

NHS Rotherham Clinical Commissioning Governing Body

Operational Executive (OE) – 15th February 2016
Strategic Clinical Executive (SCEAQuA – March meeting
Clinical Commissioning Group Governing Body - April 2016

Standards of Business Conduct Policy

Lead Executive:	Sarah Whittle
Lead Officer:	
Lead GP:	Richard Cullen

Purpose:
To Approve changes to the standards of business conduct policy
Background:
The CCGs Counter Fraud specialists have recommended some changes to the policy
Analysis of key issues and of risks:
All Changes are highlighted in yellow
Human Resource Implications:
The policy will be shared with all members of staff and will be placed on the CCG's website
Approval history:
<ul style="list-style-type: none">• Operational Executive 15th February 2016• Strategic Clinical Executive (SCE) – 17th February 2016• AQuA – March meeting• Clinical Commissioning Group Governing Body - 2nd March 2016
Recommendations:
Governing body is asked to agree the changes recommended by the Counter Fraud Specialists and the Operational Executive. As the next AQuA is in March – This paper is being presented to Governing Body for approval before being presented to AQuA.



Rotherham
Clinical Commissioning Group

Title:	Standards of Business Conduct Policy
Reference No:	012/Corporate
Owner:	Assistant Chief Officer
Author: NHS England	Adopted by RCCG
First Issued On:	October 2014
Latest Issue Date:	October 2014
Operational Date:	October 2014
Review Date:	October 2015
Consultation Process	
Ratified and approved by:	AQuA August 2014 Governing Body October 2014
Distribution:	All staff and GP members of the CCG.
Compliance:	Mandatory for all permanent and temporary employees of Rotherham CCG.
Equality & Diversity Statement:	In applying this policy, the Organisation will have due regard for the need to eliminate unlawful discrimination, promote equality of opportunity, and provide for good relations between people of diverse groups, in particular on the grounds of the following characteristics protected by the Equality Act (2010); age, disability, gender, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, and sexual orientation, in addition to offending background, trade union membership, or any other personal characteristic.

Standards of Business Conduct

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1. Introduction

- 1.1 This policy seeks to describe the public service values, which underpin the work of the NHS and to reflect current guidance and best practice to which all individuals within the Rotherham CCG must have regard in their work for the CCG.
- 1.2 The RCCG aspires to the highest standards of corporate behaviour and responsibility. All RCCG staff **and representatives of the Group** are required to comply with this policy.
- 1.3 The Code of Conduct and Code of Accountability in the NHS (second revision July 2004) sets out the following three public service values which are central to the work of RCCG:
- Accountability – everything done by those who work in the NHS must be able to stand the test of parliamentary scrutiny, public judgement on propriety and professional codes of conduct
 - Probity – there should be an absolute standard of honesty in dealing with the assets of the NHS: integrity should be the hallmark of all personal conduct in decisions affecting patients, officers and members and suppliers, and in the use of information acquired in the course of NHS duties
 - Openness – there should be sufficient transparency about NHS activities to promote confidence between the RCCG and its staff, patients and the public.
- 1.4 In addition, all individuals within the RCCG must abide by the Seven Principles of Public Life as set out by the Committee on Standards in Public Life and set out in the Constitution.

2. Scope

- 2.1 This policy applies to:
- RCCG GPs who are on the payroll
 - Executive Officers
 - Lay members
 - Governing Body members
 - Employees (whether their remit is clinical or corporate)
 - Students and trainees (including apprentices)
 - Agency staff engaged by the RCCG and
 - Secondees.

(Referred to collectively in this policy as RCCG staff).

3. Prevention of corruption

- 3.1 The RCCG has a responsibility to ensure that all RCCG staff are made aware of their duties and responsibilities arising from the **UK** Bribery Act 2010. Under this Act there are four offences:
- Bribing, or offering to bribe, another person
 - Requesting, agreeing to receive, or accepting a bribe
 - Bribing, or offering to bribe, a foreign public official
 - Failing to prevent bribery.

