

## NHS Buckinghamshire Oxfordshire and Berkshire West Integrated Care Board

### Managing Conflicts of Interest Policy (Including Sponsorship, Gifts and Hospitality)

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<b>Target Audience</b>	All staff have a duty to read and work within current policies. All staff should know where policies are stored and how to gain access to them

#### Version Control

This policy will be reviewed in two years from approval, or earlier should there be a change to either national or local policy requirements.

Version	Changes	Approval	Date
Vs 1	Full policy	BOB ICB Board-Establishment meeting	1 <sup>st</sup> July 2022
Vs 1.1	Minor amendment: update to Appendix E form	N/A	December 2022
Vs 1.2	Minor amendment: update to Appendix E	N/A	April 2023
Vs 1.3	Title amended to include Sponsorship	N/A	July 2023
Vs 2	<ul style="list-style-type: none"> <li>• Title amended to include Gifts and Hospitality.</li> <li>• Policy Formally Reviewed.</li> <li>• Inclusion of policy review information- section 8</li> <li>• 3.1 Responsibility for Maintenance-strengthened</li> <li>• Appendix E- Updated form</li> </ul>	Director Governance/ Executive Management Committee	March 2024

## Links or Overlaps with Other Key Documents and Policies

Document Title	Version and Issue Date	Link
<a href="#">Local audit fraud and bribery corruption policy</a>		
<a href="#">Commercial Sponsorship and Joint Working with Pharmaceutical Industry Policy</a>		
<a href="#">Standard of Business Conduct Policy</a>		

## Acknowledgement of External Sources

Title / Author	Institution	Link

## Freedom of Information

If requested, this document may be made available to the public and persons outside the healthcare community as part of ICB's commitment to transparency and compliance with the Freedom of Information Act.

## Equality Analysis

ICB aims to design and implement services, policies and measures that are fair and equitable. As part of the development of this policy its impact on staff, patients and the public have been reviewed in line with ICB's legal equity duties.

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## 1. Purpose and scope of policy

This section describes:

- Purpose of policy
- Scope of policy
- Statutory duty
- Definition of conflict of interest
- Types of conflict of interest

### 1.1 Purpose of policy

This policy outlines the arrangements for identifying, recording, managing, and resolving conflicts of interest for the Integrated Care Board (ICB).

### 1.2 Scope of policy

The policy should be read in conjunction with the ICBs; [Local audit fraud and bribery corruption policy](#); ICBs [Standard of Business Conduct Policy](#); Commercial Sponsorship and Joint Working with Pharmaceutical Industry Policy and applies to:

Policy applies to	Description
<b>All ICB employees and contractors</b>	<ul style="list-style-type: none"><li>• Full and part time staff (this includes home/hybrid/remote workers)</li><li>• Staff employed by organisations contracted by the ICB to support/ manage or deliver specific procurement or other functions. This includes staff on sessional or short-term contracts including consultancy staff</li><li>• Students and trainees (including apprentices)</li><li>• Agency staff</li><li>• Fixed term or temporary staff</li><li>• Seconded staff</li><li>• Volunteers</li></ul>
<b>All members of the ICB Board and its committees and sub committees</b>	Including: <ul style="list-style-type: none"><li>• Co-opted members</li><li>• Appointed deputies</li><li>• Any members of committees/ groups from other organisations.</li></ul>

### 1.3 Statutory duty

Individuals who are employed or otherwise involved with the ICB, as described in the scope of this policy (section 1.2), must declare any interest that they have, in relation to any decisions taken by the Integrated Care Board, as soon as they are aware of it and no later than 28 days afterwards.

### 1.4 Definition of conflict of interest

A conflict of interest occurs when an individual's judgement is impaired, or perceived to be impaired, due to a competing interest due to

- Their obligation in another role
- The result of an action of decision taken by the ICB

## 1.5 Types of conflicts of interest

Potential conflicts of interest include, but are not limited to (see Appendix A for examples):

Type of conflict of interest	Description
<b>Financial interests</b>	Where an individual or their organisation may get a direct financial benefit from the consequences of a decision
<b>Non-financial professional interests</b>	Where individual or their organisation may obtain a non-financial professional benefit, such as increasing their professional reputation or status or promoting their professional career
<b>Non-financial personal interests</b>	Where an individual may benefit personally in ways not directly linked to their professional career and does not derive direct financial benefit
<b>Indirect interests</b>	Where an individual has a close association with an individual who has a financial interest, a non-financial professional interest, or a non-financial personal interest in a commissioning decision

