

Northern Ireland Blood Transfusion Service

## POLICY DOCUMENT

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## Document Authorisation

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## CROSS REFERENCES

This Policy refers to the following documents:

Doc Type	Doc. No.	Title
FORM	DD:1244	NIBTS (Special Agency) Declaration of Interest Form
POL	FP:002	Fraud Policy
POL	PP:014	NIBTS Disciplinary Policy and Procedure
APP	1	Nolan Principles
APP	2	Recognising a Conflict of Interest Checklist
APP	3	Management Strategies



**Key Change From Previous Revision:**

This is a new policy.

**1. STATEMENT**

The purpose of this Policy is to ensure that conflicts of interest are identified and managed in a way that safeguards the integrity of staff and Board members and maximises public confidence in NIBTS's ability to deliver public services properly.

A conflict of interest can be defined as one that "involves a conflict between the public duty and the private interest of a public official in which the official's private- capacity interest could improperly influence the performance of his/her official duties and responsibilities".

A conflict of interest can also be perceived. A perceived conflict of interest exists when it could be perceived, or appears, that private-capacity interests could improperly influence the performance of a member of staff or Board member duties and responsibilities. A perception of a conflict of interest can be just as significant as an actual conflict of interest.

This policy should assist Board members and staff in key positions to recognise when they have a conflict of interest and how they should act when such a situation arises.

This policy will be reviewed periodically by the organisation and enquiries regarding the application of this procedure should be referred to the NIBTS Human Resources and Corporate Services Department.

## 2. OVERVIEW

The Northern Ireland Blood Transfusion Service believes that the public should have confidence in the ability of its staff and Board members to provide the best possible service in accordance with the Government's commitment to seven key principles.

The Policy takes account of the requirements of the DOH Circular HSS HSC (F) 34-2015 Conflicts of Interest. It also confirms the Northern Ireland Blood Transfusion Service commitment to the Government's seven key principles for the public service (Appendix 1 - Nolan Principles), which are:

<b>Selflessness</b>	<b>Integrity</b>	<b>Objectivity</b>	<b>Accountability</b>
<b>Openness</b>	<b>Honesty</b>	<b>Leadership</b>	

## 3. RESPONSIBILITY

It is the responsibility of all NIBTS staff and Board members to make themselves aware of this policy and to comply with the requirements contained within..

It is the responsibility of all Heads of Department and Senior Managers to ensure staff within their areas comply with the requirements of this policy.

## 4. POLICY

### 4.1 RECOGNISING A CONFLICT OF INTEREST

A conflict of interest arises when an individual has two different interests that overlap. The interest does not need to be that of the member of staff or Board member themselves but can also include the interest of close relatives or friends that have a potential to influence them.

A conflict of interest may also be perceived if it appears that private capacity interest could improperly influence the performance of an employee or Board member's official duties and responsibilities.

A 'close relative' would usually refer to the individuals spouse or partner, children, parent, brother, sister, in-law and the partners of any of these.

A 'friend or associate' should be considered as someone with whom the individual has a longstanding and/or close relationship, socialises with regularly or has had dealings with which may create a conflict of interest.

If you have a conflict of interest or are aware of a colleague or Board member having a potential conflict of interest you must make your senior manager aware of this immediately. Please use Appendix 1 to assist in identifying Conflicts of Interest.

All Board members and all staff members should complete a declaration of interest form annually by using form DD:1244. If an interest arises subsequent to the completion of the form staff are required to declare their interests by completing a further DD:1244 form and submitting to the Human Resources and Corporate Service Department.

Board members are also required to declare interests which are relevant to NIBTS. This is stated in the 'The Code of Accountability and Code of Conduct for Board members of Health and Social Care Bodies (April 2011)'.

*'It is a basic requirement that Chairs and all Board members should declare any conflict of interest that arises in the course of conducting HSC business. Chair and Board members must declare on appointment any business interests, position of authority in a charity or voluntary body in the field of health and social care, and any connection with a voluntary or other body contracting for HSC services'*

At the time Board members' interests are declared, they shall be recorded in the Board minutes. Any changes in interests shall be declared at the Board meeting following the change occurring. Directorships and other significant interests held by members of HSC Boards must be declared on appointment, kept up to date, and set out in the annual report. The Chair of the Board must also invite members to declare an interest in any agenda item at the outset of the meeting. If a conflict of interest is established the member should withdraw from the meeting and play no part in the relevant discussion or decision.

Two Registers of Interests will be kept by the Human Resources and Corporate Services Department. One register will be for staff and one for Board members and this will be reviewed annually by the Human Resources and Corporate Services Department.

A key element of this policy is that the conflict, or perceived conflict of interest, is identified early and any risks managed appropriately to ensure minimum impact on the reputation of the organisation and offer assurance that the Nolan Principles have not been breached.

To identify conflicts of interest please use Appendix 2 - Recognising a Conflict of Interest Checklist.

#### **4.2 MANAGING A CONFLICT OF INTEREST**

When a conflict of interest has been identified, NIBTS must carefully consider what action, if any, needs to be taken to avoid or mitigate the associated risks. The seriousness of the conflict, as well as the range of options available to handle, lessen or monitor it must be assessed.

There are different options for managing conflicts of interests. The table in Appendix 3 - Management Strategies outlines possible management strategies and when they might be used.

