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**PCRS-UK Conflicts of Interest Policy**

**Updated January 2016**

**1. Background – Why have a policy?**

To maintain and enhance the reputation of the PCRS-UK as an independent, charitable professional organisation, it is critical that all its activities are and are perceived to be free from commercial or personal interests particularly in relation to respiratory policy and education / guidance.

Moreover, Trustees have a legal obligation to act in the best interests of the Charity and in accordance with the memorandum and articles of association and to avoid situations where there may be a potential conflict of interest.

Conflicts of interest may arise where an individual’s personal (or family) interests and / or loyalties conflict with those of the PCRS-UK. Such conflicts may create problems such as:

* Inhibits free discussion
* Results in decisions or actions taken that are not in the best interests of the PCRS-UK
* Risks causing the impression that the PCRS-UK has acted improperly

As far as the PCRS-UK is concerned, the links and interests of most concerned relate to the pharmaceutical industry and other organisations in the respiratory field. The aim of this policy is to protect both the PCRS-UK and individuals involved, from any impropriety or appearance of impropriety.

**2. Declaration of Interests Register**

All Trustees, Executive members and Chief Executive plus members of committees, working parties / other groups which have delegated authority / powers *('committees'*) will be asked to declare their interests at the point they join a 'Committee' and on an annual basis thereafter. A declaration of interests form is provided for this purpose (see appendix 1), identifying the types of interests that should be declared.

1. Personal income & benefits ;
   * Paid work: employment (including partnerships); other paid work with healthcare related organisations
   * Other income (e.g. share dividends)
   * Other personal benefits (e.g. travel grants/hospitality to attend conferences/ meetings)
2. Pooled/non personal income - income earned by the individual from healthcare related organisations, for work that is external to the practice/employer organisation, that is paid to the practice/employer
3. Unpaid work: trustee/directorships; other unpaid work with any healthcare related organisations
4. Shares1 owned by self (or close family; spouse/civil partner/children) in healthcare related organisations
5. Other non-personal interests: fees/grants/benefits in kind that the individual has direct responsibility for, that are paid to the practice/CCG/department from any healthcare organisation in the respiratory area
6. Interests of spouses/civil partners and children: employment, other paid work and significant unpaid work for any healthcare organisation in the respiratory area

1Share ownership/holding is pertinent as an indicator of the influence (and potential financial gain) an individual has over an organisation. The % shareholding (of the total company) being the significant factor not the value of the shares. Income/dividend from shares is declared as personal income (see i above)

Financial interests will be collected by bands (see table 1 for definition of the bands)

Table 1; Definition of bands

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Band** | **Personal income\*** | **Non-personal income (pooled in practice/CCG / department)\*** | **Share holdings** |  |
| A | *Less than 2% gross annual income* | *Less than 2% of gross annual income* | *Share- holding less*  *than 5%* |  |
| B | *Between 2% and 10% of gross annual income* | *Between 2% and 10% of gross annual income* | *6-25% share holding* |  |
| C | *Between 10% and 20% gross annual income* | *Between 10% and 20% gross annual income* | *26-50% share holding* |  |
| D | *Over 20% of your gross annual income* | *Over 20% of your gross annual income* | *>50% share holding* |  |

*\* Percentages (%) calculated as % gross personal annual income*

If a form is not received within 6 weeks of being issued (inclusive of two reminders), the member may be asked to stand down temporarily until a form is received.

The declaration of interest (DOI) register (including copies of the completed forms for all PCRS- UK Trustees, Executive, Committee members) will be maintained by the PCRS-UK operations team. Copies of the completed forms will only be accessible to PCRS-UK Trustees, Chief Executive and PCRS-UK Executive Chair. The information will be used solely to ensure that the Trustees, Chief Executive, PCRS-UK Executive Chair act in the best interests of the PCRS-UK.

The register of interests (listing the interests, by band as relevant, by individuals plus other 'non personal interest', significant other role or interest of spouse, long term partner or children) for PCRS-UK will be reviewed on an annual basis by the PCRS-UK Trustees such that they can identify and manage potential conflicts of interest. The register of interests for each 'committee' will be reviewed by Committee Chair annually. If the Committee Chair feels that the balance of interests on the Committee has become uneven, s/he should bring this to the attention of the Chief Executive and the Chairman of the PCRS-UK Executive or Trustees (and vice versa) and in such an unlikely situation, an individual may be asked to step down.

The register of interests by *'committee'* will be circulated with the papers for each meeting of that committee.

A list of interests by individual by organisation will be published on the PCRS-UK website.

If an enquiry is received from any source about a potential Conflict of Interest by any Committee or staff member, the enquirer will be asked to make the request in writing to the CE who will follow it up with the Chair of the Committee and the individual member concerned. A response will be given within a reasonable period.

