



CONFLICTS OF INTEREST POLICY

1 Purpose

The purpose of this policy is to:

- ensure that members of the SBRI Healthcare programme management board understand where conflicts of interest are likely to arise;
- ensure that SBRI Healthcare programme management board members know what to do when a conflict of interest arises, or there is a potential conflict of interest;
- ensure that the SBRI Healthcare programme management board is able to demonstrate to NHS England and external parties that it has appropriate policies and procedures to deal with conflicts of interest;
- ensure that the SBRI Healthcare programme and its management board is protected from any appearance of impropriety.

2 Scope

- 2.1 This policy applies to members of the SBRI Healthcare programme management board, in discharging their work on the SBRI programme.
- 2.2 This policy covers the correct procedure to follow in the event of identifying, declaring and recording conflicts of interest. The policy also sets out the requirements of confidentiality in respect of the SBRI programme.

3 Conflicts of Interest

- 3.1 In the course of the oversight of funding decisions, SBRI Healthcare programme management board members may be asked to offer guidance on financial support for individual applicant companies.
- 3.2 In accordance with the NHS Codes of Conduct and Accountability SBRI Healthcare, programme management board members should take responsibility to conduct the business of the SBRI Healthcare programme as a whole rather than representing any specific interest.
- 3.3 Members should act impartially and should not be influenced by social or business relationships. No one should use their public position to further their private interests.
- 3.4 A conflict of interest also arises when personal interests improperly influence in the SBRI Healthcare programme management board's performance of its duties or prevents it from making objective decisions in the course of its work. It is essential that care is taken to avoid actual conflicts of interests as well as any perceived conflicts of interests.
- 3.5 Members with a declared interest should apply best endeavours to ensure that any conflict of interest is not affected by their conduct as a member between meetings. The likely types of conflict are:
 - **Direct financial interest**
A clear conflict of interest arises when an individual involved in taking or influencing the decisions of the SBRI healthcare programme could receive a direct financial benefit as a result of the decision being taken. This may arise as a result of holding an office or shares

in a private company, business, charity or voluntary organisation that may do business with the NHS in the SBRI Healthcare programme.

○ **An indirect / pecuniary interest**

Indirect (financial) interest arises when a close relative of an SBRI Healthcare programme management board member or other key person benefits from a decision of the organisation.

○ **Non financial or personal interests**

These occur where SBRI Healthcare board members receive no financial benefit but are influenced by external factors, such as gaining some other tangible benefit, for example through awarding contracts to friends or business contacts.

○ **Conflicts of loyalty**

Decision makers may have competing loyalties between the organisations to which they owe a primary duty and some other person or entity.

- 3.6 Established interests should be declared at the outset of the SBRI Healthcare programme management board meeting cycle (Oct 2013 being the first meeting). Additional and item specific interests should be declared at the outset of the meeting where possible and at the outset of the relevant item as matters arise. If a member of the board becomes aware of a conflict during the course of the discussion they should declare it and a record will be placed in the minutes with the record of interest being updated after each meeting.
- 3.7 A written record of these interests will be held on the SBRI Healthcare website www.sbrihealthcare.co.uk where members of the public and others can view them.
- 3.8 Where a member has a declared interest in an item of business this will be noted in the minutes of the meeting and the Chair will determine which of the following actions should be taken:
- The member will receive no further papers on the item, will not be able to contribute to the discussion and will be excluded from the decision;
 - The member will receive papers for the item, will be able to contribute to the discussion but will be excluded from the decision;
 - The member will continue as usual if the conflict is deemed insignificant as to not conflict the individual or the decision of the board is determined to be of no impact on the matter identified.
- 3.9 Where there is uncertainty regarding the content of this policy, confirmation should be sought from the Chair and the NHS England Senior Responsible Officer (SRO).

4 Confidential Information

- 4.1 Applicant companies need to have confidence in the SBRI Healthcare programme management board's ability to handle confidential and/or sensitive information appropriately.
- 4.2 SBRI winners will be selected by separately constituted selection panels, but the SBRI healthcare programme management board may need to be made aware of commercially sensitive information and the companies concerned need to have full confidence of the discretion of the programme management board.
- 4.3 The SBR healthcare management board may also come into possession sensitive information about applicant companies in the course of their work on the board. This may include:

- detailed financial information;
- information about proposed joint ventures and partnerships;
- information about potential investment decisions (including mergers and acquisitions);
- information about developing products that are seeking IP registration and patents.

4.4 Instances may arise where the SBRI Healthcare programme management board is in possession of information about a particular applicant that could give another an unfair competitive or commercial advantage if that information were to be disclosed.

5 Handling of Confidential Information

5.1. The unauthorised disclosure or misuse of confidential or sensitive information may:

- undermine the willingness of companies to provide full and frank disclosure; and/or
- adversely affect NHS England's reputation.

5.2. Members of the SBRI Healthcare programme management board must not, without appropriate authorisation, disclose information which has been communicated in confidence within their organisations or received in confidence from others.

5.3. The marking "confidential" shall be used to mark all sensitive information relating to company information and sensitive NHS England documents, such as financial and contractual records, and any other information the unauthorised disclosure of which is likely to:

- adversely affect the reputation of the applicant company or its officers;
- make it more difficult to maintain the operational effectiveness of the applicant company;
- cause financial loss, or loss of earning potential, or facilitate improper gain or disadvantage for individuals or applicant companies;
- breach statutory restrictions on disclosure of information;
- disadvantage the applicant company in commercial or policy negotiations with others, or undermine the proper management of the organisation;

5.4. Documents marked confidential must not be left unattended at any time, in any place, where an unauthorised person might gain access to them.

5.5 Members of the SBRI Healthcare programme management board will be asked to sign a declaration at the outset of the SBRI management board meeting cycle (starting Oct 2013) and a written record of these declarations will be held on the SBRI Healthcare website.