- 3.2 All RCCG staff are required to be aware of the **UK** Bribery Act 2010 and should refer to the [Fraud, Bribery and Corruption Policy](#).

4. Raising concerns

- 4.1 It is the duty of every member of staff to speak up about genuine concerns in relation to criminal activity, breach of a legal obligation (including negligence, breach of contract or breach of administrative law), miscarriage of justice, danger to health and safety or the environment, and the cover up of any of these in the workplace. The RCCG has a [whistle-blowing policy](#) that sets out the arrangement for raising and handling staff concerns. The procedure for reporting specific concerns relating to fraud are described below.

5. Counter fraud measures

- 5.1 All RCCG staff are required not to use their position to gain financial advantage. The CCG is keen to prevent fraud, **bribery or corruption** and encourages staff with concerns or reasonably held suspicions about potentially fraudulent activity or practice, to report these. RCCG staff should inform the **Group's NHS Local Counter Fraud Specialist in accordance with the Group's Fraud Bribery and Corruption Policy** or the Chief Finance Officer immediately, unless the Chief Finance Officer **or the Local Counter Fraud Specialist are** implicated. If that is the case, they should report it to the Chair or Chief Officer, who will decide on the action to be taken.
- 5.2 RCCG staff can also call the NHS Fraud and Corruption Reporting Line on Freephone 0800 028 40 60 **or website <https://www.reportnhsfraud.nhs.uk/>** These **provide** easily accessible and confidential routes for the reporting of genuine suspicions of fraud within or affecting the NHS. All calls are dealt with by experienced trained staff and any caller who wishes to remain anonymous may do so.
- 5.3 Anonymous letters, telephone calls, etc. are occasionally received from individuals who wish to raise matters of concern, but not through official channels. While the suspicions may be erroneous or unsubstantiated, they may also reflect a genuine cause for concern and will always be taken seriously. The **Group's NHS Local Counter Fraud Specialist** will make sufficient enquiries to establish whether or not there is any foundation to the suspicion that has been raised.
- 5.4 RCCG staff should not ignore their suspicions, investigate themselves or tell colleagues or others about their suspicions.

6. Standing orders (SOs), standing financial instructions (SFIs) and scheme of delegation (SD)

- 6.1 All RCCG staff must carry out their duties in accordance with the RCCGs [SOs SFIs and SD](#). The SOs, SFIs and SD set out the statutory and governance framework in which the RCCG operates and there is considerable overlap between the contents of this policy and the provisions of the RCCG's SOs, SFIs and SD. RCCG staff must at all times refer to and act in accordance with the SOs, SFI and SD to ensure current RCCG process is followed. In the event of doubt, RCCG staff should seek advice from their line manager. In the event of any conflict arising between the details of this policy and the SOs, SFIs and SD, the provisions of the SOs, SFIs and SD shall prevail.

7. Declaration of interests

- 7.1 The RCCG needs to have in place principles and procedures for minimising, managing and registering potential conflicts of interests which could be deemed or assumed to affect the decisions made by those involved in the RCCG. These decisions could include awarding contracts, procurement, policy, employment and other decisions.
- 7.2 RCCG staff should not allow their judgement or integrity to be compromised. They should be, and be seen to be, honest and objective in the exercise of their duties and should understand fully their terms of appointment, duties and responsibilities.
- 7.3 This section describes the RCCGs procedures in relation to the identification and management of conflicts of interest for staff. Adherence to these provisions is mandatory in order to identify and manage current or potential conflicts which may arise between the interests of the RCCG and the personal interests, associations and relationships of its staff or representative family members.
- 7.4 Failure to adhere to these provisions relating to the declaration of interest may constitute criminal offences of fraud and/or bribery, as an individual could be gaining unfair advantages or financial rewards for themselves or a family member/friend or associate. Any suspicions that a relevant personal interest may not have been declared should be reported to the RCCG's Governing Body Secretary.

Any unwitting failure to declare a relevant and material interest or position of influence and/or to record a relevant or material interest or position of influence that has been declared will not necessarily render void any decision made by the Governing Body or its properly constituted committees or sub-committees. However, the CCG reserve the right to declare such a contract void and the individual affected will be required to declare any benefit he or she, their spouse, civil partner, cohabitee, child or parent received under the contract in the Register of Interests maintained by the Accountable Officer of the Clinical Commissioning Group.