## 2. Principles

Principle	Description
<b>Transparent and open</b>	<ul style="list-style-type: none"> <li>• <b>Engagement:</b> Engage early on plans and decisions with: <ul style="list-style-type: none"> <li>– Patients, the public, clinicians</li> <li>– Incumbent and new providers</li> <li>– Other stakeholders, including local Healthwatch and Health and Wellbeing Boards</li> </ul> </li> <li>• <b>Specifications:</b> Ensure service specifications set out clearly the basis on which any contract will be awarded</li> <li>• <b>Openness:</b> If in doubt the individual concerned should assume that a potential conflict of interest exists and declare it</li> <li>• <b>Record-keeping:</b> Ensuring sound record-keeping, i.e. up to date registers of interests</li> </ul>

Principle	Description
	<ul style="list-style-type: none"> <li>• <b>Documentation:</b> Document the approach taken at every stage of the process to provide a clear audit trail</li> <li>• <b>Rationale:</b> Ensure the rationale for decisions is transparent and able to withstand scrutiny</li> <li>• <b>Dispute resolution:</b> Provide a clear and efficient system for dispute resolution</li> </ul>
<b>Proactive</b>	<ul style="list-style-type: none"> <li>• <b>Rules:</b> Ensure rules for acceptable conduct are made clear at the outset</li> <li>• <b>Induction:</b> Provide induction for members covering obligations to declare conflicts of interests and process for managing them</li> <li>• <b>Prompts:</b> Ensure sufficient prompts and checks for identifying conflicts of interest</li> <li>• <b>Opportunities for exclusion:</b> Provide opportunities for individuals exclude themselves appropriately from decision making.</li> </ul>
<b>Reasonable</b>	Make assessments based on whether a member of the public, knowing the relevant facts, would reasonably think that an individual's interest or interests is sufficiently significant to be likely to prejudice their judgment of the public interest regarding the decision or action in question
<b>Proportionate</b>	Manage conflicts in a way that does not unduly constrain or impede the conduct of business and decision-making

### 3. Register of interests

This section describes the requirements for registers of interest, including:

1. Responsibility for maintenance
2. Required information
3. Frequency of updates
4. Public accessibility
5. Retention of past records

#### 3.1 Responsibility for maintenance

The ICB will maintain the register of interests for all persons defined in section 1.2 and will carry out a scheduled general review of registers no less than once a year. The Register of Interests for Board members and all staff is publicly available and can be found [here](#).

#### 3.2 Required information

Registers must include the following information:

Register contents	Description
<b>Name</b>	Name of the person declaring the interest
<b>Role</b>	Position within or relationship with the ICB
<b>Type of interest</b>	E.g. financial, non-financial professional, non-financial personal, and indirect interests For indirect interest, include details of the relationship with the person who has an interest
<b>Date</b>	The dates from which the interest relates
<b>Mitigation</b>	The actions taken to mitigate the risk

### 3.3 Frequency of updates

Each Board and its committees are presented with their relevant registers of interest at every meeting. The respective Chair requests members for any new or amendments to current declarations as a standard agenda item.

As a minimum the full register of interests should be refreshed on a yearly basis overseen by the governance team..

### 3.4 Public accessibility

The register(s) will be publicly available and published on the [ICB's website](#). Staff can request to have their details redacted, with clear rationale and through agreement with their line manager. This information is recorded by the governance department for audit purposes.

### 3.5 Retention of past records

Type of record	Remain on register for a minimum of...
Public records	6 months
Private record of historical interest	6 years after the date it expires

## 4. Registering and managing conflicts of interest

This section describes the requirements for:

- Informing all employees and contractors, agency staff, temporary and fixed term staff, seconded staff, and volunteers of the conflicts of interest policy
- When conflicts of interest should be declared
- Options for managing conflicts of interest
- Scope of application of arrangements to manage conflicts of interest

### 4.1 Informing all employees and contractors of the conflicts of interest policy

Individuals contracted to work on behalf of the ICB, or providing services or facilities to the ICB (e.g. Healthwatch or individuals from other public body organisations), will be made aware of their obligations to declare conflicts of interests (potential or



otherwise). Where applicable this requirement will be written into their contracts for services and/or form part of induction or committee attendance to the ICB. These declarations will be visible on our conflicts of interest register, and where appropriate a link to other public body organisations registers where those individuals are employed.

## 4.2 When conflicts of interest should be declared

Conflicts of interest should be declared by completing the declaration of interest form in Appendix D:

Timing	Description
<b>On appointment</b>	A formal declaration of interest <b>must</b> be made and recorded on appointment. A copy must be forwarded to the governance team for logging onto the Register of Interests.
<b>On changing role or responsibility</b>	A further declaration <b>must</b> be made to reflect the change in circumstances or a conflict of interest ceasing to exist.  It is the individual's responsibility to report any change in circumstance/role as soon as possible but must be within 28 days to the governance team.
<b>During procurement processes</b>	Anyone engaging with the ICB, in relation to the provision of services or facilities, will be required to make a declaration of interest in a register of interests that should include nil returns.
<b>At meetings</b>	A standing agenda item will be on the Board, committee, subcommittee, and any operational group agendas. Even if an interest has been recorded in the register of interests, it must still be declared in meetings where matters relating to that interest are discussed. If a conflict becomes apparent during a meeting, an oral declaration before witnesses is required and will be formally written in the meeting record.
<b>Annual review</b>	Annual review and updates should be made to ensure the register of interest is accurate and up to date.

