

**NHS DORSET CLINICAL COMMISSIONING GROUP**  
**GOVERNING BODY MEETING**  
**GOVERNANCE ARRANGEMENTS**

<b>Date of the meeting</b>	20/09/2017
<b>Author</b>	C G Lakeman, Secretary and General Counsel
<b>Sponsoring Board member</b>	T Goodson, Chief Officer
<b>Purpose of Report</b>	To advise the Governing Body of suggested changes to governance documents.
<b>Recommendation</b>	The Governing Body is asked to <b>approve</b> the recommendations set out in the report.
<b>Stakeholder Engagement</b>	N/A
<b>Previous GB / Committee/s, Dates</b>	N/A

**Monitoring and Assurance Summary**

<b>This report links to the following Strategic Principles</b>	<ul style="list-style-type: none"> <li>• Services designed around people</li> <li>• Preventing ill health and reducing inequalities</li> <li>• Sustainable healthcare services</li> <li>• Care closer to home</li> </ul>		
	<b>Yes</b> [e.g. ✓]	<b>Any action required?</b>	
		<b>Yes</b> Detail in report	<b>No</b>
All three Domains of Quality (Safety, Quality, Patient Experience)	✓		✓
Board Assurance Framework Risk Register	✓		✓
Budgetary Impact	✓		✓
Legal/Regulatory	✓	✓	
People/Staff	✓		✓
Financial/Value for Money/Sustainability	✓		✓
Information Management & Technology	✓		✓
Equality Impact Assessment	✓		✓
Freedom of Information	✓		✓
<b>I confirm that I have considered the implications of this report on each of the matters above, as indicated</b>	✓		

Initials : CGL

## 1. Introduction

- 1.1 Following a continued focus on Conflicts of Interest within the NHS generally, revised guidance has been issued regarding the management of Conflicts of Interest by CCGs and other NHS organisations.
- 1.2 This report sets out the recommended changes to ensure compliance with the new statutory guidance.

## 2. Report

- 2.1 The current Standards of Business Conduct Policy incorporating our Conflicts of Interest Policy broadly follows the earlier recommendations from NHS England regarding the management of Conflicts of Interest.
- 2.2 New statutory guidance was issued in June 2017.
- 2.3 Key changes to the earlier guidance include the following:
  - A return to an **annual review of Declarations of Interest** and a requirement only to publish declarations made by ‘decision-making’ staff.
  - **Gifts from suppliers or contractors** – gifts up to £6 can be accepted and do not need to be declared but all other gifts from suppliers or contractors must be **declined** and **declared**.
  - **Gifts from other sources** – gifts under £50 can be accepted from non-suppliers and non-contractors and do not need to be declared. Gifts with a value of over £50 can be accepted on behalf of the organisation but not in a personal capacity but must be declared.
  - **Hospitality, meals and refreshments** – Hospitality under £25 can be accepted and does not need to be declared. Hospitality between £25 and £75 can be accepted but must be declared. If the value of the hospitality is over £75 it must be declared and should be refused unless senior approval is given.
  - There is a more detailed section on sponsored events – sponsorship is welcomed if it provides a benefit to the NHS but strict rules must be followed.

- **New Care Models Commissioning.** A new annex has been appended summarising key aspects of the guidance that need particular consideration within the context of New Care Models Commissioning. The annex is reproduced as Appendix 1 to this paper and whilst not prescribing measures to be taken, highlights scenarios that are likely to arise and options for dealing with any resultant conflict. The guidance does raise the possibility of a New Care Model Commissioning Committee being created to provide an alternative forum for decisions where it is not possible or appropriate for decisions to be made by the Governing Body. This is something that can be considered as part of the wider governance review to be conducted as part of the move towards an Accountable Care System.
- Attached at Appendix 2 is an extract from the CCG's Standards of Business Conduct Policy highlighting in track-changes alterations proposed to incorporate the revised guidance.

### **Primary Care Commissioning Committee.**

- 2.4 Following a reorganisation within the Service Delivery Directorate, it is proposed that the Terms of Reference of the Primary Care Commissioning Committee be amended by the removal as a Member of the Committee of the Director of Service Delivery and the inclusion of the Deputy Director of Service Delivery as a replacement Member in the stead of the Director of Service Delivery with effect from 6 October 2017.

### **3. Conclusion**

- 3.1 The Governing Body is asked to approve the recommended changes to the Standards of Business Conduct Policy.
- 3.2 The Governing Body is asked to approve the change in the Terms of Reference to the Primary Care Commissioning Committee to include the Deputy Director of Service Delivery as a standing member with effect from 6 October 2017.
- 3.3 The Governing Body is asked to consider the revised guidance with regard to New Care Models at Appendix 1 (Appendix K of the Guidance).
- 3.4 The full guidance is available [here](#).

**Author's name and Title : C G Lakeman, Secretary and General Counsel**

**Date : 05/09/2017**

**Telephone Number : 01305 368024**

<b>APPENDICES</b>	
<b>Appendix 1</b>	<b>New Care Models (Appendix K of the Guidance)</b>
<b>Appendix 2</b>	<b>CCG Standards of Business Conduct incorporating the Conflicts of Interest Policy – Track-change extract</b>