

## NTAG Conflict of Interests Policy

Conflicts of interest are a common and sometimes unavoidable part of the delivery of healthcare. As such, it may not be possible or desirable to completely eliminate the risk of conflicts. Instead, it may be preferable to recognise the associated risks and put measures in place to manage the conflicts appropriately when they do arise.

Therefore if you are taking part in a NTAG advisory body meeting, you must consider whether or not you have any interests that could conflict with your role. In addition all authors of evaluation reports, those commenting on a report, those appealing against or supporting any NTAG review will also be expected to declare any conflict of interests. Even if an interest has been recorded in your organisations register of interests, it should still be declared in meetings where matters relating to that interest are discussed. Declarations of interest will also be recorded in minutes of meetings using the template attached.

All NTAG members will be expected to complete the attached form on an annual basis and update the chair on any potential conflicts prior to each meeting on receipt of the agenda. All **new interests declared by members** at the meeting should be promptly updated onto the declaration of interest form and sent to the professional secretary as soon as possible after the meeting.

### What is a conflict of interest?

The following charts and tables give an overview of what may constitute a conflict of interest. Please note this is just a general guide and if you are unsure as to whether you have a conflict of interest please contact the NTAG professional secretary who will be able to offer advice.

#### Do you have a personal pecuniary interest?

Where an individual may financially benefit (see later) from the consequences of a decision, or where an individual has benefitted financially from organisations or companies likely to benefit.

For example:

1. Where an individual is, or is employed by a provider of services
2. Where an individual is self-employed or has part-time work outside of the NHS, which may conflict with NTAG business
3. Where an individual has been a paid adviser to a healthcare or pharmaceutical company, where the NTAG may make recommendations about their products or services.
4. Any shareholdings (apart from unit trusts where the fund manager has full discretion as to its composition) or other beneficial interests

#### You must declare this interest.

If the payment relates specifically to the product or service under review, you will have to withdraw from the vote and won't be able to take part in the discussion and will have to leave the room when the item is discussed.

#### Do you have a personal family interest? (Indirect pecuniary interest)

In the last 12 months, has a member of your family received, or do they plan to receive, a financial payment or other benefit from the healthcare industry? This could include:

- holding a directorship, or other paid position
- carrying out consultancy or fee paid work
- having shareholdings or other beneficial interests
- receiving expenses and hospitality over and above what would be reasonably expected to attend meetings and conferences

#### You must declare this interest.

If the payment relates specifically to the product or service under review, you will have to withdraw from the vote and may not be able to take part in the discussions (*Chairs discretion*)

### Do you have a non-pecuniary professional interest?

Where an individual holds a non-remunerated or not-for profit interest in an organisation, that will benefit from the consequences of a commissioning decision. For example:

1. Where an individual is a trustee of a voluntary provider that is bidding for a contract.
2. Where an individual is, or has a family member likely to be affected personally by the decision made e.g. has a medical condition which is affected by a NTAG recommendation – this information may not be published at the Chair's discretion.
3. Where an individual has attended an educational meeting, training session or conference which is sponsored by multiple healthcare or pharmaceutical companies where NTAG may make recommendations about their products or services.

#### You must declare this interest.

You will still be able to participate (unless the chair decides otherwise) but you will not be able to take part in decision –making.

### Do you have a personal non-pecuniary interest?

1. Where an individual has expressed a clear opinion on the matter under consideration which has been:
  - reached as a conclusion of a research project
  - and/or expressed as a public statement.
2. Or where an individual is a member of a professional organisation or advocacy group with a direct interest in the matter under consideration.
3. Fellowship endowed by the healthcare industry
4. Or where an individual may enjoy a qualitative benefit from the consequence of a commissioning decision which cannot be given a monetary value.
5. Or any other reason where an individual may be considered to be biased.

#### You must declare this interest.

You will still be able to participate (unless the chair decides otherwise) but you will not be able to take part in decision – making.