## 4.3 Option for managing conflicts of interest

When a conflict of interest is identified, one or more of the following actions must be taken:

Timing	Description
<b>Noting the interest</b>	Note the interest and ensure all attendees are aware of the nature and extent of the interest but allow the individual to participate fully in the discussion and the decision-making. This would need to be clearly documented in the minutes.

Timing	Description
<b>Monitoring</b>	Monitor the specified activity undertaken by the individual – this can be done by a line manager, colleague, or other designated individual.
<b>Withholding access</b>	Withhold access to supporting papers or meeting minutes relating to the matter(s) giving rise to the conflict from individual.
<b>Limiting participation</b>	Limit participation to the discussion but ask them not to take part in the decision-making process.
<b>Absenting from discussion/ decision</b>	Require the absence of the individual when the relevant matter(s) are being discussed and decided upon.
<b>Withdrawing from activity</b>	Withdraw the individual from a specified activity, on a temporary or permanent basis.
<b>Deferring decisions/ discussions</b>	Defer the decision or discussion to take advice from others on managing the conflict of interest.

#### 4.4 Scope of application of arrangements to manage conflicts of interest

Arrangements for managing a conflict of interest apply to all transactions undertaken in relation to the ICB's exercise of its functions (including conversations between two or more individuals, e-mails, correspondence, and other communications).

### 5. Managing conflicts of interest in meetings

This section describes:

- Role of chairs
- Role of individual meeting members
- Managing meeting minutes
- Actions to be taken when conflicts of interest involve the chair or vice-chair and/ or render meetings inquorate

#### 5.1 Role of chairs

Chairs are responsible for:

Timing	Description
<b>Noting declarations</b>	Noting the declarations of interest at the beginning of all meetings by having this as a standard agenda item
<b>Assessing declarations</b>	Deciding whether there is a prejudicial (or potentially prejudicial) conflict of interest

Timing	Description
<b>Determining actions</b>	Determining the appropriate course of action by application of this policy or seeking further advice
<b>Following up</b>	Ensuring that the arrangements confirmed for the management of the conflict of interests or potential conflicts of interests are followed

## 5.2 Role of individual meeting members

Individuals must indicate their interest at the beginning of each meeting and must state the agenda item to which the interest pertains.

## 5.3 Managing meeting minutes

Minutes must include all declarations and describe:

Contents	Description
<b>Who</b>	Who has the interest
<b>Type of conflict of interest</b>	The nature of the interest and why it gives rise to a conflict
<b>Context</b>	The relevant item/s on the agenda
<b>Actions</b>	How the arrangements for managing the conflict were decided

## 5.4 Actions when conflicts involve the chair/ deputy-chair or inquoracy

When conflicts of interest involve the chair or deputy-chair the following actions must be taken:

Action	Description
<b>Declare conflict of interest</b>	The chair must declare if he/she has a personal interest in the business of the meeting previously declared or otherwise.
<b>Replace chair</b>	<ul style="list-style-type: none"> <li>• <b>The deputy chair</b> (or other nominated individual if the deputy chair is also conflicted) then acts as chair for the relevant part of the meeting.</li> <li>• <b>Non-conflicted members:</b> Where the deputy chair is also conflicted, the remaining non-conflicted voting members of the meeting should agree how to manage the conflict.</li> </ul> <p><b>Conflicts of Interest Guardian:</b> The Chair, deputy chair or non-conflicted members may wish to consult with the Conflicts of Interest Guardian.</p>
<b>Manage conflict</b>	Arrangements confirmed for the management of the conflict of interests (potential or otherwise) apply to the

Action	Description
	chair, deputy-chair and/or replacement chair, e.g. they may be required to withdraw from the meeting.