**3. Handling Potential Conflicts of Interest**

**3.1 General Principles**

The PCRS-UK needs the expertise and contribution from a wide range of primary care health professionals, who are likely to have varying levels of interest in the pharmaceutical industry and other organisations in the respiratory field. The following general principles shall apply in managing the potential conflicts that may arise:

* PCRS-UK as a matter of policy adheres to nationally agreed guidelines wherever practical, particularly when making recommendations on individual products or product classes. In some circumstances, such as its work influencing policy through government organisations and guideline groups the PCRS-UK may make recommendations on the use of specific products/classes of products: these circumstances are limited but must be paid particular attention when dealing with conflicts of interest.
* A potential conflict of interest shall be deemed to be
  + Any financial interest in a pharmaceutical/device company in band B or above
  + Any financial interest in any other healthcare organisations in band C or above
  + Total payment from the pharmaceutical companies in band C or above
  + Any trusteeship or directorship in any healthcare related organisation
  + Any other 'non personal interest', significant other role or interest of spouse, long term partner or children identified by the trustees from the register of interests and deemed to be a significant potential conflict

**3.2 Meetings**

Appendix 2 summarises the types of interest and how each should be handled at meetings.

Declaration of interests shall be the first agenda item at any 'committee' meeting. Individuals will be asked to declare any interest they have relevant to any particular agenda item in accordance with the guidance in appendix 2. Any new interests not contained on the register should also be declared, regardless of relevance to a given agenda item and the register updated accordingly. If individuals are not sure whether an interest should be declared they should err on the side of caution.

If individuals fail to declare an interest that is known to the Chair of the Committee (or any other member of the committee), the Chair or member should declare the interest.

In the event of the 'committee' having to decide upon a question in which a Trustee or member has an interest, all decisions will be made by vote. A quorum must be present for the discussion and decision: interested parties will not be included when deciding whether the meeting is quorate. In the event of a committee or working party meeting not being quorate, the matter will be referred to the PCRS-UK Executive. In the event of a PCRS-UK Executive meeting not being quorate, the matter will be referred to PCRS-UK Trustees.

All decisions in which a potential conflict of interest is identified will be recorded by the organisation and reported in the minutes of the meeting. The report will record:

* The nature and extent of the potential conflict;
* An outline of the discussion;
* The actions taken to manage the potential conflict.

**3.3 Decisions outside meetings**

For matters arising outside formal 'committee' meetings, the Chief Executive, Chair of the Trustees, PCRS-UK Executive Chair and anyone else with delegated authority to make decisions must ensure that relevant potential conflicts of interest are taken into consideration and handled according to the same principles set down for meetings.

**3.4 Appointments to Committees**

Anyone with a band D (i.e. 20% and above) interest in any non NHS organisation that has a respiratory interest (e.g. such as ARNS, BLF, Education for Health, Virgin Healthcare) should be regarded as having a potential conflict of interest with respect to 'committee' eligibility and should be reviewed on a case by case basis by the Chair of the Committee with the Chair PCRS-UK Executive / CE and a recommendation made to the PCRS-UK Trustees. The decision and supporting rationale should be formally minuted.

The criteria for judging suitability / eligibility for individuals in band D should include:

1. % and actual income related to band D interest
2. % working time and actual time related to band D interest
3. Employed or contracted work in band D interest
4. Potential for conflict given the individual's interest and the work of the committee

**3.5 Managing Contracts**

Any Trustee, member of staff or Committee member with a potential conflict of interest must not be involved in managing or monitoring a contract in which he/she has an interest. Monitoring arrangements for such contracts will include provision for an independent challenge of invoices and termination of the contract if the relationship is unsatisfactory.

### **Date of last review by PCRS-UK Executive; November 2015 /January 2016**

### **Date last approved by PCRS-UK Trustees: February 2016 )**

### **Date of next review** November 2017

***APPENDIX 1*****

### **ON LINE ANNUAL DECLARATION OF INTERESTS**

***PLEASE COMPLETE ALL SECTIONS OF THE FORM FOR THE PREVIOUS CALENDAR YEAR AND SUBMIT BY (DATE).***

**Please note that the completed forms will be held by the PCRS-UK, and will be available for scrutiny, for the duration of your membership of the relevant Committee (or, in the case of a working party for as long as the working party remains current).**

**Name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_­­­­­­­­­\_\_\_**

**SECTION 1: PAID WORK / PERSONAL INCOME**

*Please list entries according to different organisations and indicate how much was received from each, in bands as follows:-*

