



Faculty of
Pharmaceutical
Medicine

*Advancing the science and practice of pharmaceutical medicine
for the benefit of the public*

FPM Declaration of Interests Policy

[version 5, May 2021]

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 interest's form.

Purpose of the policy

Trustees have a legal obligation to act in the best interests of the FPM, and in accordance with the charity's governing documents. 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 FPM. 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 FPM;
- be perceived by others as inappropriate leading to a negative impact on the reputation of the FPM
- risk the impression that the FPM 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 FPM will maintain a register to record the relevant business and professional interests of all trustees, Chairs of committees and senior staff. These individuals are required to complete a form which is provided for 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 (see Appendix: SORP definition of related parties and related party transactions).

To be effective the entries on the register of interest should be reviewed and updated at least annually and 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 FPM President / Registrar / Chief Executive for confidential advice. It is recognised that those working as independent consultants may have several 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 FPM. Whilst these examples are not exhaustive,

individuals should consider the FPM'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 FPM (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 is maintained by the Chief Executive. The register will be accessible upon request by a trustee of FPM, but it will not be routinely circulated to trustees. It is usually checked by FPM's auditors on an annual basis to ensure it is up to date.

Declaration of interests at meetings

Trustees, Chairs, 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 in the governing documents. 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 FPM 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 FPM'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 2018. Data will be processed only for this policy i.e. to ensure that the best interests of the FPM 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	√	√
Chairs of Committees and Subcommittees and permanent groups	√	√
Members of Committees and Subcommittees and permanent groups		√
Chairs and Members of Working Groups	May be required	√
Chief Executive	√	√
Other Employees		√
Providers of Services	May be required	√

Document version control

Document	Version date	Owned by / Approved by	Summary of changes and rationale
Original Policy	2003	Board	
Version 2	2006	Board	
Version 3	2009	Board	
Version 4	2015	Board	
Version 5	6 May 2021	Board	Appendix on the SORP definition of related parties and related party transactions added on recommendation of Auditors.

Appendix: SORP definition of related parties and related party transactions

Related parties is a term used by the SORP that combines the requirements of charity law, company law and the Financial Reporting Standard applicable in the UK and the Republic of Ireland. The term is used to identify those persons or entities that are closely connected to the reporting charity or its trustees.

The following 'natural persons' are classed as related parties:

- A. Any charity trustee and custodian trustee of the charity
- B. A person who is the donor of any land to the charity (whether the gift was made on or after the establishment of the charity)
- C. Any person who is:
 - 1) A child, parent, grandchild, grandparent, brother or sister of any such trustee (A) or donor (B) of land
 - 2) An officer, agent or a member of the key management personnel of the charity
 - 3) The spouse or civil partner of any of the above persons (A, B, C1 and C2)
 - 4) Carrying on business in partnership with any of the above persons (A, B, C1, C2 and C3)
 - 5) A person, or a close member of that person's family, who has control or joint control over the reporting charity
 - 6) A person, or a close member of that person's family, who has significant influence over the reporting charity

'Close member of a person's family' refers to:

- That person's children or spouse
- The children, stepchildren or illegitimate children of that person's spouse or domestic partner
- Dependents of that person
- That person's domestic partner who lives with them as husband or wife or in an equivalent same-sex relationship

A charity is not necessarily related to another charity simply because a particular person happens to be a trustee of both. It will only be 'related' if the relationship means that one charity, in furthering its charitable aims, is under the direction or control of the trustees of another charity.

The following entities, which are not 'natural persons', are classed as related parties of a reporting entity (including a reporting charity) if any of the following conditions apply:

- The entity and the reporting charity are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others)
- One entity is an associate or joint venture of the other entity (or a member of the group in which the other entity is the parent or a member)
- Both entities are joint ventures of the same third entity
- One entity is a joint venture of a third entity and the other entity is an associate of the third entity
- The entity is a post-employment benefit plan for the benefit of employees of either the reporting entity or an entity related to the reporting entity
- An entity that is controlled or jointly controlled by a person, or two or more

- Persons, identified in A, B or C
- An entity in which a person, or two or more such persons, identified in A, B or C, taken together, have a substantial interest or significant influence over the entity

Control is presumed to exist when one or more persons identified in A, B or C, taken alone or together, hold directly or indirectly, more than half the voting power of an entity. However, control can also exist when they, directly or indirectly, control half or less than half of the voting power of an entity, if they have:

- Power over more than half of the voting rights by virtue of agreement with other investors;
- The power to govern the financial and operating policies of the entity under a statute or an agreement;
- The power to appoint or remove the majority of the members of the board of directors or equivalent governing body, and control of the entity is by that board or body; or
- The power to cast the majority of votes at the meetings of the board of directors or equivalent governing body, and control of the entity is by that board or body.

An individual has a substantial interest or significant influence in an entity where that person, or two or more persons identified in A, B or C, taken together, have an interest in the equity share capital of that entity of a nominal value of more than one-fifth of that share capital, or is entitled to exercise, or control the exercise of, more than one-fifth of the voting power at any general meeting of that entity.

Related party transactions are the transfer of resources, services or obligations between related parties, regardless of whether a price is charged.