

Nursing and Midwifery Council
Council Managing Interests Policy

Policy title	Council Managing Interests Policy.
Summary	This policy provides guidance on managing conflicts of interest for Council members, Associates and Partner members, to ensure adherence to high standards of governance.
Approval	Approved by the Council on 24 November 2021.
Policy Owner	Secretary to the Council.
Review Due of Policy	Dependent on legislative change but possibly April /October 2023. All governance policies will be reviewed in preparation for transition to a Unitary Board governing model. Any new NMC Governing body will need to adopt a Code and related policies as an early item of business.
Comments / Suggestions	If you have any comments / suggestions in relation to this policy please contact the Secretary to the Council.

Other related policies and guidance mentioned in this policy you may find helpful to look at:

Title	Board Intelligence (BI) Shelf
Standing Orders <ul style="list-style-type: none"> • Section 5.8 – Conflicts of interest 	Document Library: Governance and Constitutional
Council Code of Conduct	Document Library: Council Policies and Guidance
Partner members Code of Conduct	Document Library: Partner member Policies and Guidance
Council Gifts and Hospitality Policy	Document Library: Council Policies and Guidance
Anti-fraud and anti-bribery Policy	Document Library: Council Policies and Guidance

Council Managing Interests Policy

Our values

- 1 Our values underpin everything we do and all our policies and you should conduct yourself at all times in a way which supports our values:
 - 1.1 **Fair:** You should be honest and open, acting with integrity and respect for each other to create a fair, trusting and transparent workplace for all.
 - 1.2 **Kind:** You should promote kindness through listening to and considering colleagues' points of view. Act kindly and considerately towards everyone in a way that values people's insights and provide constructive challenge in order to improve our ways of working.
 - 1.3 **Ambitious:** You should be open to new ways of working and always aim to do the best for the professionals on our register, the public we serve and each other. Always aim to do better by being open to learning and feedback, and seeking to improve yourself and how you work.
 - 1.4 **Collaborative:** You should work constructively with colleagues to a common purpose, sharing information and listening to others. Foster trust and demonstrate confidence in colleagues. You should offer ideas and be open to ideas proposed by others, working together to find creative solutions to problems. You address matters succinctly and without undue repetition so that others have sufficient opportunity to contribute. You value relationships both inside and outside of the NMC.

Policy Purpose and Overview

- 2 Under the Nursing and Midwifery Council Order 2001 (Schedule 1) (the Order), the Council needs to have a system for the declaration and registration of private interests of its members, and to publish these interests.
- 3 All Council members, Associates and Partner members are expected to demonstrate integrity and high ethical standards, as set out in the Council Code of Conduct and the Partner Members Code of Conduct, which incorporate the seven principles of public life. The Codes state that you have a responsibility to:
 - 3.1 avoid being influenced by, or placing yourself under an obligation to, any individual or organisation which might affect, or be perceived to affect, your ability to act impartially and objectively in your conduct of NMC business;
 - 3.2 declare any professional or personal interests which may conflict with, or be perceived to conflict with, your responsibilities to the NMC. This may include declaring the interests of family members, relatives or close associates.
 - 3.3 maintain your entry on the register of interests.

- 4 The purpose of this policy is to provide further guidance on how we identify and manage interests, including the systems in place for the declaration, registration and publication of interests.
- 5 This policy applies to Council members, Associates and Partner members. It aims to ensure that interests are managed appropriately and consistently, and to promote public trust and confidence in the NMC and its decision-making processes.

Conflicts of Interest

- 6 You could have a conflict of interest if any of your commitments, obligations or loyalties to other organisations or people could, or could be seen to, prevent you from making a decision only in the best interests of the NMC.
- 7 Conflicts of interest may arise in a number of different circumstances, including but not limited to:
 - 7.1 Professional roles or interests.
 - 7.2 Direct or indirect financial interests.
 - 7.3 Non-financial or personal interests.
 - 7.4 Through becoming beholden to other bodies or individuals including by accepting gifts or hospitality from them.
 - 7.5 Conflicts of loyalty due to your role or affiliation with another organisation or person, for example your employer, another body of which you are a member or Trustee or the role or interest of one of your family members may influence or be seen to influence your decision-making.

