

FREQUENTLY ASKED QUESTIONS

Conflict of Interest Policy –Electronic Declaration process

No.	Question	Answer
1.	Do I have to declare a 'nil' return if I am not a decision maker?	If you are not a Trust decision maker then you do not need to make an annual 'nil' declaration. Please refer to the Conflict of Interest (Col) Policy which outlines who are confirmed as Trust decision makers.
2.	I don't know what my password is.	CIVICA Declare will have sent you an email which will identify your unique password; please carry out a search in your inbox from CIVICA Declare. Your username is your email address. Should you be unable to locate your password or if you have forgotten what it is, go to the CIVICA Declare log in page, enter your email address as your username and press the 'Forgotten password' button. You can then follow the process to obtain a new password.
3.	How long have I got to declare my interest?	You have 28 days from the date of which your situation changes or your gift/hospitality etc has been received. Any declaration made outside of this timeframe would be a breach of the policy.
4.	What happens if I don't declare that I have an interest?	This may be classed as a breach and the Trust will investigate each breach according to its own specific facts and merits and give relevant parties the opportunity to explain and clarify any relevant circumstances.
5.	Do I have to declare an interest if I have been sponsored to attend an event if it was done outside of works time or if I take annual leave? What if I have received an honorarium?	<p>Modest offers of accommodation/travel relating to attendance at events may be accepted but declared. Anything other than modest should only be accepted in exceptional cases and needs to be approved by your Directorates Associate Director in the first instance with reasons included in your declaration as to why it was accepted. You will also need to include a description of the nature and value of the hospitality.</p> <p>If you have been paid to attend the event – including honorariums (eg you have presented a paper) then this will also need to be declared under the employment declaration tab.</p> <p>Please refer to the guidance in the policy for what information should be included in your declaration. Being on annual leave does not mean that the requirement is negated as it could be seen as a potential for conflict of interest.</p>
6.	Who from the Trust has to authorise my external employment?	All outside employment needs to be declared but not all needs to be authorised by the Trust. If your contract states that you must seek prior approval to entering into outside employment by the Trust, your line manager should approve it. Please ensure you enter their details into the system.
7.	Who can see the information that I am declaring?	The electronic system can be accessed by members of the public so being as clear as possible with what you are declaring

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		is important.
8.	Is there a policy that explains to me what all of this process means?	Yes, this can be found on the Trust's connECT SharePoint pages under 'Policies, Procedures and Guidelines' and is called Conflicts of Interest Policy.
9.	I work as a volunteer and have been given a gift by a patient as a thank you, do I have to declare it	Modest gifts accepted under a value of £50 do not need to be declared. Cash gifts should always be declined. For all other gifts, please refer to section 12.1 of the Conflicts of Interest Policy for gifts
10.	I'm a new starter and can't log into the system, why not?	The CIVICA Declare system takes its data from the Trust's ESR system and this can take up to 4 weeks to update. All new starters are asked to complete a paper-based Conflict of Interest declaration form as part of their recruitment process. Once this is completed, the form is sent to the Col team who will ensure the details are manually displayed on the Trust's website until the new starter information is uploaded to the Trust's ESR system.
11.	The policy states 'Decision making staff' need to make either a declaration or an annual nil declaration. Who does the Trust identify as decision making staff?	Board members, Clinical Leads, Deputy Directors, Associate Directors and staff that are members of decision making groups (refer to the policy), the Trust's Procurement team (including Pharmacy ordering team), clinical staff nominated to represent the Trust at Provider Collaborative workstreams, and those that are authorised to procure works/raise orders (eg tenders or sit on job matching panels are identified as 'Decision Making Staff').
12.	How long will my declaration be kept by the Trust	After expiry, an interest will remain on the register for 6 months and a private record of historic interests will be retained by the Trust for a minimum of 6 years.
13.	A supplier to the Trust has sent me a bottle of wine as a thank you, should I declare it as the value of it is under £50	No gifts should be accepted from a supplier (or a company who is hoping to do business with the Trust) however, you can accept very low cost branded goods such as pens/post up to the value of £6 – these do not need to be declared). The gift of wine should be refused.
14.	I'm a school governor do I have to declare this as it has no impact on the Trust?	Yes you do. The policy in 12.6 – Loyalty interests states if you sit on an advisory group or other paid or unpaid decision-making forums that can influence how an organisation spends taxpayers' money then you have to declare it.
15.	I've been given a gift from a patients' family and I'm sure it must be worth more than £50, can I accept it?	No, you cannot accept a gift from a patient/family member that is valued at over £50 for yourself. However, you can accept it on behalf of East Cheshire NHS Trust Charitable Fund to be used for fund raising purposes. You would have to declare that you had accepted the gift on the above premise and then ensure the gift is given to a member of the Fundraising Team.
16.	A supplier has asked that I attend a meeting at their office and lunch is being provided, can I accept it?	Yes, hospitality from a supplier can be accepted up to the value of £25 and it does not need to be declared. In exceptional circumstances this can be accepted if the value is between £25 - £75 BUT this amount must be declared. Read section 11.2 of the policy for further clarity.
17.	I'm a Director of my wife's company do I need to declare	Yes, you do as either outside employment which includes Directorships, non-executive roles, self-employment,