- 7.5 All RCCG staff must declare any interest, either on appointment or when the interest is acquired, which may directly or indirectly give rise to an actual or potential conflict of interest or duty. Such interests, and potential conflicts of interest, include personal and indirect interests and may come about through:
- Financial interest (for example, where someone involved has significant shareholdings or voting rights in a company or partnership)
 - Decisions affecting individuals who share the interest of organisation staff – for example, family members or members of societies, clubs or other organisations
 - Acceptance of hospitality from current or prospective business contracts; and
 - Acceptance of gifts.
- 7.6 A family member may include:
- A partner (someone who is married to, a civil partner or someone with whom the RCCG staff member lives in a similar capacity)
 - A parent or parent in law
 - A son or daughter in law
 - A son or daughter or stepson or step daughter
 - The child of a partner
 - A brother or sister
 - A brother or sister of the staff member's partner

- A grandparent and/or a grandchild
- An uncle or aunt
- A nephew or niece and
- The partners of the above.

7.7 Further examples of relevant interests for non-Governing Body members RCGG staff are set out in Appendix B. If in doubt RCGG staff should take advice from the Governing Body Secretary.

7.8 The RCGG is required to maintain a register of interests to record formally declarations of interest of RCGG Governing Body members. The declaration form set out at Appendix C should be completed by Governing Body members and sent to the Governing Body Secretary. Further guidance on the declaration of interests by RCGG members is set out in the declaration of interest policy for Governing Body members, available from the Governing Body Secretary.

7.9 The RCGG will also maintain a register of interest declared by all other CCG staff. RCGG staff (excluding Governing Body members) should complete the form set out at Appendix D to declare any relevant interests and send it to the Governing Body Secretary.

7.10 All Declarations of Interest made by RCGG staff will be reviewed by the Governing Body Secretary on a quarterly basis.

8. Personal conduct

8.1 Lending or borrowing

8.1.1 The lending or borrowing of money between staff should be avoided, whether informally or as a business, particularly where the amounts are significant.

8.1.2 It is a particularly serious breach of discipline for any member of staff to use their position to place pressure on someone in a lower pay band, a business contact, or a member of the public to loan them money.

8.2 Gambling

8.2.1 No member of staff may bet or gamble when on duty or on RCGG premises, with the exception of small lottery syndicates or sweepstakes related to national events such as the World Cup or Grand National among immediate colleagues.

8.3 Trading on official premises

8.3.1 Trading on official premises is prohibited, whether for personal gain or on behalf of others. Canvassing within the office by, or on behalf of, outside bodies or firms (including non-CCG interests of staff or their relatives) is also prohibited. Trading does not include small tea or refreshment arrangements solely for staff.

8.4 Collection of money

8.4.1 Charitable collections must be authorised by Corporate Services. Other Flag Day appeals are not permitted, and collection tins or boxes must not be placed in offices. With line management agreement, collections may be made among immediate colleagues and friends to support small fundraising initiatives, such as raffle tickets

and sponsored events. Permission is not required for informal collections amongst immediate colleagues on an occasion like retirement, marriage or a new job.

8.5 Bankrupt or insolvent staff

8.5.1 Any member of staff who becomes bankrupt or insolvent must inform their line management and Human Resources as soon as possible. Staff who are bankrupt or insolvent cannot be employed in posts that involve duties which might permit the misappropriation of public funds or involve the handling of money.

8.6 Criminal Investigation

8.6.1 If a member of staff becomes aware that they are subject to any criminal investigation, either by receiving a formal interview under caution appointment letter or by being placed under caution at a formal interview, or is arrested, convicted or cautioned for any offence they must inform their line management immediately. This responsibility also includes any welfare benefit or tax credit fraud investigations or sanctions.

