

Item: 11

REPORT CLASSIFICATION	✓	CATEGORY OF PAPER	✓
Official	✓	Proposes specific action	✓
Official: Sensitive Commercial		Provides assurance	
Official: Sensitive Personal		For information only	

**BOARD**  
**26 NOVEMBER 2024**

<b>Report Title:</b>	<b>Standards of Business Conduct and Declarations of Interest Policy</b>
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**Purpose of report**

To provide the Board with an updated policy for the standards of business conduct and declarations of interest.

**Key points**

Providing best value for taxpayers and ensuring that decisions are taken transparently and clearly, are both key principles in the NHS Constitution. As an organisation and as individuals within the organisation, the ICB has a duty to ensure that all its services are conducted to the highest standards of integrity and that NHS monies are used wisely so that the organisation is using its finite resources in the best interest of patients.

The attached policy sets out the standards of business conduct and responsibilities and expectations in the management of conflicts of interest by board members, committee and subcommittee members and employees of the ICB (including individuals contracted to work on behalf of the ICB or otherwise providing services or facilities to the ICB such as those within commissioning support services).

The policy sets out individual responsibilities as well as the ICB's responsibilities as a corporate body and as an employer, taking account of the individual and corporate obligations set out in the Bribery Act 2010.

The policy has been reviewed in consultation with the Clinical Director for Medicines Optimisation / Pharmacy to bring together elements of the standards of business conduct and declarations of interest policy (ICB039) with the commercial sponsorship and joint working with the pharmaceutical, medical appliance and health technology industry policy (ICB006). There was a significant element of overlap within the content of the two policies under consideration and through bringing the policies together we will have one source of guidance and advice for staff when considering conflicts of interest and how to manage them effectively in all elements of the ICBs business.

The updated policy also now includes a Memorandum of Understanding (MoU) between the ICB and Health Innovation North East and North Cumbria (HINENEC) which looks to establish a regional framework for engaging, partnering, and supporting new innovations emerging from the pharmaceutical, medical technology, and digital health sectors, with regard to the adoption and spread of innovations to support economic growth and improve the population health of our region.

Employees working within the ICB who receive proposals on innovations emerging from the pharmaceutical, medical appliance and digital health technology industries will refer these innovations to HI NENC. These innovations will be triaged and managed through HI NENC's Innovation Pathway. Where joint working agreements with the pharmaceutical, medical appliances and health technology industries are required, these will be conducted in an open and transparent manner.

As a result of bringing the two policies together it is recommended that the commercial sponsorship and joint working with the pharmaceutical, medical appliance and health technology industry policy (ICB006) is to be discontinued.

### Risks and issues

There is a risk that the ICB does not have a clear and robust policy in place for the management of conflicts of interest and this will impact in the ICB's ability to demonstrate clear and transparent decision-making throughout the governance framework.

### Assurances and supporting documentation

The policy has been updated in line with current national guidance in relation to standards of business conduct and the management of declaration of interests.

The Executive Committee reviewed the updated policy on 12 November 2024 and recommended submission of the policy (ICB039) to the Board for formal approval. Since the meeting the Chairs COI checklist has been updated (Appendix G).

The Executive Committee approved the closure of ICBP006 - commercial sponsorship and joint working with the pharmaceutical, medical appliance and health technology industry policy.

### Recommendation/action required

The Board is asked to approve the updated Standards of Business Conduct and Declarations of Interest Policy.

### Acronyms and abbreviations explained

DOI – Declarations of Interest  
 COI – Conflicts of Interest  
 MoU – Memorandum of Understanding  
 HINENC – Health Innovation North East and North Cumbria

<b>Sponsor/approving executive director</b>	Claire Riley, Chief Corporate Services Officer
<b>Date approved</b>	1 November 2024
<b>Report author</b>	Neil Hawkins, Strategic Head of Corporate Governance Kate Sutherland, Corporate Governance Manager

### Link to ICP strategy priorities (please tick all that apply)

Longer and Healthier Lives	✓
Fairer Outcomes for All	✓
Better Health and Care Services	✓
Giving Children and Young People the Best Start in Life	✓

### Relevant legal/statutory issues

Note any relevant Acts, regulations, national guidelines etc

<b>Any potential/actual conflicts of interest associated with the paper?</b> (please tick)	Yes		No	✓	N/A	
<b>Equality analysis completed</b> (please tick)	Yes		No		N/A	✓
<b>If there is an expected impact on patient outcomes</b>	Yes		No		N/A	✓

<b>and/or experience, has a quality impact assessment been undertaken? (please tick)</b>						
<b>Key considerations</b>						
<b>Financial implications and considerations</b>	None identified					
<b>Digital implications</b>	None identified					
<b>Clinical involvement</b>	None identified					
<b>Health inequalities</b>	None identified					
<b>Patient and public involvement</b>	None identified					
<b>Partner and/or other stakeholder engagement</b>	None identified					
<b>Other resources</b>	None identified					