

Trust Board Meeting in Public: Wednesday 9 May 2018

TB2018.51

<b>Title</b>	<b>Register of Interests and Register of Gifts, Hospitality and Sponsorship Report</b>
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<b>Status</b>	For Information
<b>History</b>	This is an annual report

<b>Board Lead</b>	<b>Ms Eileen Walsh, Director of Assurance</b>			
<b>Key purpose</b>	Strategy	<b>Assurance</b>	Policy	Performance

**Summary**

1	The Trust's Standing Orders require members of the Board to declare any personal interests that may bear on their duties as Directors of the Trust.
2	The acceptance of gifts, hospitality, preferential treatment in private transactions, sponsorship or loyalty schemes as an incentive for entering into business transactions is specifically prohibited by the Bribery Act 2013.
3	From 1 June 2017, NHS England Guidance on Managing Conflicts of Interest in the NHS came into force, superseding the Standards of Business Conduct for NHS staff (HSG(93)5).
4	The Register containing Trust Board members' declarations of interest for the year 2017/18 will be included in the Annual Report 2017/18.
5	In addition, details of gifts, hospitality, and sponsorship as declared by Trust Board members are included. The Register containing Board members' declarations of gifts, hospitality and sponsorship for the year 2017/18 will be included in the Annual Report 2017/18.

**Recommendation**

6. The Trust Board is asked to:
- Review, note and advise of any amendment required to the content of the Register of Interests declared by members of the Board, for inclusion in the Annual Report 2017/18;
  - Review, note and advise of any amendment required to the content of the Register of gifts, hospitality and sponsorship declared by members of the Board, for inclusion in the Annual Report 2017/18;
  - Consider and advise whether any potential conflicts of interest arise from the entries in the registers.

## Declarations and Register of Interests

1. The Trust's Standing Orders require members of the Trust Board to declare any personal interests that may bear on the discharge of their duties as Directors of the Trust. Each member is required to declare interests on appointment, and subsequently each year, or at any point if their personal position changes during the year. Members are specifically asked at the commencement of all public and confidential Board meetings as well as meetings of Board sub-committees to declare any interests deriving from the agenda of that meeting. Declared interests are retained for public scrutiny and published in the Annual Report.
2. From 1 June 2017, NHS England Guidance on Managing Conflicts of Interest in the NHS came into force, superseding the Standards of Business Conduct for NHS staff (HSG(93)5).
3. The Trust's Declaration of Interests, Gifts, Hospitality and Sponsorship Policy ["Trust Policy"] specifies the mechanism designed to ensure that all relevant and material interests, as well as gifts, hospitality and sponsorship are appropriately declared, recorded and monitored.
4. Relevant and material interests are depicted as:
  - a) Directorships, including Non-executive Directorships held in private companies or PLCs (with the exception of those of dormant companies);
  - b) Ownership or part-ownership of private companies, businesses or consultancies likely or possibly seeking to do business with the NHS;
  - c) Majority or controlling share holdings in organisations likely or possibly seeking to do business with the NHS;
  - d) A position of Authority in a charity or voluntary organisation in the field of health and social care;
  - e) Any connection with a voluntary or other organisation contracting for NHS services;
  - f) Research funding/grants that may be received by an individual or their department;
  - g) Interests in pooled funds that are under separate management.
5. The Trust Board's Register of Interests is attached at Appendix A. Members of the Board have also declared their continued personal compliance with the NHS Codes of Conduct and Accountability.

## Register of Gifts, Hospitality and Sponsorship

6. Under Trust Policy, all members of staff are required to declare any gifts, hospitality and sponsorship. One of the main purposes of this is to ensure that clinical decision making is not unduly influenced by the offer of gifts, and also that commercial decisions, such as in relation to procurement, remain open, transparent and beyond reproach. These requirements have been further strengthened by the Bribery Act 2010.
7. Details of Trust Board members' declarations of gifts, hospitality and sponsorship are attached at Appendix B.

8. The Trust has taken steps to raise awareness of the need to submit declarations of interests, and to declare any gifts, hospitality and sponsorship. A summary of the Bribery Act 2010, together with a statement from the Chief Executive, is posted on the Trust's website. Trust-wide consultation was undertaken when the Trust Policy was updated. Declaration forms are included in the information packs given to all new starters, and explanations of the Trust's policies on gifts and hospitality and interests form part of the corporate induction.
9. A register containing details of declarations made by all staff other than members of the Trust Board is maintained by the Corporate Governance team and is available for inspection upon request.

**Recommendations**

10. The Trust Board is asked to:
  - Review, note and advise of any amendment required to the content of the Register of Interests declared by members of the Board, for inclusion in the Annual Report 2017/18;
  - Review, note and advise of any amendment required to the content of the Register of gifts, hospitality and sponsorship, for inclusion in the Annual Report 2017/18;
  - Consider and advise whether any potential conflicts of interest arise from the entries in the registers.

**Eileen Walsh**  
**Director of Assurance**  
**May 2018**

Paper prepared by  
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OUH Foundation Trust Board Secretary and Head of Corporate Governance