9. Gifts and hospitality

9.1 With the exception of items of little value (less than £25) such as diaries, calendars, flowers and small tokens of appreciation (including seasonal gifts), which may be accepted, all offers of gifts should be declined. In cases of doubt, advice should be sought from your line manager. A "gift" is defined as any item of cash or goods, or any service, which is provided for personal benefit at less than its commercial value.

9.2 Any personal gift of cash or cash equivalents (e.g. tokens) must be declined whatever its value.

9.3 RCCG staff should:

- Report immediately all offers of unreasonably generous gifts to the Governing Body Secretary and
- Return promptly any unacceptable gifts, with a letter politely explaining the terms of this policy and stating that you are not allowed to accept them.

9.4 RCCG staff should exercise discretion in accepting offers of hospitality from contractors, other organisations or individuals concerned with the supply of goods or services. Modest hospitality provided in normal and reasonable circumstances, e.g. hospitality provided at meetings, events, seminars. In cases of doubt, advice should be sought from your line manager.

9.5 All hospitality or gifts accepted regardless of value should be recorded in the Hospitality register held by the Governing Body Secretary (example attached at Appendix E) as soon as is reasonably practicable. It is not necessary to record refreshments such as tea, coffee etc or for course participants to record meals provided during a training event or seminar.

9.6 RCCG staff should be especially cautious of accepting small items of value, or hospitality over that afforded in a normal meeting environment (i.e. beverages) during a procurement process or from bidders/potential bidders. This avoids any potential claim of unfair influence, collusion or canvassing.

9.7 Care should be taken when providing hospitality. Avoid providing hospitality at non-business locations unless there is a clear need to do so – this should be agreed in advance by the responsible senior officer. Any hospitality provided should be modest.

10. Outside employment and private practice

10.1 Employees **and representatives of** RCCG (depending on the details of their contract as regards outside employment and private practice) are required to inform the CCG if they are engaged in or wish to engage in outside employment in addition to their work with the CCG (using the form at Appendix D). The purpose of this is to ensure that the RCCG is aware of any potential conflict of interest with the RCCG employment. Examples of work which might conflict with the business of the RCCG include:

- Employment with another NHS body
- Employment with another organisation which might be in a position to supply goods/services to the RCCG and
- Self-employment, including private practice, in a capacity which might conflict with the work of the RCCG or which might be in a position to supply goods/services to the RCCG.

10.2 The Governing Body Secretary will send an annual reminder to all RCCG staff about this arrangement.

10.3 **All allegations of non-CCG work, or running any business while on paid sick leave from the CCG will be passed to the Group's NHS Local Counter Fraud Specialist for consideration of criminal investigation and prosecution, as per the Group's Fraud Bribery and Corruption Policy.**

11. Political activities

11.1 Any political activity should not identify an individual as an employee of the RCCG. Conferences or functions run by a party political organisation should not be attended in an official capacity, except with prior written permission from a senior officer.

12. Commercial sponsorship

12.1 RCCG staff may accept commercial sponsorship for courses, conferences, post/project funding, meetings and publications if they are reasonably justified and in accordance with the principles set out in this policy. In cases of doubt advice should be sought from your line manager. Permission (with details of the proposed sponsorship) must be obtained from the relevant senior officer in writing in advance and a copy of this permission must be sent to the Governing Body Secretary. (See Appendix G "Application to seek permission to accept commercial sponsorship").

12.2 Acceptance of commercial sponsorship should not in any way compromise commissioning decisions of the RCCG or be dependent on the purchase or supply of goods or services.

12.3 Sponsors should not have any influence over the content of an event, meeting, seminar, publication or training event.

- 12.4 The RCCG should not endorse individual companies or their products. It should be made clear that the fact of sponsorship does not mean that the RCCG endorses a company's products or services.
- 12.5 During dealings with sponsors there must be no breach of patient or individual confidentiality or data protection legislation.
- 12.6 No information should be supplied to a company for their commercial gain unless there is a clear benefit to the NHS. As a general rule, information which is not in the public domain should not normally be supplied.