#### **4.3 FAILURE TO MAKE A DECLARATION**

Should it be suspected that a member of staff has failed to appropriately declare an interest, or failed to demonstrate compliance with this policy, it may be deemed appropriate to take action in line with the NIBTS Disciplinary Procedure and/or Fraud Policy (POL:PP:014 'NIBTS Disciplinary Policy and Procedure' and POL:FP002 'Fraud Policy')

#### **5. EQUALITY SCREENING OUTCOME**

This policy has been drawn up and reviewed in light of the statutory obligations contained within Section 75 of the Northern Ireland Act (1998). In line with this statutory duty of equality this policy has been screened against particular criteria. If at any stage of the life of the policy there are any issues within the policy which are perceived by any party as creating adverse impacts on any of the groups under Section 75 that party should bring these to the attention of the Head of HR & Corporate Services.

The Northern Ireland Blood Transfusion Service is committed to the promotion of equality of opportunity for staff, donors and service users. We strive to ensure that everyone is treated fairly and that their rights are respected at all times. We believe that it is important that our policy is understood by all those whose literacy is limited, those who do not speak English as a first language or those who face communication barriers because of a disability. On request it may be possible to make this policy available in alternative formats such as large print, Braille, disk, audio file, audio cassette, Easy Read or in minority languages to meet the needs of those not fluent in English.

#### **6. TRAINING REQUIREMENTS**

Senior Managers/Department Managers/Section Heads must read and understand this policy, and inform their staff that the policy exists.

Staff must make themselves aware of this policy.

## Appendix 1- Nolan Principles

**Selflessness** – Holders of public office should act solely in terms of the public interest. They should not do so in order to gain financial or other benefits for themselves, their family or their friends.

**Integrity** – Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their official duties.

**Objectivity** – In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

**Accountability** – Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

**Openness** – Holders of public office should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

**Honesty** – Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

**Leadership** – Holders of public office should promote and support these principles by leadership and example.

## Appendix 2 – Recognising a Conflict of Interest Checklist

Do you think you have an actual, perceived or potential conflict of interest? The following questions may help when assessing an issue being considered and the situation in which you are involved.

- Would I or anyone associated with me benefit from, or be detrimentally affected by, my proposed decision or action?
- Could there be benefits for me in the future that could cast doubt on my objectivity?
- Do I have current or previous personal, professional or financial relationship or association of any significance with an interested party?
- Would my reputation or that of a relative, friend or associate stand to be enhanced or damaged because of the proposed decision or action?
- Do I or a relative, friend or associate stand to gain or lose financially in some covert or unexpected way?
- Do I hold any personal or professional views or biases that may lead others to reasonably conclude that I am not an appropriate person to deal with the matter?
- Have I contributed in a private capacity in any way to the matter my organisation is dealing with?
- Have I made any promises or commitments in relation to the matter?
- Have I received a substantial gift, benefit or hospitality from someone who stands to gain or lose from my proposed decision or action?
- Am I a member of an association, club or professional organisation or do I have particular ties and affiliations with organisation or individuals who stand to gain or lose by my proposed decision or action?
- Could this situation have an influence on any future employment opportunities outside my current official duties?
- Could there be any other benefits or factors that could cast doubt on my objectivity?



**Appendix 3 – Management Strategies**

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Management Strategy	When most suitable	When least suitable
<p>Register</p> <p>When details of the existence of a possible or potential conflict of interest are formally registered.</p>	<ul style="list-style-type: none"> <li>For very low-risk and potential conflict of interest.</li> <li>Where the act of transparency through recording the conflict of interest is sufficient.</li> </ul>	<ul style="list-style-type: none"> <li>The conflict of interest is more significant or higher risk.</li> <li>The potential or perceived effect of a conflict of interest on the proper performance of the public official/Board member's duties require more proactive management.</li> </ul>
Restrict	<ul style="list-style-type: none"> <li>The public official/Board member can be effectively separated from parts of the activity or process.</li> <li>The conflict of interest is not likely to arise frequently.</li> </ul>	<ul style="list-style-type: none"> <li>The conflict is likely to arise more frequently.</li> <li>The public official/Board member is constantly unable to perform a number of their regular duties because of conflict of interest issues.</li> </ul>
Recruit	<ul style="list-style-type: none"> <li>It is not feasible or desirable for the public official/Board member to not be easily replaced.</li> <li>In small or isolated communities where the particular expertise of the public official/Board member is necessary and genuinely not easily replaced.</li> </ul>	<ul style="list-style-type: none"> <li>The conflict is serious and ongoing, rendering ad hoc recruitment of others unworkable.</li> <li>Recruitment of a third party is not appropriate for the proper handling of the matter.</li> <li>A suitable third party is unable to be sourced.</li> </ul>
Remove	<ul style="list-style-type: none"> <li>For ongoing serious conflicts of interest where ad hoc restriction or recruitment of others is not appropriate.</li> </ul>	<ul style="list-style-type: none"> <li>The conflict of interest and its perceived or potential effects are of low risk or low significance.</li> </ul>

		<ul style="list-style-type: none"> <li>The public official/Board member is prepared to relinquish the relevant private interest rather than radically change their work responsibilities or environment.</li> </ul>
Relinquish	<ul style="list-style-type: none"> <li>The public official/Board member's commitment to public duty outweighs their private interest.</li> </ul>	<ul style="list-style-type: none"> <li>The public official/Board member is unable or unwilling, for various reasons, to relinquish the relevant private interest.</li> </ul>
Resign	<ul style="list-style-type: none"> <li>No other options are workable.</li> <li>The public official/Board member cannot or will not relinquish their conflicting private interest and changes to their work responsibilities or environment are not feasible.</li> <li>The public official/Board member prefers this course as a matter of personal principle.</li> </ul>	<ul style="list-style-type: none"> <li>The conflict of interest and its potential or perceived effects are of low risk or low significance.</li> <li>Other options exist that are workable for the public official/Board member and the organisation.</li> </ul>