## Managing Conflicts of Interest during a Meeting

When a member of the meeting (including the chair or vice chair) has a conflict of interest in relation to one or more items to be discussed at the meeting, the chair (or vice chair or remaining non-conflicted members where relevant) must decide how to manage the conflict.

The appropriate course of action will depend on the particular circumstances, but could include one or more of the following:

- ❖ Where the chair has a conflict of interest, deciding that the vice chair (or another non-conflicted member of the meeting if the vice chair is also conflicted) should chair all or part of the meeting;
- ❖ Requiring the individual who has a conflict of interest (including the chair or vice chair if necessary) not to attend the meeting;
- ❖ Ensuring that the individual concerned does not receive the supporting papers or minutes of the meeting which relate to the matter(s) which give rise to the conflict;
- ❖ Requiring the individual to leave the discussion when the relevant matter(s) are being discussed and

when any decisions are being taken in relation to those matter(s). In private meetings, this could include requiring the individual to leave the room and in public meetings to either leave the room or join the audience in the public gallery;

- ❖ Allowing the individual to participate in some or all of the discussion when the relevant matter(s) are being discussed but requiring them to leave the meeting when any decisions are being taken in relation to those matter(s). This may be appropriate where, for example, the conflicted individual has important relevant knowledge and experience of the matter(s) under discussion, which it would be of benefit for the meeting to hear, but this will depend on the nature and extent of the interest which has been declared;
- ❖ Noting the interest and ensuring that all attendees are aware of the nature and extent of the interest, but allowing the individual to remain and participate in both the discussion and in any decisions. This is only likely to be the appropriate course of action where it is decided that the interest which has been declared is either immaterial or not relevant to the matter(s) under discussion.

### **Managing Conflicts of interest from applicants or specialist groups or networks**

All authors of evaluation reports, those commenting on a report, those appealing against or supporting any NTAG review will also be expected to declare any conflict of interests. These must be submitted to the professional secretary along with any appeal letter or supporting statements. Where a network, CCG or Trust department requests a review of a new drug then a declaration of interests form (if not already publically available) must be completed and this must be submitted alongside the referral request.

To note; it is the responsibility of each individual member of the meeting to declare any relevant interests which they may have and to keep them updated. However, should the chair or any other member of the meeting be aware of facts or circumstances which may give rise to a conflict of interests but which have not been declared then they should bring this to the attention of the chair who will decide whether there is a conflict of interest and the appropriate course of action to take in order to manage the conflict of interest

### ***Please note your annual declaration may be made publicly available***

Further information on conflicts of interest and the templates that will be used to declare or record these are available in the appendices.

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*Date of preparation: updated August 2016*

*Based on the NICE declarations of interest policy (May 2014) and updated to include NHS England recommendations to CCGs (August 2016)*

