

## Healthwatch Kensington & Chelsea

### Conflict of interest: policy and procedures

<b>Conflict of interest policy and procedures</b>	
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#### Policy Statement

The Advocacy Project Board of Trustees, Healthwatch Kensington & Chelsea Advisory Board members along with employees and volunteers associated with Healthwatch Kensington & Chelsea have a responsibility to put the interests of the organisation before their own personal pursuits. The aim of this policy is to protect both the organisation and the individuals concerned from any appearance of impropriety.

All trustees, Advisory Board members, staff and volunteers are required to identify and disclose activities and relationships that might give rise to conflicts of interest or the perception of conflicts of interests and to ensure that such conflicts are seen to be properly managed or avoided.

When properly managed, an individual's activities can usually proceed as normal whilst at the same time upholding the individual obligations to Healthwatch Kensington & Chelsea and protecting the integrity and reputation of the organisation. Conflicts which are not managed effectively may jeopardise public confidence and damage the credibility of the organisation and of the individuals concerned.

This policy reflects the Standards of Business Conduct set out by the Committee on Standards in Public life – also known as the '**Nolan principles**'.

#### What is a conflict of interest?

A conflict of interest may arise where an individual, who is employed by or volunteers for Healthwatch Kensington & Chelsea, has personal family interest and / or loyalty to

some other individual or group, which are likely to be in conflict or may appear to be in conflict, with the interests of Healthwatch Kensington & Chelsea.

A conflict of interest may also arise where Healthwatch Kensington & Chelsea decide to gather feedback, take action or undertake a project on a service delivered by The Advocacy Project.

This could inhibit free discussion, result in decisions or actions not in the interests of Healthwatch Kensington & Chelsea, give rise to an appearance of bias or favouritism towards another organisation or individual within or outside of Healthwatch Kensington & Chelsea, create or appear to create preferential personal gain.

There can be situations in which the appearance of conflict of interest is present even when no conflict exists. It is important when evaluating a potential conflict of interest to consider how it might be perceived by others.

There is no definitive list of conflicts and every situation should be taken on its own merit. Some examples of areas where conflicts may arise are:

- Staff or volunteers working for or having a commercial relationship with another organisation.
- Healthwatch Kensington & Chelsea needing to act on issues raised about services provided by The Advocacy Project.
- Voluntary or remunerated positions, including local authority or other public positions.
- Financial interests where there appears to be an opportunity for personal financial gain, such as shareholdings or beneficial interests in organisations where services or contracts are being procured.
- Personal relationships with service users, service providers or service commissioners.
- Personal relationships within the local Healthwatch network, or Healthwatch England.
- Selection and recruitment process
- Membership of political parties.
- The offer of gifts and hospitality, whether accepted or declined.

This list is not exhaustive.

## Recognising a conflict of interest

When a staff member or volunteer joins Healthwatch Kensington & Chelsea, they will complete a declaration of interest form. This will be reviewed at least annually and updated as soon as circumstances change. If the person is unsure whether something is a potential conflict of interest, they should declare it in the interests of transparency, and the Chair of the Advisory Board and Healthwatch Service Manager will take a view on whether it does constitute a conflict.

These individual forms will create a Register of interest which will be maintained by the Healthwatch Service Manager who will hold the risk register for all Healthwatch projects within The advocacy Project.

Trustees on The Advocacy Project board complete a declaration of interest form annually. These are reviewed by the Chair and held by the HR Officer. Trustees complete an updated form if a new potential conflict of interest arises, and declare any new conflicts of interest at the beginning of each board meeting.

### Action to take with a conflict of interest

If a Trustee, employee, Advisory Board member or volunteer has a potential responsibility to another party or personal involvement in a matter under discussion where they are representing Healthwatch Kensington & Chelsea, they should declare it at the earliest opportunity. They should withdraw from that meeting or discussion until the Healthwatch Kensington & Chelsea Advisory Board Chair has decided what action to take.

Where the conflict arises as a result of an item on the agenda for The Advocacy Project Board meetings, a simple majority vote of the Board will decide what action to take. A quorum must be present excluding the interested party who may not vote on matters reflecting their own interests. The Chair has ultimate responsibility for agreeing how to manage any conflict of interest if there is a tied vote.

The same process applies to a conflict arising on the agenda of the Advisory Board.

Options available include but are not limited to:

- Withdrawing from the room for all or part of the discussion.
- Remaining in the room but not taking part in the discussion.
- Taking part in the discussion but not having voting rights.
- Restricting access to papers in advance of the meeting.

- No action to be taken.

Each matter will be assessed on its own merit and the action taken will be noted in the minutes of The Advocacy Project Board of Trustees or the Advisory Board Meeting. Advisory Board minutes are publicly available on Healthwatch Kensington & Chelsea's website.

## Data protection

The information provided will be processed in accordance with data protection principles and will only be processed to ensure that individuals act in the best interests of Healthwatch Kensington & Chelsea. The information provided will not be used for any other purpose.

## Review of policy document

The Advocacy Project Board of Trustees, with the Healthwatch Kensington & Chelsea Advisory Board, will review the effectiveness of the conflicts of interest policy and procedures set out in this document every two years.

Any amendments to this policy and the procedures governing conflicts of interest will require a simple majority of The Advocacy Board members voting in favour.

The amended policy document will be published on the website of Healthwatch Kensington & Chelsea as soon as is practicable.

## Procedures

Healthwatch Kensington & Chelsea will carry out the following:

1. The conflicts of interest policy and procedures will be published on Healthwatch Kensington & Chelsea's website.
2. All Healthwatch Kensington & Chelsea employees and volunteers (including Advisory Board members) will be required to complete a declaration of interest form at the start of employment or volunteering opportunity.
3. All Healthwatch Kensington & Chelsea staff and volunteers (including Advisory Board members) will read the policy and procedures document at least once per year to refresh understanding and awareness of individual responsibilities regarding conflicts of interest.
4. All staff and volunteers (including Advisory Board members) will update their register of interest annually, or as soon as possible following any changes in individual circumstances.

5. Healthwatch Kensington & Chelsea Advisory Board meetings will have processes in place to note interests of group members and attendees. The minutes of the Advisory Board meetings are public documents and will provide documentary evidence of how those potential conflicts were managed.
6. Activities of Healthwatch Kensington & Chelsea staff and volunteers will ensure interests of those involved in that activity are made known to all interested parties, and appropriate action taken in accordance with the policy above.
7. These policy and procedures will be reviewed on two-year basis and The Advocacy Project Board of Trustees approval, incorporating any changes, will be noted in the minutes of a Board Meeting. Changes will be made and published on Healthwatch Kensington & Chelsea's website as soon as is practicable.