

Conflicts of Interest

Frequently Asked Questions (FAQs)

Ref	Question	Answer
1	I've never heard of 'Conflicts of Interest'? What are they?	A conflict of interest is a set of circumstances by which a reasonable person would consider that an individual's ability to apply judgment or act, in the context of delivering, commissioning, or assuring taxpayer funded health and care services is, or could be, impaired or influenced by another interest they hold. Staff may hold interests for which they cannot see potential conflict. However, caution is always advisable because others may see it differently and perceived conflicts of interests can be damaging. All interests should be declared where there is a risk of perceived improper conduct.
2	Do I have to make a 'nil' declaration if I am a 'decision maker' and have nothing to declare?	Yes, all 'decision makers' need to make an annual declaration even if they have nothing to declare, by making a 'nil declaration'.
3	How long do I have to declare my interests?	In line with the Trust's Conflicts of Interest policy, staff should identify and declare interests at the earliest opportunity (and in any event within 28 days). If staff are in doubt as to whether an interest is material, then they should declare it so that it can be considered.
4	What happens if I do not declare that I have an interest?	Staff who fail to disclose any relevant interests or who otherwise breach the Conflicts of Interest Policy, will be subject to investigation and where appropriate, to disciplinary action.
5	A patient bought me a box of chocolates as a thank you gift, do I have to declare this?	No, modest gifts accepted under the value of £50 do not need to be declared (except for cash or vouchers which should always be politely declined, regardless of value).

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6	Do I have to declare an interest if I have been sponsored to attend an event, if this was outside of work time or during annual leave? What if I have received honorarium?	<p>Sponsorship of events by appropriate external bodies will only be approved if a reasonable person would conclude that the event will result in clear benefit for the Trust. Staff within the organisation involved in securing sponsorship of events should make it clear that sponsorship does not equate to endorsement of a company or its products, and this should be made visibly clear on any promotional or other materials relating to the event.</p> <p>If you have been paid to attend an event, including honorarium, this will need to be declared under the 'outside employment' tab. Being on annual leave does not mean that the requirement is negated, as it could be seen as a potential for conflicts of interest.</p>
7	Who can see the information that I declare?	Information declared by decision makers will be published on the Declare system register and can be accessed by the public. It is important to be as clear as possible when making declarations, and ensuring they include all relevant information.
8	I received travel expenses, accommodation and refreshments to attend a training conference event, but am unsure of the total amount to declare?	<p>Hospitality must only be accepted when there is a legitimate business reason and it is proportional to the nature and purpose of the event.</p> <p>Particular caution should be exercised when hospitality is offered by actual or potential suppliers or contractors. This can be accepted, and must be declared, if modest and reasonable. Senior approval must be obtained. A common sense approach should be applied to the valuation of hospitality, using an actual amount (if known).</p>
9	I received a payment for speaking at a conference which I would donate to a charitable fund, is this permitted?	Yes, staff wishing to make a charitable donation to a charitable fund in lieu of receiving a professional fee, may do so, subject to ensuring that they take personal responsibility for ensuring that any tax liabilities related to such donations, are probably discharged and accounted for.
10	Where can I find the Trust's Conflicts of Interest Policy?	The policy can be found on the Trust's intranet and within the Declare system under the 'About' section. https://mcht.mydeclarations.co.uk/
11	I am a new starter with the Trust and can't log in to the system, why not?	The Declare system takes it data from the Trust's ESR system and this can take up to four weeks to update, dependant on your start date. You

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		will be prompted to declare, by an email notification, once you have been added to the system.
12	I am a school Governor. Do I have to declare this as it has no impact on the Trust?	Yes, loyalty interests should be declared by staff involved in decision making where they hold a position of authority in another NHS Trust, or commercial, charity, voluntary, professional, statutory or another body which could be seen to influence decisions they take in their NHS role.
13	My sister works at the Trust but I'm not in direct contact with her during my day to day role, do I need to declare this?	Yes, you should declare if a family member, close friend or business partner also works for the Trust. However, please do not disclose their name as this would breach their data protection rights. e.g. My sister is employed by the Trust as a staff nurse, is sufficient.
14	I am a Consultant and carry out clinical private practice when I am not at the Trust, do I need to declare this?	Yes, Consultants should declare all clinical private practice on appointment and any new private practice, when it arises.
15	I am a staff nurse and an envelope was left at the nurse's station on my ward with a Christmas card containing £20 from a patient. Can I accept this?	No, any gifts of cash or vouchers, regardless of value from patients, their families, service users or suppliers must be politely declined. If this is not possible, it can be donated to a registered charity and should be declared as such in the system.
16	A supplier left some branded post it notes and pens at our clinic reception. Do I need to declare this?	Low cost branded promotional aids, such as post it notes can be accepted where the value is under £6 and do not need to be declared.
17	How do I end my declaration when it is no longer relevant?	Once your declaration has ceased, you should update this in the Declare system by selecting 'end interest' and adding the appropriate date the interest ended.
18	How are breaches of policy dealt with?	Once a breach has been identified, you will be contacted by the Corporate Governance Team to discuss this. Your line manager will also be contacted and the details of the breach discussed with them. They will then investigate the breach according to its own specific facts and merits and will ensure all relevant parties have the opportunity to explain and clarify relevant circumstances. Following the investigation,

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		the Trust will take the appropriate action as outlined in the Conflicts of Interest Policy.
19	Are checks carried out to ensure declarations are accurate?	Yes, reviews of all declarations are carried out on a regular basis. Decision maker declarations are audited on an annual basis and results shared with the Trust's Audit Committee.
20	I'm not sure if my role is identified as a decision maker or not?	Decision making roles are identified within the Conflicts of Interest Policy, but if you are still unsure, please contact the Corporate Governance Team who will be able to advise you.

The Conflicts of Interest Policy can be found on the policies and procedures section of the Trust Intranet, or in the 'About' section on the Declare system <https://mcht.mydeclarations.co.uk>

If you need any further advice please email corporate.governance@mcht.nhs.uk or call [01270 612453](tel:01270612453)