

SCHEDULE 5

# Declaration of Interests and Register of Interests – A Guide for Board Members, Employees and those working on behalf of NIMDTA

2021 (Version 6.1)  
BS>G&R>Board

## Policy Review Schedule

Date first Approved by NIMDTA Board:	June 2012
Last Approved by NIMDTA Board:	November 2021
Date of Next Review:	November 2022

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Schedule Owner: Senior Governance, IT & Facilities Manager

### Amendment Overview

Version	Date	Pages	Comments	Actioned
2005 – 1.0				
2012 – 2.0	18/06/2012		Prepared for consideration by Agency Board Approved by Agency Board	Margot Roberts
2012 – 2	09/12		Moved to new policy template. Reference to Agency Conflict of Interest Policy inserted.	Mark McCarey
2012 – 2	09/12		Updated to reflect discussion at Governance & Risk Committee. Reference to 'Chairman' changed to 'Chair' throughout. Section 4 in relation to standing agenda point added. Declaration and Register of Interests (Board Members) and Declaration of Employees Interests added. Document added to the list of Schedules as Schedule 5. To be submitted to Agency Board for approval.	Mark McCarey
2012 – 2	01/09/2012		Amended in light of Board discussion. Additions in relation to Nolan Principles, and the conflicts of interest forms have been added	Mark McCarey
2012 – 2	01/10/2012		Amended to ensure that content read in a manner that clearly expressed that the policy was applicable to Lay Representatives. Clarification on perceived interests added. Also cross referenced the Conflict of Interest form to ensure that MR addition was made.	Mark McCarey
2012 – 2	18/06/2013		Role of NIMDTA to be included at beginning of each policy and corporate document  Footer updated to include new NIMDTA mission statement	Linda Craig
2014 – 3.0	27/11/2014		Presented to Agency Board for approval. <b>Approved.</b>	

Version	Date	Pages	Comments	Actioned
2014 – 3.0	03/12/2014		Sent out to NIMDTA Board members, SMT, and new authorisers.	Karen Alexander
2014 – 3.0	22/01/2015		Presented to NIMDTA Board for information relating to Register of Interests	
2014-3.0	12/06/2015		Sent out to all NIMDTA staff as agreed at G&R meeting of 24.02.2015	Linda Craig
2014 – 3.0	07/03/2016		Sent to NIMDTA Lay Representatives for 2016/2017	Linda Craig
2014 – 3.0	28/04/2016		Sent out to NIMDTA Board Members, Senior Management, Team Leaders and all staff for 2016/2017	Gillian Kerr
2016-3.1	27/10/16	18	Reviewed following the retirement of the Administrative Director for consideration by the Governance & Risk Committee	Mark McCarey
2016-3.2	23/11/2016	18	Reviewed following G&R for Board approval. <b>Approved</b>	Mark McCarey
2018 – 4.0	11/01/18		Reviewed for consideration by G&R on 24/01/18. Approved	Mark McCarey
			Presented to NIMDTA Board 25/01/18. Approved	
2020 – 5.0	19.11.19		Reviewed for consideration by G&R on 30.01.20.	Gillian Kerr
			Presented to NIMDTA Board 30.01.20.	
2021 – 6.0			Reviewed for consideration by G&R on 23.09.21	
2021 – 6.1			Reviewed following input from Board Members. For consideration at Board on 25.11.21. <b>Approved.</b>	

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## **Role of the Northern Ireland Medical and Dental Training Agency**

The Role of NIMDTA can be found on the Agency website here:  
<https://www.nimdtg.gov.uk/about/background/role/>

## **Policy Influence**

This Standing Order has been influenced by:

- Code of Conduct for NIMDTA Employees or Code of Practice for Board Members
- Gifts and Hospitality - Policy on the Provision and Acceptance of:
- The Nolan Principles of Public Life (attached Appendix 1)
- Declaration and Register of Interests (Board Members) (attached Appendix 2)
- NIMDTA's Conflicts of Interest Declaration Form (attached Appendix 3)

## **1. Introduction**

It is a requirement for Staff, Chairs and Board members of HSC bodies to declare any conflicts of interest that may arise in the course of conducting HSC business.

This document is intended to help the Northern Ireland Medical and Dental Training Agency (hereinafter referred to as NIMDTA) avoid conflicts of interest and act appropriately if a conflict of interest does develop. All members of staff, Board members and those acting on behalf of NIMDTA, for example Lay Representatives, are required to declare any interests on the Declaration of Interests form. The information will be used to compile a Register of Interests held by NIMDTA.

