



Western Health and Social Care Trust

EQUALITY AND HUMAN RIGHTS SCREENING TEMPLATE

THIS IS A PUBLIC DOCUMENT

Title of Guidance: Conflict of Interest Guidance	
Lead Manager: Michelle Doherty	Title: Project Manager Finance
Directorate: Finance Directorate	Department: Financial Accounting and Contracting
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Short Description of Policy – this is not a Policy This is a Conflict of Interest guide based on guidance provided by HSC(F) 31-2021 - DAO (DoF) 07/21 - Guidance on Conflicts of interest (4/10/21)	
Final Recommendations: (please tick as appropriate)	
1.	GREEN: No equality issues/impact: no further action <input checked="" type="checkbox"/>
2.	AMBER: Minor equality issues/impact: actions identified <input type="checkbox"/>
3.	RED: Major equality issues/impact: full EQIA recommended <input type="checkbox"/>
Please send draft completed form for quality assurance to equality.admin@westerntrust.hscni.net For further information on quality assurance see page 3, section 3.	
Final Approval Date:	

(1) INFORMATION ABOUT THE POLICY OR PROPOSAL

1.1 Title

Conflict of Interest Guidance

1.2 Description of policy or proposal

Staff and Board members of the Western Health & Social Care Trust must discharge their duties in a manner that is seen to be honest, fair and unbiased. The Trust must therefore ensure that conflicts of interest are identified and managed in a way that safeguards the integrity of staff and Board members and maximises public confidence in decisions and in the Trust's ability to deliver health and social care services.

This guidance covers the four main stages to work through in relation to conflicts of interest:

- **Identifying** a conflicts of interest – actual, potential or perceived
- **Declaring** conflicts of interest
- **Managing** conflicts of interest
- **Publishing** registers of interest

Guidance sets out roles and responsibilities for staff and board members

Where there is any doubt as to what an individual should or should not be registering, this should be discussed with Line Managers/the Chair and/or the Chief Executive of the Trust as appropriate.

1.3 Main stakeholders affected (internal and external)

For example, staff, actual or potential service users, other public sector organisations, GPs, primary care providers, voluntary and community groups, trade unions or professional organisations or private sector organisations or others. **Start to consider how you might involve them in the development of the policy/decision.** This will also help you to meet the Trust's obligations under Personal and Public Involvement (PPI).

The main stakeholders this guidance refers to is all staff working in the Western Health & Social Care Trust at band 8a and above.

1.4 This guidance document was produced as a result of the most up to date guidance issued by Health & Social Care (Finance) 31-2021 - Department of Health 07/21 - Guidance on Conflicts of interest (4/10/21)

Other policies or decisions with a bearing on this policy or proposal

- Health Social Care (Finance) 34-2015 – Conflicts of Interest
- Gifts & Hospitality Policy
- Personal Relationships at Work Guidance
- Northern Ireland Audit Conflicts of Interest – A Good Practice Guide

(2) CONSIDERATION OF EQUALITY AND GOOD RELATIONS ISSUES AND EVIDENCE USED

2.1 Data Gathering

2.1.1 What information did you use to inform this equality screening? For example, previous consultations, statistics, research, Equality Impact Assessments (EQIAs), complaints, etc.

Western Health & Social Care Trust Staffing Information from Workforce Planning
28-3-2023

2.1.2 How did you involve people?

The Trust requires evidence of engagement with stakeholders to fulfil its statutory obligations under its Equality scheme, Consultation Scheme and Personal and Public Involvement strategy. Provide details of how you involved stakeholders e.g. views of colleagues, service users, carers, Trade Unions, Section 75 groups or other stakeholders.

Consultation and Engagement Statement: In your policy/proposal include a paragraph titled Consultation and Engagement and summarise this section. If there was no engagement, please explain why.

The WHSCT in determining the scope and need for the Conflict of Interest Guidance. This document has been shared with the Senior Management Team and will also be share with the Corporate Management Team

2.2 Equality Profile

Who is affected by the policy or proposal? What is the makeup (%) of the affected group? Please provide a statistical profile. Could you improve how you gather Section 75 information? Are there any issues or problems? For example, a lower uptake that needs to be addressed or greater involvement of a particular group? If the policy affects both staff and service users, please provide information on both. If not, merge the 2 columns.