When conflicts of interest render the meeting inquorate, the following actions must be taken:

- **Declare inquoracy:** If a significant number of individuals are required to withdraw from taking part in a meeting because of their prejudicial interests; the chair (or deputy) determines whether the discussion can proceed, taking into consideration whether the meeting is quorate, in accordance with the membership requirements set out in the group's standing orders.
- **Agree action:** One or more of the following actions must be taken:

Action	Description
<b>Refer discussion</b>	Require another of the Board's committees which can be quorate to progress the item of business
<b>Verify recommendation</b>	A recommendation on decision can be taken by remaining members and referred to either the ICB Board or the Audit and Risk Committee for verifying proposed recommendations
<b>Defer meeting to consult on action</b>	Where a quorum cannot be convened, the chair of the meeting shall consult with the Chief Executive Officer or Director of Governance on the action to be taken

## 6. Management of Interests Gifts, Hospitality, Sponsorship and Other Interests

This section sets out the principles and the course of action to be taken in relation to sponsorship, gifts hospitality and other special interests.

### 6.1 Prohibited list

No hospitality, sponsorship or gifts of any description may be accepted from (or offered to) organisations on the prohibited list. (Appendix B)

### 6.2 Declaration of declined offers

Any offer of hospitality or sponsorship which has to be declined under this policy must be declared, using Appendix D

### 6.3 Pharmaceutical companies

This section must be read in conjunction with the ICB's Commercial Sponsorship and Joint Working with Pharmaceutical Industry Policy with the following additional rules and considerations:

- **Payments** or equivalent in kind cannot be accepted by individuals working for or on behalf of the ICB under any circumstances
- **Additional Guidelines** that may be produced
- **Prior approval** of the Chief Pharmacist and Director of Governance must be obtained and recorded on declaration form

- **Decline of offers:** Any offer made by a pharmaceutical company that has been declined must be reported on the register of hospitality and sponsorship as per section (C) of the declaration form
- **ABPI Register:** Disciplinary proceedings and referral to the Counter Fraud Specialist for investigation in the context of the Bribery Act 2010 may be instigated where the Association of British Pharmaceutical Industries' (ABPI) register of payments and benefits in kind reveals that an individual has accepted payment or benefit in kind but has not declared it to the ICB

## 6.4 Gifts

### 6.4.1 Definition

Any item of cash or goods, or any service, which is provided from a person or persons external to the ICB for personal benefit, free of charge, or at less than commercial value.

Gifts do not include;

- Donation of items or equipment for the benefit of patients/ service users
- Donation of items or equipment for the benefit of staff and whereby ownership vests in the ICB and not individual members of staff

Donors wishing to make a monetary gift that has to be declined under this policy may be invited instead to make a donation to a charity of their choice. Inadmissible personal gifts over £50 may be accepted as donations as ICB fundraising activities with donor permission. All gifts whether accepted or declined must be declared using Appendix D.

### 6.4.2 General Rule for Gifts

Rule	Description
<b>Non-solicitation</b>	Personal gifts of any kind must not be solicited by staff under any circumstances

### 6.4.3 Guidance Table

Gifts from	Description	Conditions of acceptance	Course of action
<b>All/any source</b>	<ul style="list-style-type: none"> <li>• Cash, cheques, other monetary payments</li> <li>• Lottery tickets/ other forms of gambling/ chance</li> <li>• Legacies under a will or codicil where the value is greater than £50.</li> </ul>	None	Decline
<b>Suppliers/ contractors doing business (or likely to do</b>	<ul style="list-style-type: none"> <li>• Any</li> </ul>	None	Decline

Gifts from	Description	Conditions of acceptance	Course of action
<b>business) with the ICB</b>			
<b>Private companies</b>	<ul style="list-style-type: none"> <li>Small branded promotional items from events, e.g pens, post-it notes</li> </ul>	<ul style="list-style-type: none"> <li>Under £6</li> <li>No commercial logo/branding</li> <li>Logo/branding present but not used to suggest promotion or endorsement</li> <li>Available at the same time and location to more than one individual.</li> <li>Individual not involved in procurement decisions with donor</li> </ul>	Accept – No need to declare
<b>Statutory bodies, arms-length agencies, VCSE orgs, trade unions professional organisations</b>	<ul style="list-style-type: none"> <li>Business or marketing gifts</li> </ul>	<ul style="list-style-type: none"> <li>Under £6 (not applicable to trade unions/professional organisations)</li> </ul>	Accept – No need to declare
<b>Patients and Relatives</b>	<ul style="list-style-type: none"> <li>Small tokens, non-monetary (see A above)</li> </ul>	<ul style="list-style-type: none"> <li>Under £50</li> <li>One gift every 6 month period</li> </ul> <p>Inadmissible personal gifts over £50 may be accepted for ICB fundraising activities with donor permission</p>	Accept – No need to declare
	<ul style="list-style-type: none"> <li>Collective gifts (to team or Department)</li> </ul>	<ul style="list-style-type: none"> <li>Total value divided between beneficiaries is £20 or less for each beneficiary</li> </ul>	Accept – No need to declare

## 6.5 Hospitality

### 6.5.1 Definition:

Offers of meals, refreshments, travel, accommodation, and other expenses in relation to attendance at meetings, conferences, education, and training events.