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	it as the company has nothing to do with the delivery of health services?	consultancy work, charitable Trustee roles, political roles and roles within not-for-profit organisations, paid advisory positions and paid honorariums which relate to bodies likely to do business with an organisation. Or alternatively, if the directorship/ownership interest are material to you (eg equivalent of 5% or more of your overall wealth) then this should be declared as a shareholding interest (see 11.4 of the Policy).
18.	I have outside employment as I work part time in a local bar, do I need to declare it?	Yes, see 12.3 in the policy regarding outside employment; all outside employment must be declared.
19.	My sister works at the Trust but I'm not in direct contact with her during my day-to-day activity, do I need to declare this?	Yes – refer to 12.6 in the policy. You should declare if a family member, close friend or business partner also works at the Trust.
20.	My husband is transferring into my directorate and as I am a manager (and he is not), it could be seen that I have managerial responsibility (or could have at some point) over him, do I need to declare?	Yes – refer to 12.6 in the policy. When declaring you will also need to ensure that you include what action you will take to mitigate against conflict.
21.	I carry out clinical private practice when I am not at the Trust, do I have to declare this?	Yes, all clinical private practice must be declared. See 12.11 in the policy for further clarity. Declarations should include a description of the nature of your private practice and must include how you will mitigate against any perceived or actual conflict.
22.	I witnessed a colleague accept a gift from a supplier what should I do?	The policy is clear that accepting gifts from suppliers is not permitted. There is a facility on the CIVICA Declare database to report such incidents under 'Whistleblowing'; this can be done anonymously if necessary. This would then be investigated by the Director of Corporate Affairs & Governance and their team. You can also refer to the Trust's Freedom to Speak Up – Raising Concerns policy or the Trust's Local Anti-Fraud, Bribery and Corruption Policy
23.	How far back do I have to go with my declarations?	The guidance from NHS England that came into force on the 1 st June 2017, the Trust is therefore asking staff to declare their interests from the 1 st June 2017 on the electronic system
24.	Are there other things other than the receipt of gifts that I have to declare	The policy identifies 11 different categories that staff may potentially have to declare against. Please refer to the policy for clarity.
25.	I've already made a paper declaration when I started at the Trust, why do I now have to complete it again on the electric system?	The paper version is a temporary declaration until you are set up on the electronic ESR system which links to CIVICA Declare. All Trust declarations must be made on the electronic system which is a public facing system.
26.	Do I have to make a declaration every year for my	All declarations should be kept up to date and declared, however, there are four categories that once submitted onto the

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	outside employment/clinical private practice?	electronic system, do not need adding again (ie each year). This is called 'Roll Over' declarations, and any declaration in the Loyalty, Outside Employment, Clinical Private Practice or Shareholdings and Other Ownership Interests need only be entered onto the system when the conflict arose.
27.	How do I end my declaration when it is no longer deemed a conflict?	Once your declaration has ceased, this requires updating on the system and you need to go into your declarations and add a 'cease' end date. Your declaration will stay 'live' for 6 months before it is no longer visible. Not all declarations require a 'cease' date to be added, and any declaration in the gifts, hospitality or donations categories do not require a cease date to be included.
28.	A local company has sent me numerous selection boxes for me to distribute to patients, do I need to declare this as they are only worth around £3.50 each?	Yes, any donation given to you for distribution to patients needs to be declared. The individual accepting the donation, should include the details of the company and an estimated overall value of the donation. Information should be included with how they were distributed (eg 12 selection boxes distributed to patients on the ward on the 17 th January 2022).
29.	A local pizza restaurant has contacted me and said that they would like to bring some pizzas to site to distribute to staff; is this acceptable.	There are a number of concerns with regards to the donation of food as there are regulations that must be adhered to. Please refer to the Trusts Food Safety Policy which outlines the codes of practice that should be followed. Any staff members accepting food (hot or cold) from a supplier other than ISS do so at their own risk; the Trust does not accept any liability where staff members have chosen to accept and eat donated food. If the food is accepted, the person receiving the food must make a declaration stating who the donation came from, estimated value and who received them.
30.	A local organisation has contacted me wishing to donate a significant number of items for distribution to both staff and patients, I've been told they will be items such as toothbrushes, toothpaste, deodorant, soap etc. Can I accept this, I have no idea what the estimated value will be?	Staff should not accept donations such as this, take the contact details of the person/organisation and pass this to the Head of Corporate Affairs and Resilience who should make contact with them and arrange delivery (if appropriate) and ensure a thank you letter is sent to the organisation from the CEO.
31.	I've been asked to attend a conference sponsored by a supplier of goods to the Trust. They have said that they will pay for my travel and accommodation, do I need to declare this?	Staff receiving hospitality should always be prepared to justify why it has been accepted and be mindful that even hospitality of a small value may give rise to perceptions of impropriety and might influence behaviour. This type of hospitality should only be accepted when there is a legitimate business reason and it is proportionate to the nature and purpose of the event. Particular caution should be exercised when hospitality is offered by actual or potential suppliers or contractors. This can be accepted, and