13. Suppliers and contractors

- 13.1 All RCCG staff who are in contact with suppliers and contractors (including external consultants), and in particular those who are authorised to sign purchase orders or enter into contracts for goods and services are expected to adhere to professional standards in line with those set out in the Code of Ethics of the Chartered Institute of Purchasing and Supply (Appendix F).
- 13.2 All RCCG staff must treat prospective contractors or suppliers of services to the RCCG equally and in a non-discriminatory way and act in a transparent manner.
- 13.3 RCCG staff involved in the awarding of contracts and tender process must take no part in a selection process if a personal interest or conflict of interest is known. Such an interest must be declared to the Governing Body Secretary using the form at Appendix C or D as soon as it becomes apparent. RCCG staff should not at any time seek to give undue advantage to any private business or other interests in the course of their duties.
- 13.4 The RCCG has duties under European and UK procurement law and RCCG staff must comply with standing financial instructions [SFIs](#) in relation to all contract opportunities with the RCCG.
- 13.5 RCCG staff must not seek, or accept, preferential rates or benefits in kind for private transactions carried out with companies with which they have had, or may have, official dealings on behalf of the RCCG. This does not apply to officers' and members' benefits schemes offered by the NHS or trade unions.
- 13.6 RCCG staff invited to visit organisations to inspect equipment (e.g. software or training aids) for the purpose of advising on its purchase will be reimbursed for their travelling expenses in accordance with usual procedures laid down by the RCCG. Such expenses should not be claimed from other organisations to avoid compromising the purchasing decisions of the RCCG.
- 13.7 Every invitation to tender to a prospective bidder for RCCG business must require each bidder to give a written undertaking, not to engage in collusive tendering or other restrictive practice and not to engage in canvassing the RCCG, its employees or officers concerning the contract opportunity tendered.
- 13.8 Offers of pro bono work from prospective bidders for RCCG business should be politely refused.

14. Initiatives

- 14.1 As a general principle any financial gain resulting from external work where use of RCCG time or title is involved (e.g. speaking at training events/conferences, writing articles etc) and/or which is connected with RCCG business will be forwarded to the Governing Body Secretary.
- 14.2 Any patents, designs, trademarks or copyright resulting from the work (e.g. research) of an employee of the RCCG carried out as part of their employment by RCCG shall be the [Intellectual Property](#) of the RCCG.

- 14.3 Approval from the appropriate line manager should be sought prior to entering into an obligation to undertake external work connected with the business of the RCCG e.g. writing articles for publication, speaking at conferences.
- 14.4 Where the undertaking of external work, gaining patent or copyright or the involvement in innovative work, benefits or enhances the RCCG's reputation or results in financial gain for the RCCG, consideration will be given to rewarding employees subject to any relevant guidance for the management of [Intellectual Property](#) in the NHS issued by the Department of Health.

15. Confidentiality

- 15.1 Information concerning the RCCG which is not in the public domain must not at any time be divulged to any unauthorised person. Similarly, patient data or personal data concerning staff must not be divulged, in line with the Data Protection Act, 1998. This duty of confidence remains after termination of employment and applies to all individuals working within the RCCG.
- 15.2 Care should be taken that confidentiality is not breached inadvertently by, for instance discussing confidential matters in public places, such as whilst travelling by train, or by leaving [portable IT Equipment](#) containing confidential information where it might be stolen, such as on full view in a parked car. Data should only be distributed using mechanisms with an appropriate level of security,
- 15.3 RCCG staff must maintain confidentiality of information at all times, both commercial data and personal data, as defined by the Data Protection Act.
- 15.4 RCCG staff should guard against providing information on the operations of the RCCG which might provide a commercial advantage to any organisation (private or NHS) in a position to supply goods or services to the RCCG. For particularly sensitive procurements/contracts RCCG staff may be asked to sign a non-disclosure agreement, a copy of which can be found at Appendix H.

16. Management arrangements

- 16.1 RCCG staff and representatives should be aware that a breach of this policy could render them liable to prosecution as well as leading to the termination of their employment or position with the RCCG.