Category	Information provided by Workforce Planning – staff profiles 23-5-2023
Gender	Female 399 Male 125 – Total 524
Age	16-24 - 0 25-34 - 21 35-44 - 166 45-54 - 211 55-64 - 117 65+ - 9 Total 524
Religion	Roman Catholic 381 Protestant 107 Not Determined/Not Known 36 Total 524
Political Opinion	Broadly Nationalist 126 Broadly Unionist 35

	Other 62 Do not wish to answer/not known 301 Total 524
Marital Status	Married 401 Single 86 Other 37 Total 524
Dependent Status	Yes 218 No 98 Not Known 208 Total 524
Disability	Yes 8 No 378 Not known 138 Total 524
Ethnicity	Bangladeshi - 0 Black African - 1 Black Caribbean - 0 Black Other 0 Chinese 0 Filipino 0 Indian 0 Irish Traveller 0 Mixed Ethnic Group 0 Other 0 Not assigned 56 Pakistani - 0 White - 467 Total 524
Sexual Orientation	Opposite sex 337 Same sex 13 Same and Opposite sex 0 Do not wish to answer/not known 174 Total 524

2.3 Assessing Needs/Issues/Adverse Impacts, etc.

What are consequences of the policy/proposal on Users/Carers and staff? What are the different needs, issues and concerns of each of the equality groups? Are there any adverse impacts? If the policy affects both staff and service users, please specify issues for both. If not, merge the 2 columns. Please state the source of your information, e.g. colleagues, consultations, research, user feedback, etc.

	Needs and Experiences
Equality Group	Staff
Gender	No Identified Issues
Age	No Identified Issues
Religion	No Identified Issues
Political Opinion	No Identified Issues
Marital Status	No Identified Issues
Dependent Status	No Identified Issues
Disability	Information and communication regarding the documents can be made available in alternative formats on request for staff who have a disability.
Ethnicity	Information and communication regarding the documents can be made available in alternative formats on request.
Sexual Orientation	No Identified Issues
Other Issues: e.g. Rurality	No Identified Issues

2.4 Multiple Identities: When considering this policy/proposal, are there any additional issues relating to people with multiple identities? For example: older women, disabled minority ethnic people, young Protestant men, disabled people who are gay, lesbian or bisexual.

Not Applicable

2.5 Making Changes: Promoting Equality of Opportunity/Minimising Adverse Impacts

Based on the equality issues you identified in 2.2, 2.3 and 2.4, what do you currently do that meets those needs? What additional changes do you intend to make that will improve how you promote equality of opportunity or minimise adverse impacts?

Equality Group	Actions that promote equality of opportunity or minimise (mitigate) adverse impacts
Disability	Information and communication regarding the documents can be made available in alternative formats on request for staff who have a disability.
Ethnicity	Information and communication regarding the documents can be made available in alternative formats on request.

2.6 Good Relations

Does the policy/proposal have any impact/consequences for Good Relations? What changes to the policy or proposal or what additional measures could you suggest to ensure that it promotes good relations (if any)? (Refer to Guidance Notes for guidance on impact).

Group	Impact/Consequences	Suggestions
Religion	N/A	
Political Opinion	N/A	
Ethnicity	N/A	

(3) CONSIDERATION OF DISABILITY DUTIES

How does the policy/proposal encourage disabled people to participate in public life and promote positive attitudes towards disabled people?

N/A

(4) CONSIDERATION OF HUMAN RIGHTS

4.1 Does the policy or proposal adversely affect anyone's Human Rights?
Complete for each of the Articles.

Article	Positive Impact	Negative Impact - human right interfered with or restricted	Neutral Impact
Article 2 – Right to life			X
Article 3 – Right to freedom from torture, inhuman or degrading treatment or punishment			X
Article 4 – Right to freedom from slavery, servitude & forced or compulsory labour			X
Article 5 – Right to liberty & security of person			X
Article 6 – Right to a fair & public trial within a reasonable time			X
Article 7 – Right to freedom from retrospective criminal law & no punishment without law			X
Article 8 – Right to respect for private & family life, home and correspondence.			X
Article 9 – Right to freedom of thought, conscience & religion			X
Article 10 – Right to freedom of expression			X
Article 11 – Right to freedom of assembly & association			X
Article 12 – Right to marry & found a family			X
Article 14 – Prohibition of discrimination in the enjoyment of the convention rights			X
1 st protocol Article 1 – Right to a peaceful enjoyment of possessions & protection of property			X
1 st protocol Article 2 – Right of access to education			X

If you have answered either 'Positive Impact' or 'Neutral Impact' to all of the above, please move on to Section 5.

4.2 If you have identified any potential negative impacts to any of the articles, please complete the following table.

Article Number	What is the negative impact and who does it impact upon?	What do you intend to do to address this?	Does this raise any further legal issues? * Yes/No

**It is important to speak to your line manager on this and if necessary seek legal opinion to clarify this.*

4.3 Outline any further actions which could be taken to promote or raise awareness of human rights or, to ensure compliance with the legislation in relation to the policy or proposal.

