

Conflict of Interest Policy

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Definitions

Administrator	Means the staff member or person appointed to manage the administration and/or secretariat of the College Body concerned
Close Party	Means a person or organisation with whom the Conflicted Member has a close personal, professional or business relationship
College Body	Any Board, Committee or group responsible for carrying out work on behalf of RCPI, including: <ul style="list-style-type: none"> a) The Council of RCPI b) The Executive Board c) The Boards of the Faculties and Institutes, RCPI d) Any committee, sub-committee or working group formed under the auspices of the College, Faculties or Institutes, whether or not limited in time or purpose
Conflicted Member	The Member of the College Body who the actual or potential conflict of interest relates to.
Delegate	Means any Member of a College Body delegated to take the place of the Chair, when the Chair is the Conflicted Member.
HSE	Means the Health Service Executive - provides all of Ireland's public health services in hospitals and communities across the country
Internal Stakeholders	Means any trainee, licentiate, member, fellow or employee of RCPI including persons contracted by RCPI to carry out its work.
Member	Means a member of a College Body
Outside Body	Means an organisation, department or body outside of RCPI
RCPI / College	Means the Royal College of Physicians of Ireland and is inclusive of its Faculties and Institutes

1. Purpose and Application

- 1.1.** This policy sets out how RCPI deals with an actual, potential or perceived conflict of interest or loyalty of a Member of a College Body within RCPI or any person responsible for carrying out work on its behalf.
- 1.2.** RCPI has adopted this policy because modern standards of governance and accountability require a consistent and transparent approach to these matters. RCPI is an organisation with a complex external environment. It is inevitable that many of those charged with responsibilities within RCPI also have responsibilities within the wider health service, including (but not limited to) the Department of Health, the HSE, in governance or leadership roles within hospital or hospital groups, advisory bodies and in state agencies (including, but not limited to Health Information and Quality Authority, National Treatment Purchase Fund, State Claims Agency and Health Products Regulatory Authority). Conflicts of interest may also arise where an individual has multiple roles within RCPI.
- 1.3.** Bodies within RCPI regularly make decisions that may affect the interests of its Internal Stakeholders and also the interests of Outside Bodies. RCPI should be seen to do this without any perception that outside influences may have affected the decision-making process.
- 1.4.** Governance is not only about personal responsibility, but about systems and processes that support, amongst other things a transparent and robust structure. Governance systems include meeting procedures in relation to handling declared or perceived conflicts of interest.

2. What is a Conflicts of Interest or Loyalty

- 2.1** This policy sets out how RCPI deals with an actual, potential or perceived conflicts of interest or loyalty of a Member of any College Body.
- 2.2** A conflict of interest arises when a College Body Member's interests or loyalties (or those of their families or a Close Party) are incompatible or in competition with the interests of RCPI or may be perceived to be incompatible or in competition with the interests of RCPI.

A conflict may relate to either a financial or non-financial interest.

A financial interest refers to the possibility of a financial or other material gain arising in connection with decision-making (for example, the awarding of a contract to or from a company with which the Member is involved, the awarding of a service contract to a Member's spouse, the making of a grant or bursary to a Member's dependent child).

A non-financial interest refers to benefits not linked directly to material gain (for example enhancement of career and the possibility of acquiring additional professional recognition, status or fame).

If not managed appropriately and transparently conflicts of interest/loyalty have the potential to:

- Damage effective decision-making
- Undermine the functioning of RCPI
- Attract adverse publicity thereby negatively impacting on RCPI's reputation.

3. Examples of possible Conflict of Interest

3.1 A conflict of interest may arise, for example, if a College Body is considering a matter involving an Outside Body, and a Member of the College Body (or a close family member including their spouse, de facto spouse, partner or child etc. or a Close Party) within the last three years:

3.1.1 is an employee or consultant of that Outside Body

3.1.2 holds shares in that body

3.1.3 is an office holder of that body

3.1.4 has received a research grant from that body

3.1.5 receives travel grants, conference expenses, gifts or hospitality from that body, or

3.1.6 is applying for any of those things (to occur within the next 12 months)

3.2 In each of those cases, the existence of the outside relationship might possibly influence how the Member acts or votes

4. Duty to inform the College Body of Conflict of Interest

4.1 All College Body Members on appointment shall complete the Declaration of Interests Form (in Appendix A), which shall be updated annually and maintained by the Administrator. Note all Fellows participating in Council elections will be required to complete the Declaration of Interests form which will be available for voters to view.

4.2 Members of a College Body have a duty to inform the College Body, through the Chair, (at the earliest opportunity) of any actual or potential conflict of interest which he or she might face

in relation to the work of the College Body, and the nature of the conflict.

- 4.3** Some potential conflicts will prove to be non-material although it is not for the Member declaring the conflict to decide. The College Body concerned needs to consider the conflict according to the following procedures.

5. Procedures to consider the Conflict of Interest

5.1 If the actual or potential conflict involves the Chair, he or she should, after disclosing it to the meeting, vacate the Chair for the discussion that will follow. The Members of the College Board present may appoint an acting Chair (“Delegate”) for this purpose.

