

**Standards of Business Conduct
and Conflicts of Interest Policy and Procedure**

Governing Body meeting

2 February 2017

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Is your report for Approval / Consideration / Noting	
<p>For Governing Body APPROVAL: The attached Standard of Business Conduct and Conflicts of Interest Policy and Procedure has been produced based on the revised statutory guidance produced by NHS England (June 2016) and brings together a number of existing CCG policies into one comprehensive document.</p> <p>Could Governing Body members please note that due to the size of the supporting documentation, this will be circulated separately under item 15a in the supporting information pack</p>	
Are there any Resource Implications (including Financial, Staffing etc)?	
<p>The proposed Standards will be implemented within the CCG's existing management arrangements.</p>	
Audit Requirement	
<p><u>CCG Objectives</u></p> <p><i>Which of the CCG's objectives does this paper support?</i> This paper supports delivery of the CCG's Strategic Objective 5 - Organisational development to ensure CCG meets organisational health and capability requirements.</p> <p>It also gives assurances against Risk 5.4 - Inadequate adherence to principles of good governance and legal framework leading to breach of regulations and consequent reputational or financial damage.</p>	
<u>Equality impact assessment</u>	
<p><i>Have you carried out an Equality Impact Assessment and is it attached?</i> Yes</p> <p>There are no specific issues associated with this policy.</p>	

PPE Activity

How does your paper support involving patients, carers and the public?

The Standards of Business Conduct and Conflicts of Interest Policy and Procedure (the Standards) sets out the Clinical Commissioning Group's (CCG) process for managing its business in an open and transparent way.

Recommendations

The Governing Body is asked to APPROVE the attached Standard of Business Conduct and Conflicts of Interest Policy and Procedure

Standards of Business Conduct and Conflicts of Interest Policy and Procedure

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1. Introduction

The Standards of Business Conduct and Conflicts of Interest Policy and Procedure (the Standards) (circulated separately under item 15a) set out the Clinical Commissioning Group's (CCG) process for managing its business in an open and transparent way. The Standards include our approach to identifying, managing and recording:

- conflicts of interest that may arise during the course of the CCG fulfilling its duties,
- the appointment of a Conflicts of Interest Guardian
- managing conflicts of interest throughout the commissioning cycle
- managing conflicts of interest at the Primary Care Commissioning Committee
- any breaches relating to conflicts of interest
- managing conflicts of interests at meetings, including decision making when a member of the Governing Body, or committee or sub-committee is conflicted
- the management of gifts, hospitality and sponsorship
- the annual audit of conflicts of interest management
- training on the Standards, and particularly managing conflicts of interest.

The Standards aim to:

- Safeguard clinically led commissioning, whilst ensuring objective investment decisions;
- Enable the CCG, as commissioner, to demonstrate that the organisation is acting fairly and transparently and in the best interests of our patient and local population;
- Uphold confidence and trust in the NHS and specifically the CCG;
- Support our Membership, Governing Body members and staff to understand when conflicts may arise and how to manage them if they do;
- Be a practical resource and reference document;
- Ensure that the CCG operates within the legal framework.

Previously the Conflicts of Interest Protocol was appended to the Constitution. However, it has now been agreed by the Governing Body, Practice Membership and NHS England that, in future, this will be referenced in the Constitution but will not be appended to it. This will enable the Standards to be updated and amended quickly and effectively to reflect current circumstances. All changes will be subject to a rigorous governance process, will be reviewed by the relevant committee / sub-committee, and taken to Governing Body for approval. All CCG policies will be published on the CCG's Intranet.

It should be noted that NHS England intends to publish further guidance in 2016/17 to specifically address further developments in care models and integrated care organisations that may cause particular challenges with regard to conflicts of interest.

When this guidance is issued the CCG will review the Standards and ensure that they reflect current best practice.

2. Proposed Changes to The Standards of Business Conduct and Conflicts of Interest Policy and Procedure

The Standards bring together a number of existing CCG documents, including Conflicts of Interest Protocol, Gifts, Hospitality and Sponsorship and Intellectual Property. These documents will be superseded by the Standards once approved by Governing Body and will be replaced on the CCG's website. The Standards, therefore, streamline and strengthen the governance arrangements for the CCG and provide one point of reference.

The proposed changes have been discussed at the Audit and Integrated Governance Committee (AIGC) on 15 December 2016 and small amendments made as a result of these discussions. The Standards have also been shared with the Joint Staff Consultative Forum (JSCF) at their meeting in January 2017. They are now presented to the 2 February 2017 Governing Body meeting taking place in public for final approval.

3. Recommendation

The Governing Body is asked to APPROVE the attached Standard of Business Conduct and Conflicts of Interest Policy and Procedure

Paper prepared by Jill Dentith, Management Consultant

On behalf of Julia Newton, Director of Finance

18 January 2017