The Rotherham CCG will view instances where this policy is not followed as extremely serious and may not only take disciplinary action against individuals as a result, which may result in dismissal, but the CCG will automatically and immediately refer all cases of potential fraud, corruption and bribery to the CCG's NHS Local Counter Fraud Specialist for consideration of criminal investigation and prosecution as required by the Group's Fraud, Bribery and Corruption Policy. Where necessary the Police will be involved. Referrals will also be made where appropriate, to the pertinent professional regulatory body such as the GMC and NMC. The CCG will always seek to use the most effective means to recover any taxpayer funding lost due to fraud, corruption or bribery. Be this via the criminal courts using the Proceeds of Crime Act or using the option of civil recovery.

16.2 **Fraud**

The Fraud Act 2006 came into force on the 15.01.2007 and introduced the general offence of fraud. This is broken down into a number of key areas in terms of criminal offences including;

- Fraud by false representation
- Fraud by failing to disclose information
- Fraud by abuse of position
- Possession or supplying articles for use in fraud
- Obtaining Services dishonestly

16.3 **Corruption and Bribery**

The UK Bribery Act 2010 has replaced previous Prevention of Corruption Acts and created two general offences of bribery:

- Offering or giving a bribe to induce someone to behave or to reward someone for behaving, improperly and;
- Requesting or accepting a bribe in exchange for acting improperly, or where the request or acceptance is itself improper

A new corporate offence has also been introduced

- Negligent failing by a company or limited liability partnership to prevent bribery being given or offered by an employee or agent on behalf of that organisation

All staff working for or representing the group are required to be aware of the UK Bribery Act 2010 and should also refer to the group's Fraud, Bribery and Corruption Policy for further details.

16.4 **Reporting Suspicions**

All cases of suspected fraud, corruption, or bribery must be investigated by an accredited NHS Local Counter Fraud Specialist appointed by the group. The CCG's appointed NHS Counter Fraud Specialist is Claire Croft, telephone 01709 428702. Email claire.croft1@nhs.net Or reports can be made directly through the Chief Finance Officer. Alternatively, you can use the NHS Protect Fraud and Corruption reporting line 0800 028 4060 or via the website <https://www.reportnhsfraud.nhs.uk/>.

16.5 RCGG staff and representatives who fail to disclose any relevant interest, outside employment or receipts of gifts, hospitality or sponsorship as required by this policy or the CCGs SOs and SFIs may be subject to disciplinary action which could, ultimately, result in the termination of their employment or position with the CCG, as well as criminal sanctions as described at section 16.1 of this policy document.

16.3 The Governing Body Secretary will be responsible for maintaining the register of interests, holding the hospitality register and reviewing the implementation of this policy.

17. Complaints

- 17.1 RCGG staff who wish to report suspected or known breaches of this policy should inform the Governing Body Secretary. All such notifications will be held in the strictest confidence and the person notifying the Governing Body Secretary can expect a full explanation of any decisions taken as a result of any investigation.

18. Further information

- 18.1 This policy is an interpretation of guidance and is based on examples of good practice. In addition to referring to the RCGGs standing orders, matters reserved to the Governing Body, standing financial instructions and financial scheme of delegation. RCGG staff should refer to the following documents by following the link:

- The National Health Service Act 2006 & The Health and Social Care Act 2008; <http://www.legislation.gov.uk/ukpga/2008/14/contents>
- The Code of Conduct for NHS Managers the Nolan Principles of Conduct in Public Life; see appendix A
- the NHS Codes of Conduct and Accountability; (NHS Appointments Commission & Department of Health – amended July 2004): http://www.nhsbsa.nhs.uk/Documents/Sect_1_-_D_-_Codes_of_Conduct_Acc.pdf
- the Code of Practice on Openness in the NHS: <http://www.cfoi.org.uk/nhscoptext.html> and any additional or successor guidance published by the Department of Health.

- 18.2 This policy will be reviewed on an annual basis, and in accordance with the following on an as and when required basis;

- legislative changes
- good practice guidance
- case law
- significant incidents reported
- new vulnerabilities and
- changes to organisational infrastructure.

