Conflicts of Interest and Competing Interests

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This paper builds on the *Standards of business conduct* expected of NHS Staff and describes criteria for competing and conflicts of interest. This paper forms the basis of the Oxford Deanery’s policy on declaration of interests and what action should be taken when there is a potential competing or conflict of interest.

**Background**
South Central Strategic Health Authority’s [SCSHA] Standards of Business Conduct for NHS Staff - A Guide for Employees is given to all new starters, and includes a Declaration of Interests form. SCSHA do not have a separate *Conflict of Interest* or *Competing Interests* policy.

Responsibilities placed upon employees of SCSHA are based upon Circular HSG (93)5 and the standards of business conduct expected of NHS staff. They include the following: “Ensure you are not placed in a position which risks or might appear to others to risk, conflict between your private interests and NHS duties. This primary responsibility applies to all NHS staff, but those of you who commit NHS resources directly [eg by the ordering of goods or services] must take special care to ensure you understand and apply the requirements....”

Annex 1: Institute of Purchasing and Supply – *Ethical code*: “Declaration of interest: Any personal interest which may impinge or might reasonably be deemed by others to impinge on a member’s impartiality in any matter relevant to his or her duties should be declared”.

**Types of interest**
A distinction can be made between conflicts of interest and other (competing) interests.

Conflict of interest can occur in 4 main areas: financial, educational, relationships or employment conflicts. Conflicts will have an impact on an individual’s ability to make impartial and un-biased decisions. Where conflicts of interest occur, an individual will typically either not take part in the meeting/exercise, or have responsibility for making a final decision. All potential conflicts of interest must be declared to the chair of the meeting, panel or the line manager for the activity.

Competing interests occur when factors may fall short of constituting a conflict, but could colour an individual’s judgement. Individuals with competing interests should still be able to participate in meetings but it is important that these are declared in advance to the Chair to ensure that the meeting is conducted fairly and impartially.

**Recommendations**
1. Individuals should declare all interests. These interests may constitute a conflict for all/part of a deanery activity and will be context-specific. Often they will be incidental and have no impact on the meeting in hand and in other cases, they may colour judgement. All conflicts and competing interests must be declared to the meeting chair and/or colleagues so that interests can be explored before reaching a final decision. If the individual is the chair, the issue should be discussed with the PG Dean or deputy.

2. Individuals with a conflict of interest must recuse/withdraw themselves from the meeting, panel, or other activity.

3. Declarations of interest should be a standing agenda item at the start of every meeting.

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