

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

<b>Date of the meeting</b>	21/09/2016
<b>Author</b>	CG Lakeman – Governing Body Secretary and General Counsel
<b>Sponsoring Board Member</b>	T Goodson, Chief Officer
<b>Purpose of Report</b>	To advise the Governing Body of proposed changes to governance arrangements.
<b>Recommendation</b>	The Governing Body is asked to <b>approve</b> : a) the recommendations set out in the report, namely amendments to the Standards of Business Conduct Policy to incorporate changes required by NHS statutory guidance regarding Conflicts of Interest. b) The appointment of Teresa Hensman as Conflicts Guardian. c) Delegated authority to the Chair and the Accountable Officer to make further minor consequential changes as may be required.
<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 the co-commissioning initiative by NHS England, new statutory guidance has been issued relating to the management of Conflicts of Interest by CCGs. 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 for CCGs was issued in June and requires all CCGs to amend their policies and processes by November 2016.
- 2.3 Key changes to the earlier guidance include the following:
- A recommendation for CCGs to have a minimum of three lay members on their Governing Body.
  - The introduction of a Conflicts of Interest Guardian.
  - A requirement to have robust processes for managing any breaches of Conflicts of Interest Policy and for anonymised details of breaches to be published on the CCG's website.
  - Strengthened provisions regarding decision making.
  - Strengthened provisions regarding the management of gifts and hospitality.
  - A requirement for CCGs to include an annual audit for Conflicts of Interest management within their internal audit plans.
- 2.4 Template documents have been issued for declarations of interest and the registers required to be kept.
- 2.5 Declarations of interest will now need to be updated every six months as opposed to annually and will need to be updated on a change of role for all those associated with CCGs.
- 2.6 Gifts and hospitality information will need to be declared at the same time as interests at each meeting.
- 2.7 All regulated persons (CCG staff, GPs, Committee and Governing Body Members) will need to undergo mandatory training in conflicts of interest.
- 2.8 Subsidiary changes will need to be made to the Whistleblowing and Bribery and Corruption policies to incorporate references to the Conflicts of Interest Policy.

- 2.9 Appendix 1 contains a tracked-changes version of the current Standards of Business Conduct Policy incorporating the Conflicts of Interest Policy, updated with amendments to incorporate the requirements of the new statutory guidance.
- 2.10 The guidance recommends that GP members of the Primary Care Commissioning Committee do not have voting rights on that Committee. I do not agree with the recommendation given that any GP on the Committee with a conflict of interest will have declared that interest and arrangements will have been made for that person to either withdraw, not participate in discussion or voting etc. as may be appropriate. To have a blanket removal of voting by GP members of the Committee could be considered an excessive response. Governing Body Members may however take an alternative view in which case amendments can be made to the policy.

### **3. Conclusion**

- 3.1 The Governing Body is asked to approve the recommended changes to the Standards of Business Conduct Policy together with the consequential changes required to the Whistleblowing and Bribery and Corruption policies.
- 3.2 The Governing Body is asked to appoint the Audit and Quality Committee Chair, Teresa Hensman, to the position of Conflicts Guardian.

**Author's name and Title : CG Lakeman, Governing Body Secretary and General Counsel**

**Date : 22/06/2016**

**Telephone Number : 01305 368024**

<b>APPENDICES</b>	
<b>Appendix 1</b>	<b>Standards of Business Conduct incorporating the Conflicts of Interest Policy</b>