## 6.5.2 General Rules for Hospitality

Rule	Description
<b>Equivalence</b>	Frequency and/or scale of hospitality accepted should not be significantly greater than the ICB or the recipient's employer would be likely to provide
<b>Necessary and appropriate</b>	Use of public funds for hospitality must be considered as highly exceptional and only where necessary and appropriate, not the norm

## 6.5.3 Guidance Table

Hospitality offered to staff	Conditions of acceptance	Course of action
<b>Over a value of £75*</b>	Unless senior approval is given. A clear reason should be recorded on the BOB ICB Gifts and Hospitality Register as to why it was permissible to accept. (using form SBC 1 in Appendix C)	Decline
<b>Value of between £25-£75*</b>		May be accepted and must be declared (using form SBC 1 in Appendix C for Pharmaceutical offers and Appendix D for general offers of hospitality)
<b>Under a value of £25</b>		Accept – No need to declare

"The £75 value has been selected with reference to existing industry guidance issued by the ABPI. See NHSE Guidance document [here](#)

## 6.6 Sponsorship

### 6.6.1 General Rules for Sponsorship

Rule	Description
<b>Transparency</b>	Sponsorship must be transparent open to scrutiny and publicly recorded.
<b>Clear Benefit</b>	All sponsorship must demonstrate clear benefit for the sponsor, the ICB and the NHS.
<b>Commercial Advantage</b>	Sponsor must not have access to information that imparts a commercial advantage. Staff must make

Rule	Description
	explicitly clear to the sponsor and in published materials that acceptance of sponsorship does not constitute endorsement or promotion of any goods or services
<b>Patient Confidentiality</b>	Personal or confidential patient information of patients should not be made available to sponsors except as listed in the signed written agreement and in accordance with relevant legislation and guidance. (Data Protection Legislation, the common law of confidentiality and NHS guidance.)

### 6.6.2 Guidance Table

Sponsorship	Conditions of acceptance	Course of action
<ul style="list-style-type: none"> <li>• Events</li> <li>• Audit work</li> <li>• Training and other educational resources</li> <li>• Free meeting facilities &amp; services, e.g speakers</li> <li>• Funding staff attendance at training events &amp; conferences</li> <li>• Time-limited funding for ICB posts</li> <li>• Research &amp; Publications</li> </ul>	If over £10k per annum sponsor must provide a sponsorship agreement	Declare all sponsorships using Form SBC 1 and include in ICB's Register of Hospitality and Sponsorship.

### 6.6.3 Specific Requirements for Sponsored Research & Publications:

Special requirements	Description
<b>Sponsored Research &amp; Publications</b>	<ul style="list-style-type: none"> <li>• Must go through relevant health research authority or other approvals process</li> <li>• must not constitute an inducement to prescribe, supply, administer, recommend, buy, or sell any medicine, medical device, equipment, or service</li> <li>• Requires written protocol and contract between staff, the relevant organisations and the sponsor specifying the nature of the services to be provided and payment for those services</li> <li>• Reports or information arising cannot be used elsewhere without the ICB's prior permission</li> </ul>



## 6.6.4 Sponsorship Agreement (for sponsorships above £10k per annum)

### Sponsorship agreement requirements

- Provided by the proposed sponsor
- Referred to the Executive Team for approval prior to acceptance
- Submitted to the Director of Governance at least ten working days before the sponsorship takes effect
- Entered on the Register of Hospitality and Sponsorship

## 6.7 Other interests

### 6.7.1 The actions below apply to all staff

Additional guidance applicable to decision-making staff is set out in [Standards of Business Conduct Policy](#).

### 6.7.2 Guidance Table

Other interests	Description of interest	Course of action	Special remarks
<b>Outside/ secondary employment</b>	Existing outside employment on appointment  Any new outside employment	Declare	Require prior approval where employment contracts or terms/conditions of engagement permit
<b>Patents</b>	Patents and other intellectual property rights held by staff (either individually, or by virtue of association with another organisation), including where applications to protect have started or are ongoing, which are, or might be reasonably expected to be, related to items to be procured or used by the organisation	Declare	Seek permission before any agreement on product development, research, work on pathways etc, where the organisation's own time, or equipment, resources or intellectual property is called on

## 7. Breaches of this Policy

This section sets out the process, relevant legislation and consequences of breaches of this policy.

