

FREQUENTLY ASKED QUESTIONS

Conflict of Interest Policy –Electronic Declaration process

No.	Question	Answer
1.	Do I have to declare a 'nil' return if I am a decision maker?	Yes, everyone will need to make a first declaration even if you have nothing to declare. However, if you are not a trust decision maker, we will not contact you again asking you to make an annual 'nil' declaration.
2.	I don't know what my password is?	Civica Declare will have sent you an email and you will be required to reset your password prior to logging in. Your username is your email address . Should you wish to change your password you can request a password reset here: https://boltonnhsft.mydeclarations.co.uk/reminder . Alternatively, click the support tab on the website https://boltonnhsft.mydeclarations.co.uk/support
3.	How long have I got to declare my interest	All staff should identify and declare material interests at the earliest opportunity (and in any event within 28 days). If staff are in any doubt as to whether an interest is material then they should declare it, so that it can be considered.
4.	What happens if I don't declare that I have an interest	Staff who fail to disclose any relevant interests or who otherwise breach Bolton NHS Foundation Trust rules and policies relating to the management of conflicts of interest are subject to investigation and, where appropriate, to disciplinary action.
5.	Do I have to declare an interest if I have been sponsored to attend an event if it was done outside of works time or if I take annual leave? What if I have received an 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, and the NHS.</p> <p>During dealings with sponsors there must be no breach of patient or individual confidentiality or data protection rules and legislation. No information should be supplied to the sponsor from whom they could gain a commercial advantage, and information which is not in the public domain should not normally be supplied.</p>

		<p>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 the event – including honorariums (e.g. you have presented a paper) this will need to be declared under the employment declaration tab. Being on annual leave does not mean that the requirement is negated as it could be seen as a potential for conflict of interest.</p>
6.	Who from the trust has to authorise my external employment?	<p>Staff must declare any existing outside employment on appointment and any new outside employment when it arises. This includes self-employment, agency or bank work at other organisations and running or assistance in private practice.</p> <p>Where contracts of employment or terms and conditions of engagement permit, staff may be required to seek prior approval from the Trust to engage in outside employment or self-employment.</p> <p>The Trust may also have legitimate reasons within employment law for knowing about outside employment of staff, even when this does not give rise to risk of a conflict.</p>
7.	Who can see the information that I am declaring?	<p>The information declared by decision makers will be published on the new electronic system and could be accessed by members of the public. So being as clear as possible with what you are declaring is important.</p>
8.	Is there a policy that explains to me what all of this new process means?	<p>Yes, this can be found on the trust's intranet and is called Managing Conflicts of Interest Policy.</p>
9.	I work as a volunteer and have been given a gift by a patient as a thank you, do I have to declare it	<p>Modest gifts accepted under a value of £50 do not need to be declared. Cash gifts should always be declined. For all other gifts,</p>

		please refer to section 10 of the Managing Conflicts of Interest Policy for gifts
10.	I'm a new starter and can't log into the system, why not?	The Civica Declare system takes its data from the trust's ESR system and this can take up to four weeks to update.
11.	The policy states 'Decision making staff' need to make either a declaration or an annual nil declaration. Who does the trust identify as decision making staff?	Some staff are more likely than others to have a decision making influence on the use of taxpayers' money, because of the requirements of their role. For the purposes of this guidance these people are referred to as 'decision making staff.' Decision making staff in the Trust are: <ul style="list-style-type: none"> • Executive and Non-Executive Directors (or equivalent roles) who have decision making roles which involve the spending of taxpayers' money • Those at Agenda for Change Band 8c and above • Administrative and clinical staff (of any band) who have the power to enter into contracts on behalf of their Trust • Administrative and clinical staff (of any band) involved in decision making concerning the commissioning of service, purchasing of goods, medicines, medical devices or equipment, and formulary decisions.
12.	How long will my declaration be kept by the trust	After expiry, an interest will remain on the register for six months and a private record of historic interests will be retained by the trust for a minimum of six years.
13.	A supplier to the trust has sent me a bottle of wine as a thank you, should I declare it as the value of it is under £50	Gifts from suppliers or contractors doing business (or likely to do business) with the Trust should be declined, whatever their value. Low cost branded promotional aids such as pens or post-it notes may, however, be accepted where they are under the value of £6 in total, and need not be declared.
14.	I'm 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 other body which could be seen to influence decisions they take in their NHS role.
15.	I've been given a gift from a patients' family and I'm sure it	No, gifts valued over £50 should be treated with caution and only be accepted on behalf of the Trust, not in a personal capacity. These should be declared by staff via the Trust register.

	must be worth more than £50, can I accept it?	
16.	A supplier has asked that I attend a meeting at their office and lunch is being provided, can I accept it?	Staff should not ask for or accept hospitality that may affect, or be seen to affect, their professional judgement. Hospitality must only be accepted when there is a legitimate business reason and it is proportionate to the nature and purpose of the event. 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.
17.	I'm a Director of my wife's company do I need to declare it as the company has nothing to do with the delivery of health services?	Yes, you do as outside employment means employment and other engagements, outside of formal employment arrangements. This can include Directorships, non-executive roles, self-employment, consultancy work, charitable trustee roles, political roles and roles within not-for-profit organisations, paid advisory positions and paid honorariums which relate to bodies likely to do business with an organisation.
18.	I have outside employment as I work part time in a local bar, do I need to declare it?	Yes, staff must declare any existing outside employment on appointment and any new outside employment when it arises. The Trust may also have legitimate reasons within employment law for knowing about outside employment of staff, even when this does not give rise to risk of a conflict.
19.	My sister works at the trust but I'm not in direct contact with her during my day to day activity, do I need to declare this?	Yes, you should declare if a family member, close friend or business partner also works at the trust. However, please do not disclose their name as this will breach their rights both under GDPR and Data Protection Act (2018)
20.	My husband is transferring into my division and as I am a manager (and he is not), it could be seen that I have managerial responsibility (or could have at some point) over him, do I need to declare?	Yes, when declaring you will also need to ensure that you include what action you will take to mitigate against conflict.

21.	I carry out clinical private practice when I am not at the trust, do I have to declare this?	<p>Consultants and associate specialists employed under the Terms and Conditions of Service of Hospital Medical and Dental Staff are permitted to carry out private practice or other work for the private sector, providing they do not do so within the time they are contracted to the Trust.</p> <p>Any work should be subject to the conditions outlined in “A Guide to the Management of Private Practice in the NHS.” Consultants who have signed new contracts with the relevant Trust within the Group will be subject to the terms applied to private practice in those contracts.</p> <p>Clinical staff should declare all private practice on appointment, and any new private practice when it arises</p>
22.	I witnessed a colleague accept a gift from a supplier what should I do?	<p>Staff who are aware about actual breaches of this policy, or who are concerned that there has been, or may be, a breach, should report these concerns to the Director of Corporate Governance or the Local Counter Fraud officer.</p> <p>To ensure that interests are effectively managed staff are encouraged to speak up about actual or suspected breaches. Every individual has a responsibility to do this.</p> <p>The Trust will investigate each reported breach according to its own specific facts and merits, and give relevant parties the opportunity to explain and clarify any relevant circumstances.</p>
23.	How far back do I have to go with my declarations?	<p>The guidance from NHS England states that it came into force on the 01 June 2017 – the trust is therefore asking staff to declare their interests from the 01 June 2017 on the electronic system</p>
24.	Are there other things other than the receipt of gifts that I have to declare	<p>The policy identifies 11 different categories that staff may potentially have to declare against. Please refer to the policy for clarity</p>