## **2. Declaration of Interests**

Members are required to declare interests which are relevant and material to the Board of NIMDTA.

Interests which should be regarded as “relevant and material” are:

- Directorships, including non-executive directorships held in private companies or PLCs (with the exception of those in dormant companies).
- Ownership or part-ownership of private companies, businesses or consultancies likely or possibly seeking to do business with the HSC.
- Majority or controlling shareholdings in organisations likely or possibly seeking to do business with the HSC.
- A position of authority in a charity or voluntary organisation in the field of health and social care.
- Any connection with a voluntary or other body contracting for HSC services.
- Details of any personal interest or relationship that may arise from time to time that could be perceived to cause a conflict of interests.

## **3. Register of Interests**

- NIMDTA shall set up and maintain a Register of Members’ Interests which shall be made publicly available on request, at NIMDTA’s premises - Beechill House, 42 Beechill Road, Belfast.
- The Register shall be designed that it will include details of all directorships and other relevant and material interests which have been declared by Board members as defined in point 2 above.

- The Register shall be kept up-to-date by means of an annual review following which changes to members' interests declared during the preceding twelve months should be incorporated.
- NIMDTA will take reasonable steps to bring the existence of the Register to the attention of all stakeholders and publicise arrangements for viewing it.
- Members must complete a new declaration of interest every year.

## **4. Declaration of Interests at Meetings**

The declaration of interests will be a standing item on the agenda of each meeting of the Board and all of its sub-committees.

## **5. Definition of a Conflict of Interest**

A conflict of interest can be defined as a situation in which an individual is in a position to influence the outcome of a decision for personal gain or benefit. This personal interest can be direct or indirect and it can include the interests of parties connected to an individual within the organisation.

A conflict of interest can also be actual or perceived. A perceived conflict of interest relates to how an observer may view a person's position and their ability to influence decisions for personal gain. If it is thought that a reasonable person could perceive a conflict of interest in any given situation, this must be treated as an actual conflict of interest.

## **6. Examples of Conflicts of Interests**

The following are the most common forms of conflicts of interests:

- Self-dealing in which a senior executive or member of the Board enters into a transaction with another organisation for financial benefit.
- Outside employment in which the interests of one job contradict another.
- Family interests in which a spouse, civil partner, child or other close relative is employed (or applies for employment) or where goods or services are purchased from such a relative or firm controlled by a relative. Abuse of this type of conflict of interest is called nepotism. Nepotism could also be seen to be present, whether actual or perceived, in relation to close friendships or family members of close friends.
- An organisation to which a Board member or member of staff is connected or is a beneficiary.



- Gifts from friends who also do business with the person receiving the gifts.

## **7. Managing Conflicts of Interest**

It is unlikely that conflicts of interest can be completely avoided. Declaring a conflict should be viewed as a positive act, as it is foreseeable that at some stage in your involvement with NIMDTA that the role that you carry out may cross with some personal interests, whether actual or perceived. Failing to declare such a conflict may impact both your reputation and that of NIMDTA. In order to avoid such instances, the following principles should be followed:

- **Declare a conflict** - once identified a conflict of interest should be declared at the earliest opportunity. The responsibility to do this rests on the individual concerned, as only they are aware of their personal relationships and interests.
- **Leave the meeting** – a Board member or committee member who declares a conflict should leave the meeting and the remaining committee members should decide when it is appropriate for them to return.
- **Decide on next steps** – if the Board or Committee decides that there is no conflict the member may attend the meeting. If the conflict is of such a low level that it can be tolerated the organisation should determine how best to protect its interests. The committee member may for example excuse themselves from parts of the meeting where the conflicting activity is discussed. If the conflict is likely to continue on an on-going basis the member's participation in that Board/Committee will be called into question and they should resign from their post or cease the conflicting activity.
- **Record the process** – the steps taken should be clearly documented and a register of interests maintained.

### **7.2 Potential Employment Opportunities**

When a person connected to a representative of NIMDTA (as set out in the introductory paragraph) becomes interested in applying for a position within the organisation the representative must declare an interest immediately.

- **Recruitment process** – to avoid the organisation being open to accusations of unfairness the member should not take part in the shortlisting or selection process or take part in any discussion around the position, such as setting rates of pay or agreeing the job description.
- **On appointment** – if the connected person is successful in being appointed to the position the member should not be involved in allocating duties or authorising leave or expense claims relating to the individual.

