

Declarations of interest policy

Guidance for GMMMG Clinical standards
board members, subgroup members,
attendees and associates.

Revision History:

The latest version will be held on the GMMMG website.

Date	Actioned by	Comments/Summary of changes	Version
30.08.16	B Reddy, Regional Drug and Therapeutics Centre www.rdtc.nhs.uk	Updated draft written based on NHS England document	V01
15.09.16	B Reddy	Minor update for clarification, then finalised and added to website and emailed to GMMMG and subgroup members.	V02

Approval:

This document must be approved by the following before distribution:

Name	Title	Date of Approval	Version
GMMMG/CSB	Declarations of Interest Policy	15.09.16	Final

2 Purpose & Aim

- 2.1 This document is intended to ensure that decision making of the Greater Manchester Medicines Management Group (GMMMG) Clinical Standards Board (CSB) is of the highest standard and is open, transparent and declares any potential or actual conflicts of interest.
- 2.2 The aim of the policy is to set out the processes and procedures for managing conflicts of interest within GMMMG CSB meetings and those of its subcommittees. It also ensures that all members, applicants, consultees or other attendees are aware of their obligations.

3 Introduction – why do we need a policy

- 3.1 “Managing conflicts of interest appropriately is needed to protect the integrity of the NHS Commissioning system, and to protect clinical commissioning groups (CCGs) and GP Practices from any perception of wrongdoing.” (NHS CB Code of Conduct – July 2012).
- 3.2 Conflicts of interest are a common and sometimes unavoidable part of the delivery of healthcare. As such, it may not be possible or desirable to completely eliminate the risk of conflicts. **Instead, it is preferable to recognise the associated risks and put measures in place to manage the conflicts appropriately when they do arise.** The GMMMG makes decisions regarding prescribing and medicines optimisation across all of Greater Manchester, often regarding high cost and high volume medicines. The pharmaceutical industry are very likely to seek to influence the decision making directly or indirectly in this area of work, so decision making must be seen to be free of any conflicts of interest and always with the purpose of benefitting patient care.
- 3.3 Individuals contracted to work on behalf of the group (such as GM Shared Services or RDTG) or otherwise providing services or facilities to the group will be made aware of their obligation with regard to declaring conflicts or potential conflicts of interest.
- 3.4 CCGs are expected to comply with the newly updated NHS England Document: [Managing Conflicts of Interest: Revised Statutory Guidance for CCGs \(June 2016\)](#). The GMMMG/CSB will work to these same high levels of governance.
- 3.5 Once signed off by the group, the GMMMG declarations of interest Policy will be available on the group’s website at <http://gmmmg.nhs.uk/html/guidance.html>
- 3.6 Any queries about the definitions or application of this policy should be addressed to the GMMMG/CSB professional secretary at rdtc.rxsupp@nuth.nhs.uk

4 Who does this policy cover?

- 4.1 The policy covers all group members; sub-group members; regular and occasional attendees or applicants. It is in addition to any requirements of their employing organisation.
- 4.2 Members and attendees at the GMMMG/Clinical standards board (and its sub committees) will, at all times comply with their respective CCG Constitution, or other employing organisational declarations of interest policy and be aware of their responsibilities as outlined in it. They should act in good faith and in the interests of the group and should follow the Seven Principles of Public Life, set out by the Committee on the Standards in Public Life (Nolan Principles).
- 4.3 The policy applies to individuals when they are acting on behalf of the GMMMG/CSB or its subgroups only i.e. it does not apply in the daily running of a GP Practice. Other codes of conduct exist for GPs acting in their role as a provider of health services.

5 Declaring interests – what should I declare?

The following table gives an overview of what may constitute a conflict of interest and the consequences. Please note this is just a general guide and if you are unsure as to whether you have a conflict of interest please contact the GMMMG CSB professional secretary who will be able to offer advice.

Type of Interest	Description	Consequences
Personal Financial Interest	<p>This is where an individual may get direct financial benefits from the consequences of a commissioning decision. This could, for example, include being:</p> <ul style="list-style-type: none"> • 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; • A shareholder (or similar owner 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. • A management consultant for a provider; • In secondary employment • In receipt of secondary income from a provider; • In receipt of a grant from a provider; • In receipt of any payments (for example honoraria, one off payments, day allowances or travel or subsistence) from a provider • 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 or joint working with industry where they are involved in the project; and • 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). 	<p>You must declare this interest.</p> <p>If the payment or involvement relates specifically to the product or service under review, you will have to withdraw from the vote and will not be able to take part in the discussion and will have to leave the room when the item is discussed.</p>
Non-Financial Professional Interests	<p>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:</p> <ul style="list-style-type: none"> • An advocate for a particular group of patients; • A GP with special interests e.g., in dermatology, acupuncture etc. • A member of a particular specialist professional body (although routine GP membership of the RCGP, BMA or a 	<p>You must declare this interest.</p> <p>You may still be able to participate in discussions (Chairs discretion) however you will not be able to take part in any decision making.</p>