The seven principles of public life set out by the Committee on standards in public life (The Nolan principles)

Selflessness - Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

Integrity - Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

Objectivity - In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for awards or benefits, holders of public office should make choices on merit.

Accountability – Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office

Openness - Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Honesty - Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership - Holders of public office should promote and support these principles by leadership and example.

Source: The first report of the Committee on Standards in Public Life (1995)

Examples of conflicts of interest for RCCG staff (excluding Governing Body members)¹

Scenario	Declaration of Interest required Yes/No	Is disqualification from involvement in the matter of interest appropriate?
RCCG staff member is a senior manager, shareholder, employee or partner of an entity which has an interest in bidding for a contract for services which is being put out to tender by the RCCG.	Yes	Yes, depending on circumstances this should be considered.
RGGC staff member is an existing senior manager or partner in one or more potential providers of services to the RCCG or NHS England whom the CCG will have sight of.	Yes On appointment	Yes
RCCG staff member holds a contract with or is a senior manager / shareholder / employee of a company or party to a partnership which holds a contract with the CCG or with NHS England over whom the CCG will have oversight.	Yes On appointment	Yes

¹ Governing Body members should refer to the Declaration of Interest Procedure for examples of potential conflicts of interest and further guidance

Specimen RCGG declaration of interest by Governing Body members

Please identify any actual or potential personal interest that may arise as a consequence of your role as a Governing Body member of the Rotherham CCG and how you propose that these will be dealt with.

A conflict of interest shall not arise solely by virtue of a person's employment or engagement by an NHS body (although representatives with these interests are requested to disclose such relationships for information purposes only).

**Rotherham Clinical Commissioning Group
Declaration of Business or Commercial Interests
for Governing Body Members 201X-201X**

Name <i>(block capitals)</i>	
Job title <i>(block capitals)</i>	
Department <i>(block capitals)</i>	
I declare that I, or a close relative, or known associate, have an interest - financial or otherwise - which may impact upon the business conduct of Rotherham CCG. <i>(please tick as appropriate)</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO
If you have answered 'Yes' to the above question, please give further details of your business interest or the nature of the declared relationship.	
I declare that I am currently undertaking additional voluntary/ paid employment which may/may not potentially conflict with my duties as a Rotherham CCG employee. <i>(please tick as appropriate)</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO
If you have answered 'Yes' to the above question, please give further details of your additional employment.	
Signature	
Date	

Please complete, sign and give this form to your line manager - who should note and pass to the Governing Body Secretary, Sarah Whittle.

N.B. if you declare **YES** to either of the above, a copy will be placed on the declarations register held by the Governing Body Secretary.

SPECIMEN ONLY

**Rotherham Clinical Commissioning Group
Declaration of Business or Commercial Interests
for Existing Employees 201X-201X**

Name <i>(block capitals)</i>	
Job title <i>(block capitals)</i>	
Department <i>(block capitals)</i>	
I declare that I, or a close relative, or known associate, have an interest - financial or otherwise - which may impact upon the business conduct of Rotherham CCG. <i>(please tick as appropriate)</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO
If you have answered 'Yes' to the above question, please give further details of your business interest or the nature of the declared relationship.	
I declare that I am currently undertaking additional voluntary/ paid employment which may/may not potentially conflict with my duties as a Rotherham CCG employee. <i>(please tick as appropriate)</i>	<input type="checkbox"/> YES <input type="checkbox"/> NO
If you have answered 'Yes' to the above question, please give further details of your additional employment.	
Signature	
Date	

Please complete, sign and give this form to your line manager - who should note and pass to the Governing Body Secretary, Sarah Whittle.

N.B. if you declare **YES** to either of the above, a copy will be placed on the declarations register held by the Governing Body Secretary.

NOTES

Declaring interests helps to avoid public concern that external links and relationships might unduly influence the work of the NHS Rotherham CCG. It ensures that such interests are openly and publicly declared.

Declaring an interest would not necessarily preclude an individual from undertaking an external activity, whether personal or non-personal, but might mean that they would not be able to take part in certain parts of a process where there could be a conflict of interest. As a result, for example, an individual may be asked to leave the room during certain parts of a meeting.

