



**NORTHERN IRELAND PRACTICE AND EDUCATION  
COUNCIL FOR NURSING AND MIDWIFERY**

# **Declaration of Interests and Potential Conflicts of Interests Policy**

**July 2018**

**Review date: September 2021**

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## 1. Equality Statement

This policy has been screened for equality implications as required by Section 75 of the NI Act 1988. Mitigation is in place to address any impact on the nine equality groupings. This policy will not be subject to an Equality Impact Assessment.

## 2. Introduction and Purpose of Policy

This policy sets out how NIPEC will manage conflicts of interest from employees. The policy should be read alongside the following NIPEC Policies:

- Guidance to Staff on the Acceptance of External Gifts, Hospitality and Awards
- Fraud Response Policy and Action Plan
- Code of Conduct for HSC Managers, also contained within individual contracts of employment.

The policy reflects the Northern Ireland Audit Office (NIAO) guidance on '*Conflict of Interest a Good practice Guide*' which was issued as a guide to help to avoid any potential reputational damage to public bodies and individuals and to educate organisation on how to manage the interests of staff and Board members.

NIPEC acknowledges this guidance and understands that it applies to all employees and Council members within NIPEC.

This conflict of interest policy has been drawn up to promote high standards in public and especially to follow the key characteristics of propriety as defined in the 'Seven Principles of Public Life' promulgated by the Nolan Committee. The seven principles are:

- selflessness
- integrity
- objectivity
- accountability
- openness
- honesty
- leadership.

## 3. Scope

This policy applies to all full time and part-time employees of the NIPEC, contracted and third parties (including agency staff) and other staff on placement with NIPEC.

It also applies to Council members see section 5.

## 4. How do I Recognise a Conflict of Interest

The checklist at Appendix 1 can be used to help in determining if an actual, potential or perceived conflict of interest exists.

## 5. Declaration of Interests

NIPEC must be told of all cases where an employee, close relative or associate has a significant financial or other interest. This includes a private company, public sector

organisation, other Trust employer or any other company that may compete for an HSC contract to supply goods or services to NIPEC.

An interest must be declared if it may impact on your work. Such interests may include but are not limited to:

- owning shares in, or working for, organisations that have dealings with NIPEC
- involvement in any decision that could lead to financial gain or benefit to the individual, a relative or close friend
- involvement in, or influencing, the award of a contract or grant where the public official or Board member is connected to any of the tenders or applicants
- involvement in any decision that could lead to the appointment of a relative or friend
- carrying out business on behalf of the organisation with their own or a relative's company
- accepting gifts or hospitality in connection with one's official role
- any other conflicts that are not covered by the above.

Staff should therefore declare any interests to their employer by completing the declaration of interests form at Appendix 2 and submit this via their line manager to the Head of Corporate Services.

The Head of Corporate Services will record the interests to ensure that a record is held and will make a decision on whether the declaration is deemed to be one which requires existing internal processes to be enhanced to ensure transparency in the processes undertaken to avoid a conflict presenting itself.

All interests should be declared as and when they arise and not only as a result of an annual declaration. Individual members of staff are responsible for ensuring that their registered interests are kept up to date at all times.

Although the interest may be declared, this does not remove the member of staff's personal responsibilities of removing themselves from a position or situation which may result in a potential breach of this policy.

A register of all staff interests will be kept and maintained by the Head of Corporate Services.

## **6. Council Members' Responsibilities**

In addition to the main content of this policy, the following applies to the NIPEC Council members.

Board/Council members are required to declare interests which are relevant to the board/council of which they are a member. This is stated in 'The Code of Conduct: Code of Accountability in the NHS' as shown in section 7 below.

## **7. Code of Conduct: Code of Accountability in the NHS**

*“It is a requirement that chairs and all board directors should declare any conflict of interest that arises in the course of conducting NHS business. All NHS organisations maintain a register of member’s interest to avoid any danger of board directors being influenced, or appearing to be influenced by their private interest in the exercise of their public duties. All board members are therefore expected to declare any personal or business interest which may influence, or may be perceived to influence their judgement. This should include, as a minimum, personal direct and indirect financial interests and should normally also include such interests of close family members. Indirect financial interests arise from connections with bodies which have a direct financial interest or from being a business partner of or being employed by a person with such an interest”.*

Further instructions regarding the duties and obligations of Council members are detailed in section 14 of NIPEC’s Standing Orders for meetings of the Council and its Committees.

A register of all Council member interests will be kept and maintained by the NIPEC Council Secretary and will be reviewed by the NIPEC Council on an annual basis. Interests, however, should be declared as and when they arise, and not only as a result of this annual declaration.