Breaches of policy	Description
<b>Process</b>	<p>Suspected breaches are investigated under the terms of the appropriate HR policy (conduct).</p> <p>They should be referred in the first instance to the Governance team.</p>
<b>Possible Actions &amp; Sanctions</b>	<p>Minor breaches will not be penalised where individuals have acted in good faith and self-reported a breach founded on genuine error or misunderstanding.</p> <p>Breaches may be met with</p> <ul style="list-style-type: none"> <li>• Employment law action against staff, including: <ul style="list-style-type: none"> <li>– Informal action (such as reprimand or signposting to training and/or guidance)</li> <li>– Formal disciplinary action (formal warning, additional training, re-arrangement of duties, re-deployment, demotion, or dismissal)</li> </ul> </li> <li>• Incidents may be referred to external parties for consideration of further investigations or sanctions.</li> <li>• Contractual action, e.g. remedies or sanctions against the body or staff which caused the breach.</li> <li>• Legal action, e.g. investigation and prosecution under fraud, bribery, and corruption legislation.</li> </ul>
<b>Offences created by the Bribery Act 2010</b>	<ul style="list-style-type: none"> <li>• Bribing another person with the intention of inducing that person to perform a relevant function or activity improperly or to reward that person for doing so.</li> <li>• Accepting a bribe with the intention that a relevant function or activity should be performed improperly as a result.</li> <li>• Bribing a foreign public official.</li> <li>• A Director, manager or officer of a commercial organisation allowing or turning a blind eye to bribery within the organisation.</li> <li>• Failing to prevent bribery.</li> </ul>
<b>Penalties if convicted under the Bribery act</b>	<ul style="list-style-type: none"> <li>• <b>Fine</b> (no maximum level)</li> <li>• <b>Imprisonment:</b> A maximum of up to 10 years imprisonment</li> <li>• <b>Loss of employment:</b> Breaches of the Bribery Act may lead to loss of employment and pension rights in the NHS</li> </ul>

## Appendix A: Types of Declaration of Interest

### Types of Declaration of Interest

Type of Interest	Description
<b>Financial Interests</b>	<p>This is where an individual may get direct financial benefits from the consequences of a commissioning decision. This could, for example, include being:</p> <ul style="list-style-type: none"> <li>• A director, including a non-executive director, or senior employee in a private company or public limited company or other organisation which is doing, or which is likely, or possibly seeking to do, business with health or social care organisations</li> <li>• A shareholder (or similar owner interest), a partner or owner of a private or not-for-profit company, business, partnership or consultancy which is doing or which is likely, or possibly seeking to do business with health or social care organisations</li> <li>• A management consultant for a provider</li> <li>• In secondary employment</li> <li>• In receipt of secondary income from a provider</li> <li>• In receipt of a grant from a provider</li> <li>• In receipt of any payments (for example honoraria, one off payments, day allowances or travel or subsistence) from a provider</li> <li>• In receipt of research funding, including grants that may be received by the individual or any organisation in which they have an interest or role</li> <li>• Having a pension that is funded by a provider (where the value of this might be affected by the success or failure of the provider)</li> </ul>
<b>Non-financial professional interests</b>	<p>This is where an individual may obtain a non-financial professional benefit from the consequences of a commissioning decision, such as increasing their professional reputation or status or promoting their professional career. This may, for example, include situations where the individual is:</p> <ul style="list-style-type: none"> <li>• An advocate for a particular group of patients</li> <li>• A GP with special interests e.g. in dermatology, acupuncture, etc.</li> <li>• A member of a particular specialist professional body (such as, but not limited to: GP membership, BMA, FCA or a medical defence organisation would not usually by itself amount to an interest which needed to be declared)</li> <li>• An advisor for the Care Quality Commission (CQC) or National Institute for Health and Care Excellence (NICE)</li> <li>• A medical researcher</li> <li>• The development and holding of patents and other intellectual property rights which allow staff to protect something that they create, preventing unauthorised use of products or the copying of protected ideas; or</li> <li>• Partner Members including social care and clinical representatives,</li> </ul>

Type of Interest	Description
	<p>who are members of the committees or forums of BOB ICB, must declare details of their roles and responsibilities held within their respective organisation</p>
<p><b>Non-Financial Personal Interests</b></p>	<p>This is where an individual may benefit personally in ways which are not directly linked to their professional career and do not give rise to a direct financial benefit. This could include, for example, where the individual is:</p> <ul style="list-style-type: none"> <li>• A voluntary sector champion or provider</li> <li>• A volunteer for a provider</li> <li>• A member of a voluntary sector board or has any other position of authority in or connection with a voluntary sector organisation</li> <li>• Suffering from a particular condition requiring individually funded treatment</li> <li>• A member of a lobby or pressure groups with an interest in health</li> </ul>
<p><b>Indirect interests</b></p>	<p>This is where an individual has a close association with an individual who has a financial interest, a non-financial professional interest or a non-financial personal interest in a commissioning decision (as those categories are described above). For example, this should include:</p> <ul style="list-style-type: none"> <li>• Spouse / partner</li> <li>• Close relative e.g. parent, grandparent, child, grandchild or sibling</li> <li>• Close friend</li> <li>• Business partner</li> </ul>