	<p>medical defence organisation would not usually by itself amount to an interest which needed to be declared);</p> <ul style="list-style-type: none"> • An advisor for Care Quality Commission (CQC) or National Institute for Health and Care Excellence (NICE); • A medical researcher. 	
Non-Financial Personal Interests	<p>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:</p> <ul style="list-style-type: none"> • 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 groups with an interest in health. 	<p>You must declare this interest. You may still be able to participate in discussions however you will not be able to take part in any decision making.</p>
Indirect Interests	<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 in a commissioning decision (as those categories are described above). For example, this should include:</p> <ul style="list-style-type: none"> • Spouse / partner; • Close relative e.g., parent, grandparent, child, grandchild or sibling; • Close friend; • Business partner. 	<p>You must declare this interest. You may still be able to participate in discussions however you will not be able to take part in any decision making however you will not be able to participate in discussions</p>

If in doubt, the individual concerned should assume that a potential conflict of interest exists. In doing so, the GMMMG CSB Chair will take account of the relevance and significance of the declared interest and agree the appropriate action.

All individuals will be required to declare their interests to the Chair (of the GMMMG CSB, or its Sub-groups) in relation to any items on the agenda of any meetings once the agenda and papers have been sent out 1 week prior. This should be at least two working days prior to the meeting to ensure that there is sufficient time for the Chair to agree any actions. Please note it is the responsibility of the individual to declare any interests rather than waiting to be asked. This is regardless of whether they have already been declared with employing organisations.

In addition 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 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.

6 Declaring hospitality

- All offers of hospitality (where you may have been invited due to your association with GMMMG CSB) must be approached with caution. Modest hospitality, for example a drink and a sandwich during a visit or a working lunch, is normal and reasonable and does not require the approval of a manager. Offers of hospitality relating to theatre evenings, sporting fixtures, holiday accommodation or other similar hospitality must be declined.
- You should refuse hospitality of any kind which might reasonably be seen to compromise your personal judgement or integrity, and which could be perceived as seeking to exert influence to obtain preferential consideration.
- Where meetings, such as conferences, training or educational meetings are sponsored by external sources this fact must be disclosed in the papers relating to the meeting and in any published proceedings.
- Sponsored meetings sponsored and/ or paid accommodation and/ or travel should be declared on a declaration of interest form to the professional secretary as soon as possible following the meeting.

A procedure for keeping a record of all declarations made is outlined in appendix B. an annual register will be published on the GMMMG website.

7 Managing Conflicts at Meetings

When a member of the meeting (including the chair or vice chair) has a conflict of interest in relation to one or more items to be discussed at the meeting, the chair (or vice chair or remaining non-conflicted members where relevant) must decide how to manage the conflict.

The appropriate course of action will depend on the particular circumstances, but could include one or more of the following:

- ❖ Where the chair has a conflict of interest, deciding that the vice chair (or another non-conflicted member of the meeting if the vice chair is also conflicted) should chair all or part of the meeting;
- ❖ Requiring the individual who has a conflict of interest (including the chair or vice chair if necessary) not to attend the meeting;
- ❖ Ensuring that the individual concerned does not receive the supporting papers or minutes of the meeting which relate to the matter(s) which give rise to the conflict;
- ❖ Requiring the individual to leave the discussion when the relevant matter(s) are being discussed and when any decisions are being taken in relation to those matter(s). In private meetings, this could include requiring the individual to leave the room and in public meetings to either leave the room or join the audience in the public gallery;
- ❖ Allowing the individual to participate in some or all of the discussion when the relevant matter(s) are being discussed but requiring them to leave the meeting when any decisions are being taken in relation to those matter(s). This may be appropriate where, for example, the conflicted individual has important relevant knowledge and experience of the matter(s) under discussion, which it would be of benefit for the meeting to hear, but this will depend on the nature and extent of the interest which has been declared;
- ❖ Noting the interest and ensuring that all attendees are aware of the nature and extent of the interest, but allowing the individual to remain and participate in both the discussion and in any decisions. This is only likely to be the appropriate course of action where it is decided that the interest which has been declared is either immaterial or not relevant to the matter(s) under discussion.

All declarations raised at a meeting will be recorded using the form in Appendix C. This completed form should also be sent by professional secretaries of subgroups, alongside any subgroup agenda items for approval. This is so GMMMG CSB can be satisfied that declarations of interest have been dealt with appropriately.

