

# Conflicts of interest policy

**GPHC0038 Version 1.3**

This policy sets out how we identify, manage and record conflicts of interest and outlines the key responsibilities of Council members and staff.





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## 1. Introduction

- 1.1. Integrity is a principle of public life and, as a regulator and public authority, impartiality and independence are vital to our effectiveness and the public interest. We must be objective in our decision-making, and personal interests should never influence our decisions at work.
- 1.2. We recognise that the identification and management of potential or actual conflicts of interest is an essential component of good governance. All of us must ensure that we are able to recognise any potential conflict of interests we have and that they do not affect, or appear to affect, any of our decisions.
- 1.3. In line with our **‘Values, conduct and behaviours for Council members, associates and partners’** policy, these groups are required to disclose any commitment or activity which may be perceived as a potential conflict of interest in respect of the role they undertake with the GPhC, and to comply with all applicable GPhC standards and policies, including those relating to conflicts of interests and gifts and hospitality.
- 1.4. Similarly, our **‘Code of Conduct’** for GPhC staff states that all employees must declare if they or their relatives, friends or associates have any interests, financial or otherwise that could influence, or be seen to influence, decisions that they may take on behalf of the GPhC.
- 1.5. All Council members and staff are required to declare and register relevant interests, when appropriate and in line with this policy.

## 2. Purpose

- 2.1. This policy provides advice on how we identify, manage and record conflicts of interest, or potential conflicts of interest. It helps to protect the integrity of our Council members, staff and our organisation, and sets out guidance that must be followed to ensure that a conflict of interest, or potential conflict of interest, does not have an adverse effect on our work or on public confidence in the GPhC.
- 2.2. It also provides guidance on what types of interests should be declared by Council members and staff relating to them, their family members or their close acquaintances that could influence, or be seen to influence, their objectivity when making decisions on behalf of the GPhC, or in connection with the GPhC. These groups must also declare any paid employment or relevant voluntary activity.

## 3. Scope

- 3.1. This policy applies to Council members and staff. There are some additional requirements for the Executive outlined below.
- 3.2. As well as Council members, there are a number of groups who help the GPhC to fulfil its regulatory functions. We use the broad terms ‘associate’ and ‘partner’ to describe these groups. Associates and partners fill a variety of roles, providing a wide range of knowledge and skills to support the GPhC’s work.
- 3.3. Associates and partners are covered by separate policies. This is because these groups may also need to comply with legislative and other requirements relevant to their specific functions. For example, there are specific legislative provisions relating to conflicts of interest for statutory

committee members in the General Pharmaceutical Council (Statutory Committees and their Advisers Rules) Order of Council 2010.

- 3.4. If you are not sure whether this policy applies to you, please contact the Executive Office and Governance Team for information and advice. You should always err on the side of caution and declare any interests if you are unsure of their relevance.

## **4. Conflicts of Interest**

### **Guiding Principles**

- 4.1. When identifying, managing and recording conflicts of interest, you should be guided by the following principles:
- Always act with honesty and integrity
  - Be open about the relationships and personal interests that could influence, or be seen to influence your independent judgement
  - Make full, accurate and timely declarations (declarations should be made on appointment, as and when they arise throughout the year, as well as during the bi-annual attestation process for Council members and senior staff)
  - Always alert the relevant person to any actual or potential conflict of interests and agree with them how this should be managed
  - Notify the relevant person immediately if your circumstances change, in case this gives rise to conflict of interests
  - Do not seek to make a profit or benefit for yourself or others by making personal use of information acquired during your duties
  - Ensure you do not leave yourself open to improper influence or the perception of improper influence through the acceptance of gifts and hospitality, or otherwise.
  - Read, understand and comply with this policy and ask questions if you need clarification or advice
  - Speak up if you have concerns, including about any breach, or potential breach of this policy.

### **What constitutes a 'conflict of interest'**

- 4.2. A conflict of interests arises when your responsibilities could be affected by your personal or professional situation, financial matters or a close personal relationship. It could also arise if your responsibilities could be affected by a personal interest of your close family or any other close personal relationship with an individual. It becomes significant if any person, internally or externally, might reasonably believe there is a risk of your actions, or those of a personal acquaintance, being inappropriately influenced.
- 4.3. You should declare any interests, financial or otherwise, that you, your family or friends have that could influence, or be seen to influence, decisions that you may take on behalf of the GPhC. This includes any activity for which you are paid if this could influence, or be seen to influence, decisions that you may take on behalf of the GPhC.