*Band A Less than 2% of your gross annual income*

*Band B Between 2% and 10% of your gross annual income*

*Band C Any payment between 10% and 20% of your gross annual income*

*Band D Any payment over 20% of your gross annual income*

**A. Employments (including partnerships)**

Please complete for all organisations/types of organisations by whom you are employed as a member of staff and / or are a partner

|  |  |
| --- | --- |
| Name / type of organisation | % income (as band) |
| Drop down list of organisations to select from  GP practice/federation /consortium  OOH/locum providers  CCG  NHS Trust  NHSE/other NHS organisation  Private healthcare provider (e.g. Virgin)  University  Pharmaceutical company  Other commercial organisation  Education for Health  Other respiratory not for profit organisation (e.g. BTS, BLF, AUK)  Other not for profit organisation (e.g. RCP, RCGP) |  |

I am not employed as a member of staff and / or as a partner by any organisation

**B. Other paid positions / work**

Please complete for all healthcare related organisations for whom you work and receive income personally (except an employee salary or partnership interest)

**PLEASE NOTE:**

1. **If your practice has a 'pooling policy' i.e. money is paid to the practice not to you directly, please declare it in section 2 not here**
2. Any income received from PCRS-UK or via the Primary Care Respiratory Academy or *npj Primary Care Respiratory Medicine* does not need to be declared on this form

|  |  |  |  |
| --- | --- | --- | --- |
| Name (or type) of organisation | | % income (as band) | |
| **NHS Organisations** | | | |
| Drop down list of organisations to select from  GP practices (e.g. locum work)  CCG  NHS Trust  NHSE/other NHS organisation | |  | |
| **Pharmaceutical companies** | | | |
| Drop down list of organisations to select from  Almirall, AZ  BI, BMS  Cheisi, GSK  Meda, Napp/Mundipharma  Novartis, Orion, Pfizer, Roche, Sandoz  Other | |  | |
| **Pharmaceutical industry Total** | |  | |
| **Other commercial organisations** | | | |
| Drop down list of organisation types to select from  Private healthcare provider (e.g. Virgin)  Device manufacturer  Pharmaceutical industry agency  Medical/healthcare publisher (e.g. Pulse, MGP)  Other | |  | |
| If you have a band C or above interest please state organisation(s) | | | |
| **Not for profit respiratory organisations** | | |
| Drop down list of organisations to select from  Education for Health  Asthma UK, BLF  BTS, ARNS, BSACI, ARTP, CSP  RPS or UKPCA  ERS, EACCI  Other |  | |
| **Not for profit other healthcare organisations** | | |
| Drop down list of organisations to select from  RCGP  RCP  Other |  | |

I do not receive any personal income (except an employee salary or partnership interest) from any healthcare related organisation

**C. Other income (e.g. share dividends)**

**Please complete for other income (e.g. share dividends you receive from commercial healthcare or tobacco companies)**

|  |  |
| --- | --- |
| **Company** | **% income** |
| **Pharmaceutical companies** Drop down list of organisations to select from (as B above) | |
| **Other relevant companies** Drop down list of organisations to select from (as B above) | |
| If you have a band B or above interest please state organisation(s) | |

I do not receive any other income (e.g. share dividends from commercial healthcare or tobacco companies)

**D. Other personal benefits**

Do you receive any hospitality/travel grants from pharmaceutical companies to attend conferences/meetings (*whether paid as a grant to you or directly to the conference/hotel by the company)? Excludes pharmaceutical company organised meetings* YES/NO

If YES, please complete which companies Drop down list of organisations to select from (as B above)

**SECTION 2: POOLED / NON PERSONAL INCOME**

Please complete for all income you earn from healthcare related organisations for work that is external to your practice/employer and is NOT directly paid to you.

*Please list entries according to different organisations and indicate how much was received from each, in bands as follows:-*

*Band A Less than 2% of your gross personal annual income*

*Band B Between 2% and 10% of your gross personal annual income*

*Band C Any payment between 10% and 20% of your gross personal annual income*

*Band D Any payment over 20% of your gross personal annual income*

PLEASE NOTE:

Any income received by your practice/employer from PCRS-UK or via the *Primary Care Respiratory Academy* or *npj Primary Care Respiratory Medicine* does not need to be declared on this form

**% income calculated as % personal (not practice/employer) gross annual income**

|  |  |
| --- | --- |
| Name (or type) of organisation | % income (as band) |
| **NHS organisations** Drop down list of organisations to select from (as B above) | |
| **Pharmaceutical companies** Drop down list of organisations to select from as B above | |
| **Pharmaceutical industry Total** |  |
| **Other commercial organisations** Drop down list of organisations to select from (as B above) | |
| If you have a band C or above interest please state organisation(s) | |
| **Not for profit respiratory organisations** Drop down list of organisations to select from (as B above) | |
| **Other not for profit healthcare organisations** Drop down list of organisations to select from | |