To note; it is the responsibility of each individual member of the meeting to declare any relevant interests which they may have and to keep them updated. However, should the chair or any other member of the meeting be aware of facts or circumstances which may give rise to a conflict of interests but which have not been declared then they should bring this to the attention of the chair who will decide whether there is a conflict of interest and the appropriate course of action to take in order to manage the conflict of interest.

Managing Conflicts of interest from applicants, specialist groups or networks

All authors of evaluation reports, prepared papers, those commenting on a report, those appealing against or supporting any GMMMG CSB review will also be expected to declare any conflict of interests. A conflict of interests' declaration will be added to the GMMMG front sheet to ensure that any requests received are also free from conflicts.

Where a network, CCG or Trust department requests a review of a new drug, proposes an item for discussion or asks for an appeal on any decisions made then a declaration of interests form (if not already publically available) must be completed and this must be submitted alongside the any referral requests.

Recording Conflicts within minutes

All meeting minutes will record any conflicts of interest that arose using the wording as suggested by NHS England and copied below:

Declarations of interest from today's meeting

The following update was received at the meeting:

With reference to items to be discussed at this meeting, MS declared that he is a shareholder in XXX Care Ltd.

SK declared that the meeting is quorate and that MS would not be included in any discussions on agenda item X due to a direct conflict of interest which could potentially lead to financial gain for MS.

SK and MS discussed the conflict of interest, which is recorded on the register of interest, before the meeting and MS agreed to remove himself from the table and not be involved in the discussion around agenda item X.

Appendix A – Declaration form

Personal details	
Print Name:	
Position:	
Employing organisation	
Category of interest	Details
Personal Financial Interest	
Non-Financial Professional Interest	
Non-Financial Personal Interests	
Indirect interests	
Gifts or hospitality	
Training courses (multiple sponsorship)	
Any other relevant area(s) of interest:	
Action taken/will be taken to mitigate interest	

I have read and understood the GMMMG CSBs ‘Declaration of Interest Policy’. I declare that the information I have provided above is true and accurate.

Signed:

Date:

If in doubt, the individual concerned should assume that a potential conflict of interest exists. In doing so the GMMMG Chair will take account of the relevance and significance of the declared interest and decide where ‘de minimis’ or otherwise and appropriate action agreed and recorded. It is the responsibility of the Individual to declare any new or changed interests as soon as practically possible. All declarations will be considered lapsed on year after declaration if one off interests.

This information will be held by the secretary of the Greater Manchester Medicines Management Group and posted as aggregated data with other Members and attendees of GMMMG on the Group’s website. This information may be held in both manual and computer form and may include data covered by Section 2 of the Data Protection Act 1998.

Appendix B – Procedure for maintaining an annual register of conflicts of interest, gifts and hospitality register

1. The RDTC (on behalf of the GMMMG CSB) will maintain a register of relevant and material interests of:
 - All GMMMG CSB members and attendees
 - All GMMMG CSB sub group members and attendees
2. Declarations of interest forms must be updated as declarations arise. It is the responsibility of the individual to send an updated form to the secretary. **This is in addition to declarations made at meetings.**
3. Where an individual has been a paid adviser to a healthcare or pharmaceutical company, they must declare the date of meeting attended, company and drug discussed.
4. All members must declare any interests prior to the meeting in relation to the agenda as appropriate on an ongoing basis (see earlier)
5. The chair with the professional secretary will agree whether the member may still be involved in discussions or decision making (see table for further details)
6. Where a member has declared an interest at one meeting and the same subject is due to be discussed at a subsequent or different GMMMG meeting then this interest must be declared again. It is the responsibility of membership to declare interests each time.
7. An annual register (see table below) will be published on the GMMMG website with a rolling year of interests being held. This will only be updated once a year and will cover a set period in time. The information from the completed declarations of interest forms will be used to populate the annual register.
8. All declarations will be considered lapsed one year after declaration for non-recurrent interests.
9. The register will be reviewed on an annual basis by the GMMMG Secretary and Chair.

Table 1 – Example Template of annual register to be held in excel format and published on GMMMG website from COI declarations received by members.

Name	Current position (s) held- i.e. Governing Body, Member practice, Employee or other	Declared Interest (Name of the organisation and nature of business)	Type of Interest			Is the interest direct or indirect?	Nature of Interest	Date of Interest		Action taken to mitigate risk
			Financial Interests	Non-Financial Professional Interests	Non-Financial Personal Interests			From	To	

Appendix C – Template to record interest during a meeting

The Minimum that must be recorded in the minutes relating to conflicts of interests is as follows:

- 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;
- **Visitors in attendance** who participate in the meeting must also follow the meeting protocol and declare any interests in a timely manner.

Meeting	Date of Meeting	Chairperson (name)	Secretariat (name)	Name of person declaring interest	Agenda Item	Details of interest declared	Action taken