correct. I acknowledge that any changes in these declarations must be notified to the ICB as soon as practicable and **no later than 28 days after the interest arises**.

I am aware that if I do not make full, accurate and timely declarations then civil, criminal, or internal disciplinary action may be taken.

<b>Signature</b>		<b>Date</b>	
------------------	--	-------------	--

**Line Manager or Senior ICB Manager**

<b>Name</b>		<b>Position</b>	
<b>Signature</b>		<b>Date</b>	

Please return to *(insert email address once known)*

Interest	Description
<b>Financial Interests</b>	<p>This is where an individual may get direct financial benefit from the consequences of a decision. This could, for example, include being:</p> <ul style="list-style-type: none"> <li>• 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 possibly seeking to do, business with health or social care organisations. This includes involvement with a potential provider of a new care model;</li> <li>• 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 possibly seeking to do, business with health or social care organisations;</li> <li>• a management consultant for a provider; or</li> <li>• a provider of clinical private practice.</li> </ul> <p>This could also include an individual being:</p> <ul style="list-style-type: none"> <li>• in employment outside of the ICB;</li> <li>• in receipt of secondary income;</li> <li>• in receipt of a grant</li> <li>• in receipt of any payments (for example honoraria, one-off payments, day allowances or travel or subsistence)</li> <li>• in receipt of research funding, including grants that may be received by the individual or any organisation in which they have an interest or role; and</li> <li>• having a pension that is funded by a provider (where the value of this might be affected by the success or failure of the provider).</li> </ul>
<b>Non-Financial Professional Interests</b>	<p>This is where an individual may obtain a non-financial professional benefit (a benefit may arise from the making of gain or avoiding a loss) from the consequences of a decision, such as increasing their professional reputation or status or promoting their professional career. This may, for example, include situations where the individual is:</p> <ul style="list-style-type: none"> <li>• an advocate for a particular group of patients;</li> <li>• a clinician with special interests.:</li> <li>• an active member of a particular specialist professional body (although routine GP membership of the Royal College of General Practitioners (RCGP), British Medical Association (BMA) or a medical defence organisation would not usually by itself amount to an interest which needed to be declared);</li> <li>• undertaking a research role, particularly sponsored research;</li> <li>• an advisor for the Care Quality Commission (CQC) or the National Institute for Health and Care Excellence (NICE);</li> <li>• ;</li> </ul>

	<ul style="list-style-type: none"> <li>• The development and holding of patents and other intellectual property rights which allow staff to protect something that they create, preventing unauthorised use of products or the copying of protected ideas.</li> </ul>
<p><b>Non-Financial Personal Interests</b></p>	<p>This is where an individual may benefit (a benefit may arise from the making of gain or avoiding a loss) personally from a decision their organisation makes 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:</p> <ul style="list-style-type: none"> <li>• a voluntary sector champion for a provider;</li> <li>• a volunteer for a provider;</li> <li>• a member of a voluntary sector board or has any other position of authority in or connection with a voluntary sector organisation;</li> <li>• suffering from a particular condition requiring individually funded treatment; or</li> <li>• a member of a lobby or pressure group with an interest in health and care.</li> </ul>
<p><b>Indirect Interest</b></p>	<p>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 who could stand to benefit (a benefit may arise from the making of gain or avoiding a loss) from a decision they are involved in making. This would include:</p> <ul style="list-style-type: none"> <li>• spouse / partner;</li> <li>• close family member or relative e.g., parent, grandparent, child, grandchild or sibling;</li> <li>• close friend or associate; or</li> <li>• business partner.</li> </ul>

## Appendix 5 – Register of Gifts & Hospitality

Name	Position	Date of Offer <i>(dd/mm/yy)</i>	Date of Receipt <i>(if accepted)</i>	Details of Gift /Hospitality	Estimated Value	Supplier <i>(Name &amp; Nature of Business)</i>	Declined (D) or Accepted (A)	Reason for Accepting or Declining

## Appendix 6 – Declaration of Gifts, Hospitality & Sponsorship

Recipient Name	Position	Date of Offer	Date of Receipt <i>(if accepted)</i>	Details of Gift / Hospitality	Estimated Value	Supplier <i>(name &amp; nature of business)</i>	Details of previous offers or acceptance from this supplier	Declined (D) or Accepted (A)?	Reason for Accepting or Declining & any other comments

The information provided in this form will be held by the ICB in accordance with Data Protection Act 2018 and will be processed to enable compliance with the ICBs statutory duties and its Conflict of Interest Management & Standards of Business Conduct Policy.