Identifying and Declaring Interests

- 8 You should declare any interest which might be relevant to the role or work of the NMC.
- 9 The following interests should be declared:
 - 9.1 **Posts held in the course of employment or practice.** This includes employment in a consultancy, directorship and / or advisory capacity and any unpaid work.
 - 9.2 **Any office held in any health care related organisation in the public, private or third sector.** This includes NHS authorities and trusts, regulatory bodies, professional associations, learned societies, royal colleges, trade unions, charities, trusts and voluntary organisations.
 - 9.3 **Membership of any body whose principal purposes include influencing public opinion or policy.** This includes membership of 'think tank' or lobbying organisations.
 - 9.4 **Majority, controlling or otherwise significant shareholdings, stocks and trusts** known to be held by you or, if you are aware of them, by anyone in your close family, in companies whose business activities may give rise to an actual or perceived conflict of interest with the NMC's activities.

- 9.5 **Any business dealing or other financial transactions, including any contract to supply goods or services** to the NMC, or to any person or organisation connected to the activities of the NMC.
- 9.6 **Current, future, or recent association with any NMC Approved Education Institutions.**
- 9.7 **Any close personal ties with the NMC's advisers/suppliers, executive or prospective advisers/suppliers.**
- 9.8 **A personal interest in any matter if it might influence, or be seen to influence you,** in your conduct of NMC business.
- 9.9 **Any other interest which may be relevant and not covered by the above.** This could include any association through close family members or associates which might influence, or be seen to influence, your judgement in matters relevant to NMC activity.

The Register of Interests

- 10 We maintain a register of Council members, Associates, and Partner members' interests.
- 11 As part of our commitment to transparent governance, the register of interests is made public on our website and is available for public inspection at each Council meeting.
- 12 The Secretary to the Council is responsible for maintaining the register of interests, and ensuring it is published appropriately.
- 13 You have a responsibility to provide relevant information for the register.

Declaring interests – periodically

- 14 On appointment, you have a responsibility to declare your interests by completing the relevant Register of Interest Declaration form at **annexe 1**.
- 15 Register of Interest Declaration forms should be submitted by email to the Secretary to the Council.
- 16 You are responsible for informing the Secretary to the Council of any amendment to your Register of Interest Declaration, as soon as you are aware of any change in circumstances.
- 17 You will be asked to review and update your Register of Interest Declaration on a six monthly basis.
- 18 After expiry, an interest will be removed from the public register. Historic records will be maintained in accordance with GDPR and our retention policy.

Declaring interests - meetings

- 19 You are expected to act at all times in a way which promotes and reinforces trust and confidence in the Council and professional regulation.

- 20 You should declare the existence and nature of any professional, personal, financial, or other interest in any item of business being discussed at a Council meeting (or any meeting of a committee reporting to Council).
- 21 You should notify the Secretary to the Council or the relevant committee about the conflict of interests at the earliest time possible.
- 22 In the event that you become aware of a conflict or potential of interest during the course of a meeting, you should make the meeting attendees aware of this as soon as the conflict arises.

Determining whether a conflict of interest is material

- 23 An interest is material if a member of the public with knowledge of the relevant facts would reasonably regard the interest as sufficiently significant to prejudice your judgement.
- 24 In accordance with Standing Order 5.8 of the Council, if you declare a professional personal, financial, or other interest in any item of business on the agenda, the Chair will determine where there is a material conflict of interest and, if so, whether and to what extent (if at all) that person should participate in discussion and decision of the matter.
- 25 If the Chair declares an interest in accordance with Standing Order 5.8.1 of the Council, the remaining members will determine whether there is a material conflict of interest, and, if so, whether and to what extent (if at all) the Chair should participate in discussion and decision of the matter.
- 26 Where there is no longer a quorum as a result of a decision under Standing Order 5.8.2 or 5.8.3, discussion of that item of business will be adjourned and the meeting will proceed to the next item for which a quorum exists.