## **8. Preferential Treatment in Private Transactions**

Staff should not seek or accept any preferential benefits from private companies with which they have had or may have dealings with on behalf of NIPEC. Every employee has a duty to ensure that they are not put in a position of risk of conflict between private interests and their NIPEC duties.

All employee contractual obligations must be completed before any extra work is undertaken. If the employee believes that they have a conflict of interest due to engaging in any other work then they should contact either their Line Manager or Human Resources for clarification.

Other staff may undertake private work for other agencies, providing they do so outside of the times they are contracted to NIPEC and ensure compliance with the code of conduct outlined in their employment contracts.

## **9. Bribery Act 2010**

Under the Bribery Act 2010, any money, gift or consideration received by an employee from a person or company seeking a contract within NIPEC will have been deemed to have been received under a bribe. Any gift received from a supplier such as pens, pencils or calendars may not be declared but if unsure, clarification should be sought from the Head of Corporate Services. Any hospitality other than meals or buffets provided by suppliers must be declared in writing (following the guidance of NIPEC’s Gifts and Hospitality Policy and Procedure).

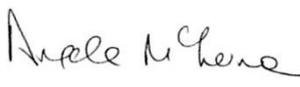
If an employee feels that they have been offered an incentive or bribe to place an order or contract, this should also be declared in writing immediately.

## 10. Raising Concerns

Staff that have any concerns relating to a declaration of interest or a private transaction are encouraged to report it to their Line Manager as soon as possible.

## 11. Failure to Make a Declaration

Should it be suspected that a member of staff has failed to appropriately declare an interest, or failed to demonstrate compliance with the conduct outlined in this policy, it may be deemed appropriate to take action in line with NIPEC's Disciplinary Policy and/or make a referral to the HSC Counter Fraud and Probity Services.

**SIGNED:**   
**Chief Executive**

**Dated:** ?? July 2018

## Checklist for public officials and Council members

**Do you think you have an actual, perceived or potential conflict of interest? The following questions may help when assessing an issue being considered and the situation in which you are involved<sup>1</sup>.**

- Would I or anyone associated with me benefit from, or be detrimentally affected by, my proposed decision or action?
- Could there be benefits for me in the future that could cast doubt on my objectivity?
- Do I have a current or previous personal, professional or financial relationship or association of any significance with an interested party?
- Would my reputation or that of a relative, friend or associate stand to be enhanced or damaged because of the proposed decision or action?
- Do I or a relative, friend or associate stand to gain or lose financially in some covert or unexpected way?
- Do I hold any personal or professional views or biases that may lead others to reasonably conclude that I am not an appropriate person to deal with the matter?
- Have I contributed in a private capacity in any way to the matter my organisation is dealing with?
- Have I made any promises or commitments in relation to the matter?
- Have I received a substantial gift, benefit or hospitality from someone who stands to gain or lose from my proposed decision or action?
- Am I a member of an association, club or professional organisation or do I have particular ties and affiliations with organisations or individuals who stand to gain or lose by my proposed decision or action?
- Could this situation have an influence on any future employment opportunities outside my current official duties?
- Could there be any other benefits or factors that could cast doubt on my objectivity?

<sup>1</sup> Managing Conflicts of Interest in the Public Sector- toolkit, Independent Commission Against Corruption and Crime and Misconduct Commission (Queensland), Sydney and Brisbane, 2004

**REGISTER OF INTERESTS**

**Declaration by Senior Members of Staff or Council Members**

**Period: 1 April 20xx to 31 March 20xx**

Surname	
Forename	
Title	
Job Title ( <i>if applicable</i> )	

Please include dates and role

**1. Company Interests** – any relationship with a company or commercial organisation; Directorships, paid employment, consultancy; close family connection

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**2. Self-employment**

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**3. Charities** – trusteeships, governorships or employment with any charities or voluntary organisations

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**4. Public Appointments** – remunerated or unremunerated

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**5. Memberships** – including membership of professional or external bodies, trade or other associations

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<b>6. Close Family Links</b> - specific close family interest in any of the above

<b>7. Other Interests</b> – any other interests held by you or your close family

**I confirm that the above declaration is complete and correct to the best of my knowledge and belief. The interests I have declared include both direct and indirect interests (i.e. those of a partner, spouse or close relative) and any specific financial interests are shown.**

**I also confirm that I have received a copy of the Northern Ireland Audit Office document entitled “Conflicts of Interest – A Good Practice Guide”, published in March 2015.**

**Signature:** .....

**Date:** .....

**Print Name:** .....