

Meeting Title	Board of Directors (Session in Public)		
Meeting Date	11 th June 2020	Agenda No	11
Report Title	Conflicts of Interest, Gifts and Hospitality Policy		
Sponsoring Director	Jonathan Dunk, Chief Commercial Officer		
Report Author	Mark Kidd, Local Counter Fraud Specialist – RSM UK Andrew Stride, Company Secretary Brinda Sittapah and James Day, Company Secretarial Team		
Action Required	Decision <input checked="" type="checkbox"/> Discussion <input type="checkbox"/> Monitoring / Assurance <input checked="" type="checkbox"/>		
Background / Context	<p>Best practice and regulations from the NHS Counter Fraud Authority and NHSI/E require NHS organisations to develop and implement a policy for the effective management of conflicts of interest, including the declaration of gifts and hospitality.</p> <p>Our Trust and the people who work with and for us, collaborate closely with other organisations, delivering high quality care for our patients.</p> <p>These partnerships have many benefits and should help ensure that public money is spent efficiently and wisely but there is always a risk that conflicts of interest may arise.</p> <p>Providing best value for taxpayers and ensuring that decisions are taken transparently and clearly are both key principles in the NHS Constitution. We are committed to maximising our resources for the benefit of the whole community. As a Trust and as individuals, we have a duty to ensure that all of our dealings are conducted to the highest standards of integrity and that NHS monies are used wisely so that we are using our finite resources in the best interests of patients.</p> <p>The attached policy is compliant with the currently applicable national guidance “Managing Conflicts of Interest in the NHS” issued by NHS England, which came into effect on 1st June 2017.</p>		
The new approach across MSE	This policy is intended to provide a trust-wide framework that is user-friendly, as automated as possible, and is accepted by staff across the organisation as part of business as usual. To facilitate this, an electronic system for the declaration of interests, gifts and hospitality will be introduced across the Trust on 15 th June 2020, having been utilised successfully at Southend Hospital for over a year. As such, paper declaration forms are no longer required.		
Consultation and Governance	The Chief Commercial Officer, the Chief Finance Officer and the LCFS were consulted during the development of this policy, as were the Company Secretaries of the predecessor organisations to map out the		

	<p>practices already in place with regard to this important area of corporate governance and internal control. The focus of these discussions has been to ensure that the approach across the new trust meets regulatory requirements, that it is backed up by a communications plan and that it is practical and streamlined, in order to improve and standardise levels of compliance across the organisation.</p> <p>The Audit Committee reviewed the draft policy virtually prior to today's meeting. The policy was endorsed and recommended to the Board for approval, subject to some final comments from committee members to improve the document. A verbal update will be provided at the meeting as to what these changes comprise.</p> <p>Ongoing monitoring of compliance against the policy has been factored into the Audit Committee workplan for 2020/21.</p>
Timescale for Benefits to be Realised	Subject to approval by the Trust Board today, the policy will be implemented on 15 th June 2020 simultaneous with the launch of the new electronic system referenced above.
Assessment of Implications	
Financial	<p>Does this proposal have <u>revenue</u> (recurrent or non-recurrent) implications for the Trusts? Not directly</p> <p>Does this proposal have <u>capital</u> (recurrent or non-recurrent) implications for the Trusts? No</p> <p>If yes, can these implications be <u>fully</u> covered by existing budgets? N/A</p>
Risk	Approving and implementing this policy mitigates risks associated with loss of public funds, as well as regulatory and reputational risks
Equality and Diversity	This proposal has been subject to an equality analysis and there are no implications for groups with protected characteristics
Freedom of Information	<i>No exemptions apply (i.e., information is in the public domain)</i>
Other Implications Identified	Implementing an effective policy and process for the management of conflicts of interest is a regulatory requirement in terms of the NHS Act 2006 and the Bribery Act 2010.
Recommendation	<p>The Board of Directors is invited to:</p> <p><u>Approve</u> the Conflicts of Interest, Gifts and Hospitality Policy.</p>
Appendices	N/A