## Appendix 1 - Types of Interest (taken from NHS England guidance)

| Type of Interest                            | Description   |
|---|---|
| <b>Financial Interests</b>                  | <p>This is where an individual may get direct financial benefits from the consequences of a commissioning decision. This could, for example, include being:</p> <ul style="list-style-type: none"> <li>• A director, including a non-executive director, or senior employee in a private company or public limited company or other organisation which is doing, or which is likely, or possibly seeking to do, business with health or social care organisations;</li> <li>• A shareholder (or similar owner interests), a partner or owner of a private or not-for-profit company, business, partnership or consultancy which is doing, or which is likely, or possibly seeking to do, business with health or social care organisations.</li> <li>• A management consultant for a provider;</li> <li>• In secondary employment (see paragraph 56 to 57);</li> <li>• In receipt of secondary income from a provider;</li> <li>• In receipt of a grant from a provider;</li> <li>• In receipt of any payments (for example honoraria, one off payments, day allowances or travel or subsistence) from a provider</li> <li>• In receipt of research funding, including grants that may be received by the individual or any organisation in which they have an interest or role; and</li> <li>• Having a pension that is funded by a provider (where the value of this might be affected by the success or failure of the provider).</li> </ul> |
| <b>Non-Financial Professional Interests</b> | <p>This is where an individual may obtain a non-financial professional benefit from the consequences of a commissioning decision, such as increasing their professional reputation or status or promoting their professional career. This may, for example, include situations where the individual is:</p> <ul style="list-style-type: none"> <li>• An advocate for a particular group of patients;</li> <li>• A GP with special interests e.g., in dermatology, acupuncture etc.</li> <li>• A member of a particular specialist professional body (although routine GP membership of the RCGP, BMA or a medical defence organisation would not usually by itself amount to an interest which needed to be declared);</li> <li>• An advisor for Care Quality Commission (CQC) or National Institute for Health and Care Excellence (NICE);</li> <li>• A medical researcher.</li> </ul>   |
| <b>Non-Financial Personal Interests</b>     | <p>This is where an individual may benefit personally in ways which are not directly linked to their professional career and do not give rise to a direct financial benefit. This could include, for example, where the individual is:</p> <ul style="list-style-type: none"> <li>• A voluntary sector champion for a provider;</li> <li>• A volunteer for a provider;</li> <li>• A member of a voluntary sector board or has any other position of authority in or connection with a voluntary sector organisation;</li> <li>• Suffering from a particular condition requiring individually funded treatment;</li> <li>• A member of a lobby or pressure groups with an interest in health.</li> </ul>   |
| <b>Indirect Interests</b>                   | <p>This is where an individual has a close association with an individual who has a financial interest, a non-financial professional interest or a non-financial personal interest in a commissioning decision (as those categories are described above). For example, this should include:</p> <ul style="list-style-type: none"> <li>• Spouse / partner;</li> <li>• Close relative e.g., parent, grandparent, child, grandchild or sibling;</li> <li>• Close friend;</li> <li>• Business partner.</li> </ul>  |



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**Northern (NHS) Treatment Advisory Group  
Declaration of Interests Form**

| Personal details   |         |
|--|---------|
| <b>Print Name:</b>                                       |         |
| <b>Position:</b>   |         |
| <b>Employing organisation</b>                            |         |
| Category of interest                                     | Details |
| Direct pecuniary (financial) interests                   |         |
| Personal Family Interests (Indirect pecuniary interests) |         |
| Non-pecuniary Professional interests                     |         |
| Non-pecuniary personal benefits                          |         |
| Indirect Interests                                       |         |
| Any other relevant area(s) of interest:                  |         |

Where an individual is closely related to, or in a relationship, including friendship, with an individual in the above categories, this should be declared above.

**I declare that the information I have provided above is true and accurate.**

**Signed:** ..... **Date:** .....

If in doubt, the individual concerned should assume that a potential conflict of interest exists. In doing so the Chair will take account of the relevance and significance of the declared interest and appropriate action agreed and recorded. It is the responsibility of the Individual to declare any new or changed interests as soon as practically possible. All declarations will be considered lapsed on year after declaration if one off interests.

This information will be held by the secretary of the Northern Treatment Advisory Group. This information may be held in both manual and computer form and may include data covered by Section 2 of the Data Protection Act 1998.



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## Template to record interests during the meeting.

Minimum that must be recorded in the minutes is as follows:

- Individual declaring the interest;
- At what point the interest was declared;
- The nature of the interest;
- The Chair's decision and resulting action taken;
- The point during the meeting at which any individuals retired from and returned to the meeting - even if an interest has not been declared;
- **Visitors in attendance** who participate in the meeting must also follow the meeting protocol and declare any interests in a timely manner.

| Meeting | Date of Meeting | Chairperson (name) | Secretariat (name) | Name of person declaring interest | Agenda Item | Details of interest declared | Action taken |
|---------|-----------------|--------------------|--------------------|-----------------------------------|-------------|------------------------------|--------------|
|         |                 |                    |                    |                                   |             |                              |              |
|         |                 |                    |                    |                                   |             |                              |              |
|         |                 |                    |                    |                                   |             |                              |              |