My practice/employer does not receive any income for work I undertake for any healthcare related organisation

**SECTION 3: UNPAID WORK**

**A.** **Trusteeships / Directorships**

Please complete for any trustee/directorships you hold in any healthcare related organisation or tobacco manufacturer

|  |
| --- |
| Name of organisation |
| Drop down list of organisations to select from  Asthma UK  BLF  Education for Health  BTS  NHS Trust  Tobacco manufacturer  Other  If other, please state name |

I do not hold any trusteeships/directorships in any healthcare related organisation or tobacco manufacturer

**B. Other unpaid / voluntary work**

Do you hold any other significant positions that may create a conflicting interest to PCRS-UK? YES/NO

If YES, please list the roles and name of organisation

**SECTION 4: Shareholdings in relevant companies**

Please list any shareholdings excluding pension plans, mutual funds and unit trusts you have in the pharmaceutical industry or other relevant companies according to the bands below

*Band A share- holding <5% of the total company*

*Band B 6-25% share-holding of the total company*

*Band C 26-50% share-holding of the total company*

*Band D >50% share-holding of the total company*

|  |  |
| --- | --- |
| **Company** | **% total company shares held (as band)** |
| **Pharmaceutical companies** Drop down list of organisations to select from (as B above) | |
| **Other relevant companies** | |
| Drop down list of organisations to select from  Private healthcare provider  Respiratory device or equipment manufacturer  Pharmaceutical industry agency  Tobacco manufacturer  Other |  |
| If you have a band B or above interest please state organisation(s) | |

I do not have any shareholdings in the tobacco industry or any pharmaceutical or other healthcare company

**SECTION 5: OTHER NON-PERSONAL INTERESTS**

Does your practice, *CCG or Department* (or any organisation that you have a band D interest in or a trustee/directorship with) receive any fees/grants/benefits in kind worth £2500 or more, for which you have direct responsibility, from any commercial healthcare or tobacco company? YES /NO

If YES, please list

1.

2.

3.

4.

5.

**SECTION 6: INTERESTS OF SPOUSES / LONG TERM PARTNERS AND CHILDREN**

Does your spouse/long term partner or children have any relevant employments, paid work or significant unpaid work in any healthcare related organisation or the tobacco industry? YES/NO

Please list any relevant employments, paid work or significant unpaid work for your spouse/long term partner and children

1.

2.

3.

4.

5.

**DECLARATION**

I confirm that I have read the PCRS-UK Conflicts of Interest Policy and that I have declared all relevant interests

|  |  |
| --- | --- |
| SIGNATURE :  PRINT NAME:  DATE: | …………………………………………………………………………  *(emailed signature/typed name is acceptable)*  ……………………………………………………………..…………..  ………………………………………………………………………… |

**Appendix 2: Declaration of interests during the meeting and implications**

|  |  |  |
| --- | --- | --- |
| **NATURE OF INTEREST** | **DESCRIPTION** | **INVOLVEMENT IN DISCUSSION** |
| **Personal Specific** | Member engaged in current and/or on-going work on the product or activity under consideration and has personally received payment for that work from the industry | May take part in the discussion as it relates to that product or activity at the discretion of the Chair but may not vote |
| ***Lapsed personal specific interest*** | As above but the interest is no longer current | Can take full part in proceedings |
| ***Personal non-specific interest*** | Current personal interest in the company concerned which does not relate specifically to the product or activity under discussion | May take part in the discussion as it relates to that product or activity at the discretion of the Chair but may not vote |
| **Non-personal specific** | Member is aware that the department for which they are responsible has at any time worked on the product or activity under discussion | Can take full part in proceedings unless they have personal knowledge of the product through their own work or the supervision of others in which case they may take part in the discussion at the discretion of the Chair but not vote |
| **Non-personal, non-specific** | Member is aware that the department for which they are responsible is currently receiving payment from the company which does not relate to the product under discussion | May take part in the proceedings unless the Chairman rules otherwise |

A potential conflict of interest shall be deemed to be:

1. any financial interest in a pharmaceutical /device company in band B or above
2. Any financial interest in any other healthcare organisations in band C or above
3. Total payment from the pharmaceutical companies in band C or above
4. Any trusteeship or directorship in any healthcare related organisation
5. Any other 'non personal interest', significant other role or interest of spouse, long term partner or children identified by the trustees from the register of interests and deemed to be a significant potential conflict

*Band A Any payment1 less than 2% your gross annual income or shareholding <5%*

*Band B Any payment 1 between 2% and 10% of your gross annual income or 6-25%share holding*

*Band C Any payment1 between 10% and 20% of your annual income or 26-50 %share holding*

*Band D Any payment 1 over 20% of your annual income or >50% shareholding*

1 Personal and any income pooled /paid to practice /employer