

Healthwatch North Tyneside policies and procedures

Conflict of Interest policies and procedures

January 2024

1. Introduction

Trustees, staff and volunteers have an obligation to act in the best interests of Healthwatch North Tyneside, and in accordance with our governing document. Underpinning our values are a set of principles, the Nolan Principles, which determine how everyone in public office should behave.

Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of Healthwatch North Tyneside. These can be:

- **actual conflicts of interests** – where there is a real clash between the person's interest and the organisation's interest,
- **potential conflicts of interest** – where a conflict may arise in the future
- **perceived conflicts of interest** – where there is no actual or potential conflict of interest but it is reasonable for someone else to think that a conflict does exist.

Such conflicts may create problems; they can:

- Inhibit free discussion;
- Result in decisions or actions that are not in the interests of Healthwatch North Tyneside; and
- Risk the impression that Healthwatch North Tyneside has acted improperly.

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety.

2. The declaration of interests

All trustees and all staff must declare their interests, and any gifts or hospitality received in connection with their role in Healthwatch North Tyneside. A declaration of interests form (Annex 1) is provided for this purpose, listing the types of interest you should declare.

To be effective, the declaration of interests needs to be updated at least annually, and also when any changes occur, it is the individual's responsibility to update their declarations of interests.

Anyone involved in decision making or activity on behalf of Healthwatch North Tyneside will be asked if they have an interest to declare at the start of each meeting or project.

If you are not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the Chair or Director for confidential guidance. Interests will be recorded in Healthwatch North Tyneside's Register of Gifts and Interests (Annex 2), which will be maintained by the Director. The register will be accessible by contacting the Director.

Volunteers that are not Trustees of Healthwatch North Tyneside are not required to complete a declaration of interests form or have their interests recorded in the register. However, volunteers must declare any perceived or real conflict of interest before they participate in any particular activity on behalf of Healthwatch North Tyneside to their key link person or other staff member.

If you fail to declare an interest that is known to Healthwatch North Tyneside, the Chair will declare that interest.

If you fail to declare an interest, this may result in disciplinary action.

3. What to do if you face a conflict of interest

If you believe you have a perceived or real conflict of interest you should:

- Declare the interest at the earliest opportunity
- Withdraw from discussions and decisions/activity relating to the conflict.
- Not participate in activities that risk the reputation of Healthwatch North Tyneside

To illustrate - if you are a user of a particular service, or the carer of someone who uses a particular service, you should not be involved in decisions or activities that directly affect the service that you, or the person you care for, receive. You should declare your interest at the earliest opportunity and withdraw from any subsequent discussion, unless expressly invited to remain in order to provide information. You may, however, participate in discussions from which you may indirectly benefit, for example where the benefits are universal to all users, or where your benefit is minimal.

4. Decision making where a board member or member of staff has an interest

In the event of the board having to decide upon a question in which a Board Member or member of staff has an interest, all decisions will be made by vote, with a simple majority required. A quorum must be present for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate. Interested board members may not vote on matters affecting their own interests.

All decisions under a conflict of interest will be recorded and reported in the minutes of the meeting. The report will record:

- The nature and extent of the conflict;
- An outline of the discussion;
- The actions taken to manage the conflict.

Where a Trustee benefits from the decision, this will be reported in the annual accounts in accordance with the current Charities SORP. Where a member of staff are connected to a party involved in the supply of a service or product to the charity, this information will be disclosed in the annual accounts.

5. Managing contracts

If you have a conflict of interest, you must not be involved in managing or monitoring a contract in which you have an interest. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.

6. 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 Trustees and all staff act in the best interests of Healthwatch North Tyneside. The information provided will not be used for any other purpose.

7. Review of Policy

This policy will be reviewed every three years unless changes need to be made sooner.

Document classification	Organisation	Document reference	
Document category	Final	Policy introduced	14 Jan 2019
Authors	Paul Jones	Date last updated	Jan 2024
Approved by	Board	Date approved	29 th Jan 2024
		Review date	Jan 2027

Annex 1

Declaration of interest

I _____, declare as a Trustee or Employee of Healthwatch North Tyneside that I hold the following personal and/or pecuniary interest(s):

Pecuniary interests	Please provide details of the interest and whether it applies to you, or where appropriate a member of your family, connected person or other close personal connection:
Current employment and previous employment in which you continue to have an interest	
Appointments (voluntary or otherwise eg. Trusteeships, directorships, tribunals etc.	
Membership of professional bodies, membership organisations, public bodies or special interest groups of which I am a member	
Gifts or hospitality offered to you by external bodies while acting in your position as a governor/trustee and whether this was declined or accepted in the last 12 months	
Contracts offered by you for the supply of goods and/or services to the charity	
Any other conflict	

Name: _____

Position held: _____

Date appointed: _____

To the best of my knowledge the information supplied above is correct and complete.

I understand that it is my responsibility to declare any conflict of interest/loyalty, business or personal that relates directly or indirectly, to myself or any relation in any contract, proposed contract or other matter when present at a meeting. I understand I must withdraw from any meeting during the discussion of such contract or matter and must not vote in respect of it.

I undertake to update as necessary the information provided and to review the accuracy of the information on an annual basis.

I give my consent for this information to be used for the purposes described in the conflict of interest policy.

Signed: _____

Date: _____

Annex 2

Healthwatch North Tyneside - Register of Interests and Gifts

Board Member/ Staff Member	Details of financial, personal, organisation or business interest or gift and date updated