Declaration of Interests and Conflict of Interest Policy

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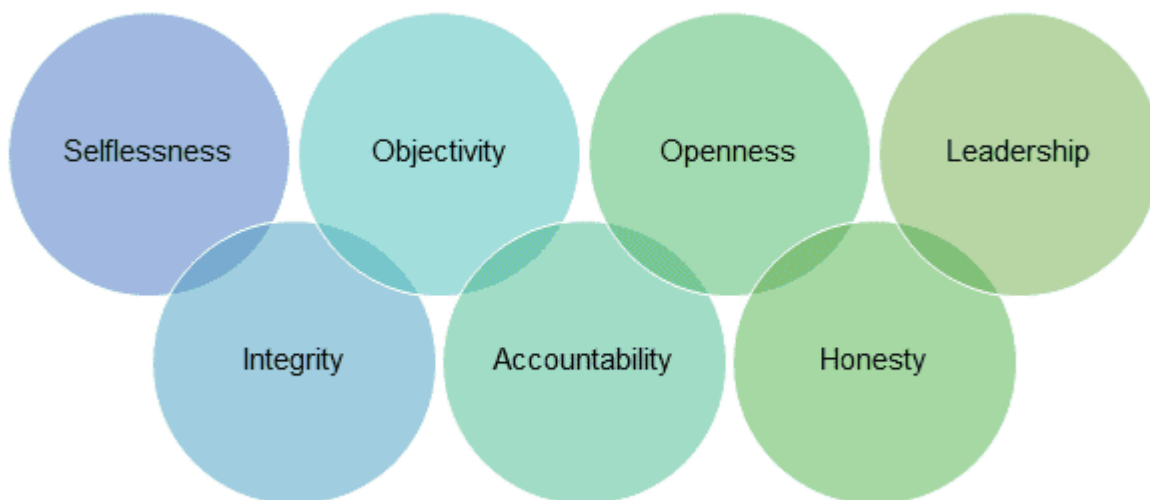# Declaration of Interests and Conflict of Interest Policy

Scope

This policy applies to all people who are active Independent Strategic Advisory Board (ISAB) members of a Healthwatch delivered by Engaging Communities Solutions (ECS) CIC. It aims to ensure that there is transparency within the Healthwatch and that Healthwatch can demonstrate to the local community that Healthwatch is not unduly influenced by people with undeclared interests in health and social care services.

Policy Statement

Healthwatch Walsall is committed to implementing the Nolan Principles of Public Life and has devised a Code of Conduct based around these principles.

The Nolan Principles of Public Life

Healthwatch strives to ensure that its work represents the varied and broad issues and interests of communities using health and social care services in Walsall but recognises that people who become involved in Healthwatch may have other interests of relevance to health and social care services and their commissioning and delivery which may lead to a conflict of interest. Such other interests do not usually prevent people from being involved in

Healthwatch, but checks and balances must be put in place, and this policy sets out the framework for declaring and assessing conflicts of interest and how conflicts will be dealt with in terms of Healthwatch work.

Examples of conflicts of interests

Healthwatch Walsall is involved in work to ensure that people's views and experiences of health and social care services in Walsall are collected and represented. The Healthwatch will also from time to time be involved in cross-boundary working outside Walsall. Healthwatch Walsall, therefore, has a broad remit and may be engaged in looking at any aspect of health or social care provision within Walsall. This will cover many different services, services providers, as well as those who commission services:

- **Health services**

  The providers of health services range from the local hospitals to individual GP practices, chemists, opticians, etc. Some are public bodies and others are run as businesses. There are also some voluntary sector providers, for example, some Hospices.

- **Social care services**

  Social care services are provided by many different providers: local authority; private sector business; social enterprise; or a voluntary organisation.

- **Service commissioners**

  Walsall Borough Council, NHS England, One Walsall, Walsall Together and NHS ICB Black Country or purchasers of health and social care services.

Therefore, conflicts of interest can arise in different ways and Healthwatch members' connections with either service providers or commissioners can be of significance. Political interests can also lead to conflict due to the Local Authority's role as commissioner and provider of services.

Two examples of possible conflicts are:

1. **A Specific Piece of work:**

   The Healthwatch is looking at Mental Health services and a Healthwatch member's wife (or another close relative) works for the Integrated Care Partnership.

2. **More general potential conflicts:** maybe that a member or a close relative is:

- a member of an NHS Trust.
- employed by a commercial organisation delivering social care services.
- a Borough Council employee involved in delivering/planning social care.
- an NHS employee (dependent on the role).
- employed by or volunteers on the management committee of a voluntary sector organisation which holds a contract to deliver social care services.
- on a decision-making panel that has influence over health and social care services in another capacity.
- the owner or part-owner of a private company, businesses, or consultancies likely or possibly seeking to do business with the NHS (e.g., selling to a pharmacy).
- elected as a local councillor.

Such conflicts may create problems as they can:

- inhibit free discussion.
- result in decisions or actions that are not in the interests of Healthwatch and the people it serves.
- risk the impression that Healthwatch has acted improperly.

However, indirect benefits such as changes to services that benefit a group of service users or the wider population that result from Healthwatch work are no conflicts of interest.

Healthwatch aims to put 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 transparently.

For example: Healthwatch is looking at health services for frail elderly people. The knowledge and experience of voluntary sector organisations, that provide services and support to this client group will be valuable in identifying potential issues and could feed into the design of the project. However, if a voluntary sector organisation holds a contract or receives funding for delivering any health services this should be noted and considered in terms of how the organisation is involved in the planning of the project and what contribution it makes.

Declaring Interests

You should declare any political or personal interest which could put you at risk of being accused of bias if you do not declare it.

If you are not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. A simple and usually reliable test is the tabloid test: how would this look if it were 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 Healthwatch Manager or confidential guidance.

All active Healthwatch members will be asked to submit a written declaration of any financial, business, political, personal, and family interests that could be relevant to Healthwatch's work of 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.

To be effective, the declaration of interests needs to be updated at least annually and when any changes occur.

If a matter arises during a meeting where a member thinks they may have the interest to declare they should notify the Chair or Clerk 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 member must not take part in any related decision making when interest has been identified.

Interests will be recorded on the register of interests, which will be maintained by the Healthwatch staff team.

Failure to declare an Interest

If you fail to declare an interest, which is known to the Healthwatch staff team in a meeting the Healthwatch Manager will declare that interest.

If a member has failed to register/declare an interest, they will be asked to provide a written explanation of the reasons why. The Healthwatch may decide that either:

- no action other than ensuring the register of interests is up to date is required
- or may decide to suspend or terminate an individual's active membership.

Healthwatch Register of Interests Form

Your name:	
Address:	
Postcode:	

Date:	Nature of interest	Area of Healthwatch work affected
Signed		

Data Protection

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 Healthwatch members act in the best interests of Healthwatch Walsall. The information will not be used for any other purpose.

Decision Making Policy and Procedure	
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