Please be aware that the information provided in this form will be added to the ICB's Register of Interests, held for inspection by the public and published on the ICB's website. If you have provided information about third parties in this form, please make them aware of this.

Information may be disclosed to third parties in accordance with the Freedom of Information Act 2000.

I confirm that the information provided above is complete and correct. I acknowledge that any changes in these declarations must be notified to the ICB as soon as practicable and **no later than 28 days after the interest arises**.

I am aware that if I do not make full, accurate and timely declarations then civil, criminal, or internal disciplinary action may be taken.

<b>Signature</b>		<b>Date</b>	
------------------	--	-------------	--



To be signed by Line Manager or a Senior ICB Manager

<b>Name</b>		<b>Position</b>	
<b>Signed</b>		<b>Date</b>	

Please return to *(insert email address once available)*

**WITHIN 28 DAYS OF THE OFFER OF THE GIFT, HOSPITALITY OR SPONSORSHIP**

## Appendix 7 – Disciplinary Sanctions

Staff who fail to disclose any relevant interests or who otherwise breach an organisation's rules and policies relating to the management of conflicts of interest are subject to investigation and, where appropriate, to disciplinary action. This may include:

- employment law action such as:
  - informal action – such as reprimand or signposting to training and/or guidance;
  - formal action – such as formal warning, the requirement for additional training, re-arrangement of duties, redeployment, demotion or dismissal
  - referring incidents to regulators; and
  - contractual action against organisations or staff; and
- where the staff member is not a direct employee, review of their appointment to the role that has given rise to the conflict.

### **Professional regulatory sanctions**

Statutorily regulated healthcare professionals who work for, or are engaged by, organisations are under professional duties imposed by their relevant regulator to act appropriately with regard to conflicts of interest. Organisations should consider reporting statutorily regulated healthcare professionals to their regulator if they believe that they have acted improperly, so that these concerns can be investigated. These healthcare professionals should be made aware that the consequences for inappropriate action could include fitness to practice proceedings being brought against them, and that they could, if appropriate, be struck off by their professional regulator as a result.

Information and contact details for the healthcare professional regulators are accessible from the Professional Standards Authority for Health and Social Care's website (<http://www.professionalstandards.org.uk/what-we-do/our-work-with-regulators/find-a-regulator>).

### **Civil sanctions**

If conflicts of interest are not effectively managed, organisations could face civil challenges to decisions they make – for instance if interests were not disclosed that were relevant to the bidding for, or performance of contracts. If a decision-maker has a conflict of interest, then the decision is also potentially vulnerable and could be overturned on

judicial review. In extreme cases, staff and other individuals could face personal civil liability, for example a claim for misfeasance in public office.

### **Criminal sanctions**

Failure to manage conflicts of interest could lead to criminal proceedings including for offences such as fraud, bribery and corruption. This could have implications for the organisation concerned and linked organisations, and the individuals who are engaged by them.

The Fraud Act 2006 created a criminal offence of fraud and defines three ways of committing it:

- fraud by false representation;
- fraud by failing to disclose information; and
- fraud by abuse of position.

In these cases, an offender's conduct must be dishonest and their intention must be to make a gain, or a cause a loss (or the risk of a loss) to another. Fraud carries a maximum sentence of 10 years' imprisonment and/or a fine and can be committed by a corporate body.

The Bribery Act 2010 makes it easier to tackle this offence in public and private sectors. Bribery is generally defined as giving or offering someone a financial or other advantage to encourage a person to perform certain activities and can be committed by a corporate body.

Commercial organisations (including NHS bodies) will be exposed to criminal liability, punishable by an unlimited fine, for failing to prevent bribery.

The offences of bribing another person or accepting a bribe carry a maximum sentence of 10 years' imprisonment and/or a fine. In relation to a body corporate the penalty for these offences is a fine.

### **Reputational consequences**

A failure to manage conflicts of interest (including the perception of such a failure) can lead to reputational damage and undermine confidence in the integrity of the decision-making process and give the impression that the organisation or individual has not acted in the public interest.