4.4. A conflict of interest may also be anticipatory, where the actions of an individual may be perceived to put them or their family or close associates in a more favourable position.

4.5. Conflict of interests, or perceived conflict of interest, may arise in various ways, such as:

**Financial interests – direct**

This should include but is not restricted to:

- Any activity for which you are paid, whether or not the activity relates to matters concerning the GPhC, such as:
  - full time or part-time employment of any kind, including paid directorships
  - paid offices held
  - self-employment, such as freelance, contract or consultancy work
  - sponsorship, awards, bursaries, research grants etc.
- Ownership of any company, business or consultancy
- Direct beneficial interests or shareholdings in companies or other bodies that could be perceived as relevant to the GPhC (on your own behalf or on behalf of a spouse, partner, child or children)
- Any business dealings or other financial transactions, including any contract to supply goods or services to the GPhC, or to any person or organisation connected to the activities of the GPhC.

**Financial interests – indirect and relating closely to GPhC activity**

You should declare all indirect financial interests arising from connections with bodies which have a direct financial interest in matters concerning the GPhC or from being a business partner of, or being employed by, a person with such an interest.

**Non-financial interests**

You should declare all non-financial interests that relate to unpaid office in, membership of or involvement in organisations, associations or other bodies which are regulated in any way by the GPhC or whose activities could be perceived as relevant to the GPhC.

For example, any office held in any healthcare related organisation in the public, private or third sector. This includes NHS authorities, trusts or health boards, regulatory bodies, professional associations, trade unions and charities, trusts and voluntary organisations. This would also include membership of any organisation whose principal purposes include influencing public opinion or policy such as membership of ‘think tank’ or lobbying organisations.

**Close family interests**

You should declare all financial and non-financial interests of close family members and persons living in the same household (where these are known to you) that could be thought of as relevant to GPhC activity. Close family members include personal partners, parents, children (adult and minor), brothers, sisters and the personal partners of any of these.

- 4.6. This list is not exhaustive. If you are unsure of whether a conflict has risen or may arise in future, please seek advice from the Executive Office and Governance Team. If you are in any doubt as to whether or not something represents an interest, you should err on the side of caution and declare it.

## **5. Declaring and recording conflicts of interest**

- 5.1. Council members and staff a responsibility to provide relevant information and make appropriate declarations in line with this policy. This includes providing updated information as soon as possible following a change in circumstances.
- 5.2. The GPhC is committed to transparency in its decision making. As such, the Council member and Executive register of interests is made public on the GPhC website.
- 5.3. Every six months (March and September) Council members and senior staff are asked to update their declaration of interests, including sending in a nil return, if appropriate.
- 5.4. In March and September, the finance team reconcile the Council member and senior staff declarations against the prior six months' purchases to check if there have been any related party transactions. This is then reported to the external auditors as part of the year end processes.
- 5.5. The information provided through declarations will be processed in accordance with data protection principles as set out in the UK GDPR and the Data Protection Act 2018. Data will be processed only to ensure the objectivity and transparency of GPhC decision making.
- 5.6. The Standing Orders of Council provide further guidance on how conflicts should be declared and managed at Council meetings. This includes how conflicts are recorded in the minutes.

## **6. Gifts and hospitality**

- 6.1. Council members and staff must not accept gifts or hospitality that might reasonably be seen to compromise or call into question their independence, impartiality or personal judgement, or that of the GPhC. This includes anything that could place these groups under an obligation to outside individuals or organisations that might influence their performance of official duties or, just as importantly, that might give rise to a perception that they might be so influenced.
- 6.2. Further guidance can be found in the Gifts and Hospitality policy.

## **7. Supporting documents**

- 7.1. This policy is supported by a range of other supporting policies and procedures, which can be found on the Governance, HR and Finance pages of the intranet, and in the policies and procedures library. This includes:
- Standing Orders of Council
  - Gifts and hospitality policy
  - Multiple Employment Policy
  - GPhC Staff Code of Conduct
  - Values, conduct and behaviours for Council members, associates and partners

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- Fraud and Anti-bribery policy
- Disciplinary policy and procedures
- Raising concerns policy

7.2. For more information or advice about this policy, please contact the Executive Office and Governance Team.