## Appendix B: Prohibited Donors of Hospitality, Sponsorship or Gifts

No hospitality, sponsorship or gifts of any description may be accepted from (or offered to) any of the following:

- Manufacturers, suppliers, sellers or promoters of alcohol, tobacco, or related products
- Manufacturers, suppliers, sellers or promoters of any other product or service which may be deemed by the Executive Team from time to time to be harmful or contrary to promoting or contributing to the good health of the nation or the aims/ values of the ICB.
- Suppliers or prospective suppliers of goods or services who are in the process of tendering for ICB business
- Political parties, political causes, or campaigns
- Banned organisations
- Any organisation, company, or individual which the Executive Team may consider from time to time as unsuitable for any reason whatsoever. This may include but is not restricted to, rejection of sponsorship on the grounds of:
  - Perceived or actual unlawful, unethical, or discriminatory conduct or practice
  - Cases where association or perception through sponsorship may be considered detrimental to the reputation and good name of the ICB

## Appendix C: Form SBC1

Declaration of Hospitality, Sponsorship, or any Offer of Payment by a Pharmaceutical Company

Please complete Part (B) and in cases of hospitality or sponsorship by Pharmaceutical Companies only, please also complete Part (C).

In cases of offers of payment by pharmaceutical companies to an individual (which must be declined in all circumstances) please complete Part (D) and submit by email to [bobicb.governance@nhs.net](mailto:bobicb.governance@nhs.net)

### Part (A) (To be completed by Governance team on receipt):

Register Reference: Date:

### Part (B) (To be completed by member of staff making the declaration and counter-signature from line manager)

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Name and post title(s) of recipient(s) of hospitality or sponsorship. (Individual(s) or Department):

---

Base & contact details:

---

Details of hospitality/ sponsorship and approximate value (*Exact value if known*):

---

Name(s) of hospitality / sponsorship provider (Company or Individual):

---

Reason for provision of hospitality or sponsorship:

---

Was gift/hospitality/sponsorship accepted or declined      Accepted / Declined (delete as applicable)

---

Date(s) of Hospitality or date(s) of sponsorship. (*Start and end dates if applicable*).

---

Rationale for accepting:

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Sponsorship Only:	Yes / No
Is the Sponsorship supported by a Sponsorship Agreement approved by the Executive? (If yes, please attach)	NB Sponsorship of a cumulative value of £10k per annum or above must be approved by the Executive prior to acceptance and be supported by a Sponsorship Agreement.

---

Additional comments by recipient / line manager:

---

In completing this **declaration**, I confirm that I have read and understood the ICB policies on 1. Standards of Business Conduct and 2. Managing Conflicts of Interest including Sponsorship, Gifts and Hospitality) 3. Commercial Sponsorship and Joint Working with Pharmaceutical Industry, and I have discussed and shared this declaration with my line manager as to the acceptability of the hospitality / sponsorship within the scope of the policy.

Name:

(signature if sent as hard copy; or e-signature sent by email)

Line Manager:

(signature if sent as hard copy; or e-signature sent by email)

Date:

Part (C) (To be completed in addition to Part (B) in cases of Sponsorship / Hospitality Offered by Pharmaceutical Companies Only):

Considered by Chief Pharmacist:

**Name: Date:**

**Approved by Director of Governance:**

**Name: Date:**

**Part (D) (To be completed in the event of any offer of payment to an individual working for or on behalf of the ICB by a pharmaceutical company. NB: It is not acceptable under any circumstances for any person working for or on behalf of the ICB to accept any payment from a pharmaceutical company).**

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Name of Person to whom  
Offer of payment made:

---

Job Title / Role of person to  
whom offer made.

---

Date of offer:

---

Amount of offer:

---

Means by which offer  
communicated: (eg by email,  
in writing, verbally, etc.):

---

Reason for offer of payment  
(If known):

---

Pharmaceutical Company:

---

Name of Employee / Agent of  
Pharmaceutical Company  
making offer:

---

I can evidence the offer if  
requested to do so: (Yes /  
No)

---

Any additional comments:  
(Completion optional):

---

I declare that I have received  
the offer of payment as  
described above and that I  
have declined the payment.