Gifts / hospitality

- 27 As set out in the Code of Conduct, you must not accept gifts, hospitality or benefits offered in relation to NMC business which could or might appear to influence or compromise your judgement or integrity. Further guidance can be found in the Gifts and Hospitality Policy.

Non Compliance

- 28 Failure to adhere to this policy is in breach of our code of conduct.
- 29 Advice and guidance on this policy or on the registration or declaration of interests is available from the Secretary to the Council.

Governance
September 2021

EXAMPLE FOR INFORMATION ONLY - Council members

Register of Interests

DECLARATION

Name:

Date:

I have read and understood the guidance on the Register of Interests. I list below organisations of which I am a member, with which I am associated or in which I have a financial interest where a conflict of interest or the appearance of such a conflict could arise.

Please note that the register of interests will be published on the NMC website.

Organisation	Role	Relevant dates		Comments
		From	To	

Please continue this table if necessary

Close family and associates

*You only need to list your close family members where a conflict of interest, or the appearance of such a conflict could arise with the NMC (see paragraphs 8 and 9 of the policy for guidance on identifying relevant interests). Please note that this section will **not** be published on the NMC website.*

I list below the names of my close family (see definition below) and associates and I wish to declare the following business dealings or other financial transactions they have had with the NMC (excluding annual registration fees).

Close members of the family of a person are those family members, who may be expected to influence, or be influenced by, that person in their dealings with the entity and include:

- a) That person’s children and spouse or personal partner;
- b) Children of that person’s spouse or personal partner; and
- c) Dependents of that person or that person’s spouse or personal partner.

Column A – Please only list your close family members where a conflict of interest, or the appearance of such a conflict could arise with the NMC

Column B – please list their relationship with you

Column C – please list any **relevant** transactions that have taken place.

Column A: Name of close family member and/or associate	Column B: Their relationship with you	Column C: Any <u>relevant</u> transactions that have taken place

Fit and proper person declaration

In addition to the above disclosures, I also confirm, for the purposes of my annual declaration, that I am a fit and proper person to act as a Trustee of the Nursing and Midwifery Council during the year under the Finance Act 2010. In this respect, I confirm that:

- I am not disqualified from acting as a charity trustee (as per paragraphs 5 - 7 of the [Nursing and Midwifery Council \(Constitution\) Order 2008](#)).
- I will at all times seek to ensure the charity’s funds and charity tax reliefs received by this organisation are used only for charitable purposes.

Name:

Signed:

Date:

EXAMPLE FOR INFORMATION ONLY - Associates/Partner members

Register of Interests

DECLARATION

Name:

Date:

I have read the guidance on the Register of Interests, and I list below organisations of which I am a member, with which I am associated or in which I have a financial interest, where a conflict of interest or the appearance of such a conflict could arise.

Please note that the register of interests will be published on the NMC website.

Organisation	Role	Relevant dates		Comments
		From	To	

Please continue this table if necessary

Close family and associates

*You only need to list your close family members where a conflict of interest, or the appearance of such a conflict could arise with the NMC (see paragraphs 8 and 9 of the policy for guidance on identifying relevant interests). Please note that this section will **not** be published on the NMC website.*

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- d) That person’s children and spouse or personal partner;
- e) Children of that person’s spouse or personal partner; and
- f) Dependents of that person or that person’s spouse or personal partner.

Column A – Please only list your close family members where a conflict of interest, or the appearance of such a conflict could arise with the NMC

Column B – please list their relationship with you

Column C – please list any **relevant** transactions that have taken place.

Column A: Name of close family member and/or associate	Column B: Their relationship with you	Column C: Any <u>relevant</u> transactions that have taken place

I confirm that the above information is correct.

Name:

Signed:

Date: