

Faculty of Pharmaceutical Medicine - Declaration of Interests Policy (REVISED 2009)

This policy applies to all trustees, members of committees, members of working groups, providers of services and employees and should be read in conjunction with the declaration of interests form.

Purpose of the policy

Trustees have a legal obligation to act in the best interests of the Faculty, and in accordance with the charity's governing document, i.e. *Standing Orders*. Members of committees and working groups, providers of services and employees are expected to adopt similar working practices. Other individuals and FPM representatives may be requested to complete a declaration of interests form at the discretion of the trustees.

Potential conflicts of interest may arise where an individual's personal interests and/or loyalties may conflict or be perceived to conflict with those of the Faculty. Such conflicts may create problems as they may;

- inhibit free discussion;
- result in decisions or actions that are not in the best interests of the Faculty;
- be perceived by others as inappropriate leading to a negative impact on the reputation of the Faculty
- risk the impression that the Faculty has acted improperly;
- may provide grounds for an agreement / contract to be set aside.

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

Register of interests

The Faculty will maintain a register to record the relevant business and professional interests of all trustees, chairpersons of committees and staff. These individuals are required to complete a form which is provided for the purpose of declaration. The form lists the type of interest that should be declared. This list is not exhaustive and if individuals have interests not specified in the form, but which they believe could present a potential or perceived conflict of interest either now or in the future, these should also be declared. Nil returns should also be submitted.

Relevant interests of family members should also be declared. This would generally include spouse, partners, parents, parents-in-law, children and children's partners. However, this list is not exhaustive and in some circumstances an individual may wish to declare an interest of another family member or close personal associate.

To be effective the entries on the register of interest should be reviewed and updated at least annually and also when any changes occur. It is the responsibility of individuals to ensure that their own register entry is kept up to date.

If individuals are not sure what to declare, or whether / when a declaration needs to be updated, they are asked to contact the Faculty President / Registrar / Chief Executive for confidential advice. It is recognised that those working as independent consultants may have a number of clients, perhaps on a short term basis. It is recommended that individuals declare those interests that they feel might potentially cause a conflict with their role in the Faculty. Whilst these examples are not exhaustive, individuals should consider the Faculty's potential involvement in: educational approval; contracting for services or goods; joint working arrangements; policy issues. Previous interests may be relevant where they existed during an individual's involvement with the Faculty (as trustee, committee or working party member, provider of services or employee) and where a degree of contact with the other interested party remains.

The register of interests which will be maintained by the Chief Executive. The register will be accessible upon request by a trustee of the Faculty but it will not be routinely circulated to trustees.

Declaration of interests at meetings

Trustees, chairpersons, committee members, working group members, providers of services and staff must declare any potential conflict of interest at the start of any meeting when the interest is connected with an item for decision or discussion on the agenda. The potential interest must be declared at all relevant meetings irrespective of whether the interest has already been recorded on the register of interests or verbally previous meeting.

Proceedings at meetings

When a potential conflict of interest has been declared at a meeting of the Trustee Board, committee or working group the other members of the group should decide how the potential conflict will be managed. A note of this should be recorded in the minutes or notes of the meeting.

Any binding decision made by the Trustee Board or committee will usually be made by vote by a quorum membership, as defined by *Standing Orders / Regulations*. An individual with a conflicting interest will not be counted for the purposes of a quorum and will not vote. They may be expected to withdraw from the part of a meeting when the discussion and or vote takes place. An individual will not be involved in awarding, monitoring or managing a contract between the Faculty and a third party when that individual has a third party interest in the contract.

When the membership of a working group is being considered the existence of potential conflicts of interests amongst proposed members must be taken into consideration. When a member of a working group has a potential conflict of interest this must not be allowed to influence discussions or influence the final output of the working group. Any conflicts of interest must be noted in the records of working group meetings and any final report.

In situations where a trustee benefits personally from a decision, it is required that this is reported in the Faculty's annual report and accounts in accordance with the current Accounting and Reporting by Charities; Statement of Recommended Practice (SORP)

Data protection

Information provided in the Declaration of Interests Form will be processed in accordance to data protection principles as set out in the Data Protection Act 1998. Data will be processed only for the purpose of this policy i.e. to ensure that the best interests of the Faculty are observed. The information will not be used for any other purpose.

Summary Table

Role	Included in Register of Interests	Declare interests at meetings
Trustees	√	√
Chairpersons of Committees and Subcommittees	√	√
Members of Committees and Subcommittees		√
Chairpersons and Members of Working Groups		√
Employees	√	√
Providers of Services		√

Reference Documents:CC3 *Responsibilities of Charity Trustees*

Charity Commission of England and Wales

CC11 *Trustee Expenses and Payments*

Charity Commission of England and Wales