*(Enter signature or name if  
sent by email).*

---

Date of Declaration:

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## Appendix D: Declaration of interest form

\*For definitions of type of interest please read the Managing conflicts of interest policy (Appendix A) which can be found [here](#)

Declaration of Interests for BOB ICB members and employees (Including any Declaration of offers, Sponsorship and receipt of gifts and hospitality)				
Name:				
Position within, or relationship with, the BOB ICB				
Please list committee(s) / groups do you attend on behalf of the ICB – otherwise state N/A				
Department and Directorate (within the BOB ICB)				
Detail of interests held (complete all that are applicable):				
Type of Interest* *See reverse of form for details	Description of Interest (including for indirect interests, details of the relationship with the person who has the interest)	Date Interest relates  From & To		Actions to be taken to mitigate risk  (to be agreed with line manager or a senior BOB ICB manager)
Financial Interests				
Non-Financial Professional Interests				
Non-Financial Personal Interests				

<b>Indirect Interests</b>				
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*The information submitted will be held by the BOB ICB for personnel or other reasons specified on this form and to comply with the organisation's policies. This information may be held in both manual and electronic form in accordance with the Data Protection Act 1998. Information may be disclosed to third parties in accordance with the Freedom of Information Act 2000 and published in registers that the BOB ICB holds.*

I confirm that the information provided above is complete and correct. I acknowledge that any changes in these declarations must be notified to the BOB ICB as soon as practicable, no later than 28 days after the interest arises. I am aware that if I do not make full, accurate and timely declarations then civil, criminal, or internal disciplinary action may result.

**I do / do not [delete as applicable]** give my consent for this information to be published on registers that the BOB ICB holds. If consent is NOT given please give reasons:

Signed:            Date:

**Please Note:** Line Manager signature is ONLY required if there is an Interest to Declare or an alteration to a current declaration.  
Line Manager signature is not required for “nil returns”, however, nil returns must still be signed by the individual/ staff members and submitted to both the Governance Team and the employees relevant line manager for awareness and update onto the ICB employee Register of declarations and interests.

Signed:

Date:

(Line Manager or Senior BOB ICB Manager- *where applicable*)

**Please return to:**

The Governance Team: [bobicb.governance@nhs.net](mailto:bobicb.governance@nhs.net)

## Appendix E: Gifts and Hospitality Declaration Form

### Offers and Receipt of Gifts and Hospitality (*see form below*)

**Overarching principle applying in all circumstances: Staff should not accept gifts that may affect, or be seen to affect, their professional judgement.**

A **'gift'** is designed as any item of cash or goods, or any service, which is provided for personal benefit, free of charge or at less than its commercial value.

- Low cost branded promotional aids may be accepted where they are under the value of a common industry standard of £6 in total, and need not be declared.
- Gifts of under £50 (rather than £10) can be accepted from non-suppliers and non-contractors, and do not need to be declared ; and gifts with a value of over £50 can now be accepted on behalf of an organisation, but not in a personal capacity

**Overarching principle applying in all circumstances: Staff should not accept hospitality that may affect, or be seen to affect, their professional judgement.**

**'Hospitality'**: Means offers of meals, refreshments, travel, accommodation, and other expenses in relation to attendance at meetings, conferences, education and training events, etc.

- Meals and Refreshments: Under the value of £25 – may be accepted and need not be declared
- Of a value between £25 and £75 – may be accepted and must be declared
- Over a value of £75 – should be refused

**Declaration of gifts and hospitality and sponsorship form**

Recipient Name	Position	Date of Offer	Date of Receipt (if applicable)	Details of Gift/Hospitality	Estimated Value	Supplier/Offeror: Name and Nature of Business	Details of previous offers or acceptance by this Offeror/Supplier	Details of the officer reviewing and approving the Declaration made and date	Declined or Accepted	Reasons for Accepting or Declining	Other Comments (i.e. Mitigations put in place)

*The information submitted will be held by the Buckinghamshire, Oxfordshire & Berkshire West Integrated Care Board (BOB ICB) for personnel or other reasons specified on this form and to comply with the organisation's policies. This information may be held in both manual and electronic form in accordance with the Data protection Act 2018. Information may be disclosed to third parties in accordance with the Freedom of Information Act 2000 and published in registers that the ICB holds.*

I confirm that the information provided above is complete and correct. I acknowledge that in completing this form, I have complied with policy requirements which specify that:

- Where there was no advance knowledge of hospitality or gifts received, the ICB has been notified of receipt as soon as practicable as and no later than 28 days after the hospitality or gift was received.
- Where there is advance knowledge of anticipated hospitality, gifts, fees or participation in advisory panels, a declaration must be completed and signed (by authoriser) no less than 10 days before anticipated receipt.

*[This paragraph applies to all staff]* **I do / I do not (delete as applicable)** give my consent for this information to be published on registers that the ICB holds. If consent is NOT given please give reasons:

**Signed:**

**Date:**

**Position:**

**Signed:**

**Date:**

**(Line Manager or Senior CCG Manager)**

**Please return to:**

The Governance Team: [bobicb.governance@nhs.net](mailto:bobicb.governance@nhs.net)