

CONFLICT OF INTEREST POLICY

Purpose and Scope

1. Board Directors have a legal obligation to act in the best interests of Healthwatch East Riding of Yorkshire (Healthwatch) in accordance with its governing document, and to avoid situations where there may be a potential conflict of interest. Staff and some volunteers have similar obligations. This policy applies to Board Directors, staff, and volunteers whose roles are identified as falling under this policy (collectively defined as members under this policy).

What is a Conflict of Interest?

2. Conflicts of interests may arise where an individual's personal or family interests and/or loyalties to some other individual/group conflict with those of Healthwatch. Such conflicts may create problems; they can:
 - inhibit free discussion;
 - result in decisions or actions that are not in the interests of Healthwatch and
 - risk the impression that Healthwatch has acted improperly.
3. The aim of this policy is to protect both Healthwatch and the individuals involved from any appearance of impropriety.
4. Conflicts of interest may include but are not limited to:
 - working for another organisation, whether NHS or East Riding of Yorkshire Council related or not;
 - any directorships of companies likely to have a commercial relationship with the East Riding of Yorkshire Council or the NHS;
 - voluntary or remunerated positions, such as trusteeship, local authority positions, other public positions;
 - membership of professional bodies or mutual support organisations, including political parties;
 - investments in unlisted companies, partnerships and other forms of business, major shareholdings and beneficial interests;
 - gifts or hospitality offered to you by external bodies and whether this was declined or accepted in the last twelve months;
 - where a family member or close personal relationship exists with an external body or somewhere where you may be in a position to award services to;
 - any other conflicts that are not covered by the above.

What to do if you face a Conflict of Interest

5. All conflicts of interest, whether actual or potential, should be declared promptly at the earliest possible opportunity.
6. If a member has any interest in the matter under discussion, which creates a real danger of bias, they should declare the nature of the interest and withdraw from the room, unless they have dispensation to speak.
7. If a member has any other interest which does not create a real danger of bias, but which might reasonably cause others to think it could influence their decision, they should declare the nature of the interest, but may remain in the room, participate in the discussion, and vote if they wish.
8. If a member is in any doubt about the application of these rules, they should consult with the Chair or Delivery Manager.
9. If you fail to declare an interest that is known to the Chair or Delivery Manager, they will declare this interest.

Decisions taken where a Director or Member of Staff has an Interest

10. In the event of the Healthwatch Board having to decide upon a question in which a Director has an interest, all decisions will be made by vote, with a simple majority required. A quorum must be present for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate. Interested board members may not vote on matters affecting their own interests.
11. All decisions under a conflict of interest will be recorded and reported in the minutes of the meeting. The report will record:
 - the nature and extent of the conflict;
 - an outline of the discussion;
 - the actions taken to manage the conflict.
12. Where a Board member benefits from the decision, this will be reported in the Annual Report and Accounts. All payments or benefits in kind to Board members will be reported in the Annual Report and Accounts, with amounts for each member listed for the year in question. Where a member of staff are connected to a party involved in the supply of a service or product to Healthwatch, this information will also be fully disclosed in the Annual Report and Accounts.

Declaration of Interests

13. Board members, staff and volunteers are asked to declare their interests, and any gifts or hospitality received in connection with their role in Healthwatch. A declaration of interests form is provided for this purpose, listing the types of interest you should declare.
14. To be effective, the declaration of interests needs to be updated at least annually and also when any changes occur. If you are not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the Healthwatch Chair, or Delivery Manager for confidential guidance.
15. A register of interests will be maintained by the Delivery Manager. The register will be publically accessible on the Healthwatch website and available for inspection at the Healthwatch registered office. Declarations will also be published in the Annual Report and Accounts.

Data Protection

16. The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that members act in the best interests of Healthwatch. The information provided will not be used for any other purpose.

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