5.2 Having made a declaration, the Conflicted Member should then leave the meeting room. In general, such disclosures should be discussed in the absence of the Conflicted Member by the remaining Members of the College Board who together should decide:

5.2.1 Whether a conflict of interest exists;

5.2.2 If so, its significance and likely impact on the item or items of business to which it applies;
and

5.2.3 Should a conflict be identified, the Conflicted Member should be informed of the decision and absent themselves from the remainder of the discussion

6. Notification of conflict by other Members of a College Body

6.1 Should a Member or Members of a College Body believe that another Member may have a conflict of interest which should be disclosed but has not been, he or she is entitled to raise this matter with the group. The Members of the College Board may request that the Conflicted Member be subject to the processes that apply when a conflict of interest has been declared.

6.2 In such a situation, the Conflicted Member should leave the meeting room so that the remaining Members can decide in their absence whether to hear and determine the matter in the absence of the Conflicted Member. This would clearly ensure the Conflicted Member has no influence on the outcome.

7. Agenda and minutes of meetings

7.1 The agenda for all meetings of a College Body should include a standing item for ‘Declaration of a Conflict of Interest’. The Chair will ask all Members to declare if they have any actual or potential conflict of interest relating to any item on the agenda. The Chair should also ask at the outset of the meeting if any Member has items to include under Any Other Business (AOB) and ask if there are any actual or potential conflicts at this time

7.2 The minutes or decisions and actions of a meeting should record

7.2.1 The fact that the declaration was made, and the details of the conflict; and

7.2.2 The resolution or conclusion of the College Board following its consideration of the matter, including any actions that were taken.

8. Conflicts of Interest arising from close relationships

8.1 If a close family member (such as spouse, de facto spouse, partner or child etc) or a Close Party of a Member consults, or works in any capacity for an organisation with which the College Body may have dealings on matters such as health policy, then the procedure is as follows:

8.1.1 When a Member is participating in anything that involves an Outside Body with which a Close Party is associated, the Member should be careful to avoid doing anything that can be misconstrued by third parties, such as:

8.1.1.1 Participating in any meeting or discussion (whether or not in the company of other RCPI personnel) with just that Outside Body or its representatives; or

8.1.1.2 engaging in any correspondence with that Outside Body or its representatives

8.1.2 If RCPI is dealing directly with that Outside Body on a one on one basis, then;

8.1.2.1 The Member will not be shown any documents that relate to the RCPI’s dealings (or proposed dealings) with that Outside Body (such as draft policy submissions and correspondence) unless, in relation to a particular matter, RCPI has formalised a policy or position on that matter which is in the public domain or the document is in the public domain without breach of any confidentiality obligation.

8.1.3 The Member will not participate in internal discussion within RCPI, including any College Body concerning those matters, or in any discussions with the Outside Body.

8.1.4 However, if RCPI is developing or negotiating a national policy, and the Outside Body is merely one of a number of organisations participating in that policy development process,

then the Member may participate in multi-body meetings, and College discussions on that policy.

9. Document access for Conflicted Member

9.1 When a Member notifies the College Body of an actual or potential conflict of interest, then document access is to be limited where possible.

9.1.1. The Chair is authorised to determine which papers fall under the actual or potential conflict.

9.1.2 If the Chair is the Conflicted Member, then any other Member is authorised by the College Body to take their place.

9.1.3 The Chair or Delegate (as appropriate) shall be provided with such assistance from the Administrator as may be required.

9.1.4 Members and relevant Administrators shall do their best to ensure no documents related to the actual or potential conflict are provided to the Conflicted Member

9.1.5 Any documents deemed relevant to the actual or potential conflict shall be removed from the College Body papers of the Conflicted Member. Documents shared by electronic means (such as via an online board portal) shall have access removed to the Conflicted Member.

9.2 If a Delegate has any doubt whether or not a document relates to an actual or perceived conflict of interest, they should withhold the documentation from the Conflicted Member, even if the Conflicted Member disagrees. The decision may be overturned only by resolution of the College Body in the absence of the Conflicted Member.

Appendix A
Template Declaration of Interests
RCPI Declaration of Interests Form

Name	Date completed
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Please identify all **relevant** interests (actual, potential or perceived), from within the last 3 years or to occur in the next 12 months.

*When considering what interest(s) are **relevant** the test should be – would a reasonable person, who was aware your interest believe that you might be influenced by that personal interest when making a decision on behalf of the RCPI?

A. Employments, directorships, consultancy or advisory positions held outside of RCPI.

B. Shareholdings

C Office holder positions held in a professional body, specialist society or other organisation

D. Research grants received

E. Travel grants, conference expenses, gifts or hospitality

F. Any interests of a close family member that are appropriate to disclose.

G Any other actual, potential or perceived interest or interests or loyalty not covered in the categories above that are appropriate to disclose.

I confirm that the information above is true and complete to the best of my knowledge. I agree to update this information as necessary and to review this declaration annually. This information is given under the terms of the RCPI Conflict of Interest Policy and for no other purposes.

Signed _____

Date