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		<p>must be declared if modest and reasonable. Senior approval must be obtained prior to the hospitality being accepted and taken. See section 12.2 of the policy for more detail. The declaration must include the nature and value of the hospitality including the circumstances of acceptance with clear actions as to how the recipient will mitigate against any conflict. The name and title of the senior staff member authorising the hospitality or accommodation/travel should be forwarded to the Conflict of Interest email address ecn-tr.conflictinterest@nhs.net.</p>
32.	<p>I'm no longer a member of a group that is classed as a Decision Making Group, do I need to update my declaration?</p>	<p>Yes, update your declaration with an end date ie the date your membership of the Decision Making Group ended.</p>
33.	<p>What happens with all of the declaration information?</p>	<p>The information will stay live on the electronic system until you add a 'cease date'. At that time, the declaration will stay live for 6 months following the end date. Declarations are reported to the Audit Committee twice a year together with any breaches in policy.</p>
34.	<p>I'm leaving the Trust, what do I do about my declaration?</p>	<p>It would be helpful if you update your declaration prior to leaving the Trust with a cease date of your declaration (eg the last day of you working at the Trust). Should a cease date not be entered, the declaration will stay live for 6 months following your departure from the Trust.</p>
35.	<p>How are breaches dealt with?</p>	<p>Once a breach has been identified, you will be contacted by the CoI administration team to confirm that a breach has taken place. Your line manager will be contacted and the details of the breach confirmed with them. Your line manager will investigate the breach according to its own specific facts and merits and will ensure relevant parties will have the opportunity to explain and clarify and relevant circumstances. Following the investigation, the Trust will take out appropriate action – please refer to section 14.2 for further details.</p>
36.	<p>Are checks carried out to ensure declarations are accurate?</p>	<p>Quarterly audits of declarations from non-decision makers are undertaken where a random sample of those who have declared are reviewed. Decision Makers declarations are audited on an annual basis and results shared with Audit Committee. In addition, a quarterly random sample of staff without any live declarations is taken from the database. These will be contacted individually if simple background checks completed reveal a potential conflict of interest.</p>
37.	<p>I'm authorised to procure works/raise orders (eg tenders) on behalf of the Trust, how do I ensure that conflicts of interests are managed as part of the procurement process?</p>	<p>At every evaluation stage of procurement, steps should be taken to identify and manage conflicts of interest to ensure and to protect the integrity of the process; this can be achieved by use of the Trust Standing Instruction Waiver Form. The individual managing the procurement process should ensure that any conflict of interest has been noted and logged accordingly (and acted on if necessary).</p>

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38.	I'm a member of a Decision Making Group, how does the Chair of the Group now what declarations their members have made?	Each Chair of a Decision-Making Group receives a quarterly update on what their group members declarations are.
39.	I've been given some cash in an envelope by a patient. As I didn't open the envelope until the patient has left what do I do?	No staff member should accept cash from a patient or a member of their family, it should be politely declined. If the person still wants to give money, then they can make a deposit at the cash office and ask the Cashier to take the money on behalf of the Trusts Charitable Fund. The original staff member who was initially offered the money, does not need to make a declaration on the system in this scenario.
40.	I've been given some vouchers by a patient's family for looking after their family member prior to their death, what should I do?	Vouchers should not ordinarily be accepted as it's another form of money. However, in exceptional circumstances approval could be sought by the Director of Finance (up to the value of £50) and if this is approved, then a declaration must be made. If it is not approved, the voucher must be handed to the Trusts Communications Team who will use it for income generation for the Trusts Charitable Fund. Any voucher over the value of £50 should always be given to the Communications Team for use of income generation for the Trusts Charitable Fund. See section 12.1 for further details.
41.	I have made an interim declaration as part of my recruitment process – do I still need to declare the same things on the electronic system?	Yes, you have 28 days from when your employee ID is recognised on the CIVICA electronic system

If you are a registered professional please also refer to your relevant codes of conduct/guidance