### **7.3 Gifts and Hospitality**

NIMDTA has a policy in place to deal with gifts and hospitality. This protects NIMDTA against claims that such gifts or hospitality are intended to influence decisions within the organisation.

Representatives of NIMDTA are required to comply with the policy for accepting gifts and hospitality. All gifts and hospitality should be declared and recorded in the hospitality register. The information recorded should include its estimated value, the date on which it was received, who it was given by and the reason for the gift. Gifts and hospitality intended to influence organisational decision making should never be accepted.

## **Appendix 1 - The Nolan Principles of Public Life**

### **Selflessness**

Holders of public office should take decisions solely in terms of public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

### **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

### **Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

### **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### **Openness**

Holders of public office should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

### **Honesty**

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

### **Leadership**

Holders of public office should promote and support these principles by leadership and example.



**Appendix 2 - Declaration and Register of Interests (Board Members)**

**QUESTIONNAIRE**

Name : .....

Position held: .....

1. Please list below any Directorships (including non-executive Directorships) held in Private Companies or Public Limited Companies (PLCs).

*(Exclude Directorships held in "Dormant" Companies – i.e. those Companies with no transactions.)*

Company Name	Public/ Private	Type of Directorship held

- Please list below any private companies, businesses or consultancies which you may own (or part own) and which may seek to do business with the HSC (i.e. any HSC entity).

*(Include majority/controlling shareholdings in Limited Companies in the above.)*

Business Name	Type of Business	Extent of Ownership

- Please list below any positions of authority held in Charities or Voluntary Bodies in the field of Health and Social Care.

Name of Charity/Voluntary Body	Position Held

- Please list below any connections which you may have with Voluntary or other bodies contracting for HPSS Services.

*There is no firm definition of “connection”, however, they state that you should declare any relationship which could be deemed to influence your views on any matter which may be discussed by the Board. An example of a connection in this context is the blind*

*spouse of a Board member when the Board is considering funding a charity for the blind.*

Name of Body	Connection

5. Disclosure requirements under FRS8 – related party transaction

**A related party transaction is:**

“The transfer of assets or liabilities or the performance of services by, to, or for a related part irrespective of whether a price is charged.”

**A related party includes:**

“Directors and their close family.”

**Please identify any transactions undertaken between either:**

- a) Yourself, or
- b) A close family member, or
- c) An organisation in which either yourself or a close family member have an interest

**And the N.I. Medical & Dental Training Agency for the year ended March YYYY.**

**Note:**

*Do not include emoluments paid in respect of services as a Director of NIMDTA.*

Nature of Transaction	£

Signed \_\_\_\_\_  
(Print Name) \_\_\_\_\_  
Date \_\_\_\_\_

## STANDING ORDERS

### ANNUAL STATEMENT

#### ON THE

### CODE OF BUSINESS CONDUCT AND THE CODE OF ACCOUNTABILITY

*In accordance with Standing Order 12.1, Board members are required to provide an annual signed statement confirming that they understand their obligations and responsibilities under the Standards of Business Conduct (Department of Health and Social Services 1994: 'Corporate Governance in the Health and Personal Social Services: Codes of Conduct and Accountability) in matters concerning NIMDTA.*

**I am a Non-Executive/Executive Director/Director of the N.I. Medical & Dental Training Agency Board, and hereby confirm that I fully understand my obligations and responsibilities under the Standards of Business Conduct.**

Signed: \_\_\_\_\_

Date: \_\_\_\_\_



## **Appendix 3 - Declaration of Interests (Staff members)**

All staff are required to declare any interests which may conflict with their responsibilities as employees of NIMDTA. Employees are also required to update this information as changes occur in their personal circumstances.

This information will be used to compile a Register of Interests held by NIMDTA [This register will be open to the public on request and reference to it will be included in NIMDTA's Annual Report]

### **Personal Details**

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

Contact Address: \_\_\_\_\_

\_\_\_\_\_

Telephone

(Business): \_\_\_\_\_ (Home): \_\_\_\_\_

### **Appointment Details**

Job Title: \_\_\_\_\_

Date of Appointment: \_\_\_\_\_

**Personal Interests**

Political involvement

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Voluntary Commitments

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Any other personal interests which may conflict with those of NIMDTA for example family interests or connected persons?

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**Business Interests**

Present Employment

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Previous Employment

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Please list below any private companies, businesses or consultancies which you may own, part own, or are employed by and which may seek to do business with the HSC (i.e. any HSC entity)

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Signed \_\_\_\_\_

Date \_\_\_\_\_