Examples of particular interest that should be regarded as relevant are:

- Directorships, including non-executive directorships held in private or PLCs
- Ownership or part-ownership of private companies, businesses or consultancies likely or possibly seeking to do business with the NHS
- Majority or controlling share holdings in organisations likely or possibly seeking to do business with the NHS
- A position of authority in a charity or voluntary organisation in the field of health and social care or contracting for NHS services; and
- Research funding/grants that may be received by an individual or his/her department.

SPECIMEN ONLY
Appendix E

SCHEDULE OF GIFTS/HOSPITALITY/SPONSORSHIP

NAME	POSITION/ DEPARTMENT	MANAGER	DATE RECEIVED	SPECIFIC DETAILS	ESTIMATED VALUE	PROVIDED BY AND REASON FOR THE GIFT/ HOSPITALITY/ SPONSORSHIP	REVIEWED BY

The chartered institute of purchasing and supply (CIPS) code of ethics

Use of the code

Members of CIPS are required to uphold this code and to seek commitment to it by all those with whom they engage in their professional practice. Members are expected to encourage their organisation to adopt an ethical purchasing policy based on the principles of this code and to raise any matter of concern relating to business ethics at an appropriate level. The Institute's Royal Charter sets out a disciplinary procedure which enables the CIPS Council to investigate complaints against any of our members and, if it is found that they have breached the code, to take appropriate action. Advice on any aspect of the code is available from the CIPS.

This code was approved by the CIPS Council on 11 March 2009.

As a member of The Chartered Institute of Purchasing & Supply, I will:

- maintain the highest standard of integrity in all my business relationships
- reject any business practice which might reasonably be deemed improper
- never use my authority or position for my own personal gain
- enhance the proficiency and stature of the profession by acquiring and applying knowledge in the most appropriate way
- foster the highest standards of professional competence amongst those for whom I am responsible
- optimise the use of resources which I have influence over for the benefit of my organisation and
- comply with both the letter and the intent of:
 - the law of countries in which I practice
 - agreed contractual obligations and
 - CIPS guidance on professional practice.

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Application to seek permission to accept commercial sponsorship

Please complete the form below and then pass to the relevant senior manager for approval. If approval is given, send a copy of the form, once signed by the senior manager to the Governing Body Secretary.

1 Detail of staff

Name
Title
Email
Tel no

2 Details of proposed sponsorship, including details of proposed sponsor

Approval by relevant Senior Manager

Name
Title
Signature
Date

Any comments

Please return this form to Sarah Whittle, Governing Body Secretary, NHS Rotherham Clinical Commissioning Group.

SPECIMEN ONLY**Non-disclosure agreement****Express requirement for confidentiality**

You have been requested to be involved in <insert details> (the “Project”).

NHS Rotherham CCG or other parties participating in the Project may provide you with, as part of your role in respect of the Project, access to certain confidential information relating to the Project (whether before or after the date of this letter), in writing, by email, orally or by other means (including from or pursuant to discussions with any other party or which is obtained through attendance at meetings related to the Project, including in particular (by way of illustration only and without limitation) <examples> and including but not limited to, information that you may create, develop, receive or obtain in connection with your engagement on the Project, whether or not such information (if in anything other than oral form) is marked “confidential information”.

Accordingly we draw to your attention that as part of your role for the NHS Rotherham CCG you are required to:

- 1 maintain the Confidential Information in the strictest confidence and not divulge any of the Confidential Information to any third party without the prior written permission of NHS Rotherham CCG.
- 2 not make use of, reproduce, copy, discuss, disclose or distribute the Confidential Information other than for use as part of your role in the Project.

The above obligations in respect of this Confidential Information are supplemented to any prior representation, understanding and commitment (whether oral or written) between us. The terms of this Letter can only be changed by a written document, agreed upon by both of us and signed by duly authorised persons. These provisions shall be governed and construed by English law.

Yours faithfully

For and on behalf of the
NHS Rotherham Clinical Commissioning Group

By signing this letter you agree to comply with these terms.

Signed:

Print name:

Date: