

## Declaration and conflict of interest policy

### Related policies and procedures

This Policy should be read in conjunction with all related policies and procedures. See the separate list in the Policies and Procedures file.

### Purpose and scope

The purpose of this policy is to ensure that there is transparency within Healthwatch Leeds (HWL) and that HWL can demonstrate to the local community that it is not unduly influenced by people with undeclared interests in health and social care services.

This Policy applies to HWL Board Directors, employees and volunteers. It is concerned with conflicts of interest arising from contacts with service delivery providers or commissioners. Political interests can also lead to conflict due to the Local Authority's role as commissioner and provider of services. Conflicts of interest may apply locally or cross boundary work outside of the Leeds area.

Conflicts of interest may create problems as they can:

- Inhibit free discussion
- Result in decisions or actions that are not in the best interests of HWL and the people it serves
- Risk the impression that HWL has acted improperly

This Policy sets out the framework for declaring and assessing conflicts of interest and how conflicts will be dealt with in terms of the work of HWL.

### Potential conflicts of interest can be (not an exhaustive list)

- Where a Board Director, employee, volunteer or a close relative is:
  - A member of a Foundation Trust
  - Employed by a commercial organisation delivering health and social care
  - A City Council employee involved in delivering/planning social care
  - An NHS employee (depending on the role)

- Employed by or volunteers on the management committee of a voluntary sector organisation which holds a contract to deliver health or social care services.
  - On a decision making panel which has influence over health and social care services in another capacity.
  - The owner or part owner of a private company, business or consultancy likely or possibly seeking to do business with the NHS.
  - Elected as a local Councillor
- Where a Board Director, employee, volunteer or a close relative:
    - Uses HWL property for personal gain or benefit
    - Uses their position at HWL for personal gain or benefit
    - Accepts gratuities, favours or anything of monetary value from those who commission or provide services
    - Has a relationship with a member of the HWL staff team

### Areas not usually classed as a conflict of interest

Other health and social care interests not concerned with delivery providers and commissioning do not usually prevent people from being involved in HWL but it is important that checks and balances are put in place.

Changes to improve services that may link to work that HWL is undertaking are not usually grounds for a conflict of interest. One or more Board Directors, employees or volunteers may have links to such groups or individuals but as long as the improvement applies equally to everyone receiving the service there is no conflict of interest.

HWL has in place mechanisms to enable individuals and members of interest groups to feed in their perspectives about health and social care services, including relevant, specialist knowledge about services. Such specialist knowledge does not represent a conflict of interest if it is facilitated in a transparent way.

### Procedure for Declaring Interests

A Board Director, employee or volunteer should declare any political or

personal interest which could put them at risk of being accused of bias if not declared.

Employees will be asked to declare their interests at the start of their employment and update them when there are changes. An annual review of interests will form part of the appraisal process.

If you are not sure what to declare, or whether/when your declaration needs to be updated, please consider declaring potential conflicts, it is better to over declare than not disclose. A simple and usually reliable test is the tabloid test: how would this look if it was ever reported by a journalist determined to make the story look as bad as possible? If you would like to discuss this issue, please contact the HWL director or chair for confidential guidance.

All active HWL board directors, staff and volunteers will be asked to submit a written declaration of any financial, business, political, personal and family interests that could be relevant to the work of HWL in commenting on and influencing the delivery and commissioning of local health and social care services. A Declaration of Interests Form is provided for this purpose.

The declaration of interests needs to be updated at least annually and also when any changes occur.

If a matter arises during a meeting where a member thinks they may have an interest to declare they should notify the Chair or facilitator straight away. Any interest should be recorded in the minutes/notes of the meeting. It will be the decision of the rest of the group whether the member can still participate in the matter under discussion.

A Board director, volunteer or staff member must not take part in any related decision making when an interest has been identified and declared.

Interests will be recorded on the HWL' Register of Interests, which will be maintained by the HWL chief executive or company secretary.

If an individual fails to declare an interest which is known to the HWL employee team or the Chair of the Board in a meeting, the HWL chief executive or Chair will declare that interest.

If a Board Director, employee or volunteer has failed to

register/declare an interest they will be asked to provide a written explanation of the reasons why. HWL Chair and chief executive may decide either:

- That no action is required other than ensuring the Register of Interest is up to date; or
- To suspend or terminate an individual's role with HWL or a particular area of work

Where the failure to declare is by the Chair, the Deputy Chair will consider the explanation and actions.

Where the failure is by the HWL chief executive the Chair and Deputy Chair or other agreed Board director will consider the explanation and actions.

**HWL Register of Interests Form**

Full Name	
Address	
Postcode	

Date	Nature of interest	Area of Healthwatch work affected

Date: \_\_\_\_\_ Signature: \_\_\_\_\_