Not applicable

(5) SHOULD THE POLICY OR PROPOSAL BE SUBJECT TO A FULL EQUALITY IMPACT ASSESSMENT?

A full Equality Impact Assessment (EQIA) is usually confined to those policies or decisions considered to have major implications for equality of opportunity. Base your decision on information from sections 2.2, 2.3, 2.4 and 2.5.

How would you categorise the impacts of this proposal or policy? (refer to Guidance Notes for guidance on impact)

Do you consider that this policy or decision needs to be subjected to a full Equality Impact Assessment?

Please tick:

GREEN: No impact	<input type="checkbox"/>
AMBER: Minor impact	<input type="checkbox"/>
RED: Major impact	<input type="checkbox"/>

Please tick:

Yes	<input type="checkbox"/>
No	<input type="checkbox"/>

Please give reasons for your decision. (See Guidance Notes, page 28, for sample paragraph).

A key principle is that as soon as any member of staff or Board Member identifies that they have any type of conflict of interest, it should be declared immediately to their manager. If in doubt, be over cautious and declare as it is better to be open and transparent.

Records of any declarations of interest are maintained within the Chief Executive's Office and compiled into a Register of Interests, they are reviewed and updated and presented to Trust Board for noting. The Register is available for viewing by any member of the public and a notice of such is on the Trust's website.

The information is processed in accordance with data protection principles as set out in the UK GDPR. Data will be processed only to ensure that staff and Board Members act in the best interests of the Trust. The information provided will not be used for any other purpose.

In particular, in respect of Boards, the Chair should remind Board members on a regular basis of the need to register new interests and also ensure that Board members declare (and deal with) such conflicts of interest in accordance with best practice.

Additionally, it is the responsibility of all individuals to ensure that any interests which may present a conflict are brought to the attention of the responsible officer for any specific project or piece of work they are involved in. This is especially important when this involves work outside the branch/division as there may not be the same visibility of individual interests.

While members of staff and Board / ARAC members are responsible for declaring interests and are best placed to identify whether their interests represent a conflict of interest in relation to business, Line Managers and senior staff should always be alert for situations that may create a conflict.

The Chief Executive Office maintains a Register of Interests which is reviewed by the Director of Finance on a bi-annual basis. Registers should be updated on an ongoing basis i.e. the induction stage, the 'as and when' stage, and the annual declaration stage. The Register (including blank Registers where applicable) should be filed/stored. Staff should refer to the Trust Records Management Policy for guidance on data management.

Regarding data protection, the Chief Executive Office is responsible for the secure storage and handling of their Register of Interests and individual Declaration of Interest forms submitted to them. They must ensure that dissemination of this information is no wider than is necessary for the efficient conduct of business and, information should be limited to those individuals who are appropriately authorised to have access to it. This "need to know" principle is fundamental to the protection of all information and the Trust should ensure that staff are fully aware of their personal responsibilities around this.

Reviews by the Director of Finance should be documented and retained for audit purposes. Any safeguarding procedures or measures taken to manage potential or perceived conflicts of interest should also be well documented. A Register of Interests will be held by the Chief Executive Office for Non-Executive Board Members and ARAC independent members. This should also be stored securely and managed in line with the "need to know" principle, be updated annually and shared with the Accounting Officer regularly.

The document has been discussed at Senior Management team meeting and will also go to the Corporate Management Team for discussion and agreement.

Documents will be sent to staff via Trust Communications and saved on Staff Intranet for viewing.

➤ **NOTE: Equality and Human Rights Statement:** The policy/proposal that this screening relates to MUST include the above paragraph. In addition, this paragraph should be used in the briefing note to Trust Board and will also be included in the Trust's Equality Screening Report.

(6) EQUALITY AND HUMAN RIGHTS MONITORING

What data will you collect in the future in order to monitor the effect of the policy or proposal, on any of the equality groups, for equality of opportunity and good relations, disability duties and human rights?

The Chief Executive Office maintains a Register of Interests which is reviewed by the Director of Finance on a bi-annual basis. Registers should be updated on an ongoing basis i.e. the induction stage, the 'as and when' stage, and the annual declaration stage.

Any Complaints will be monitored by the complaints department and any lessons will be shared accordingly.

Michelle Doherty

Approved Lead Officer:

Position:

Project Manager

Policy/Proposal Screened By:

Michelle Doherty

Date:

29 March 2023

Quality Assurance: Please send the final draft for quality assurance to the Equality and Human Rights Unit, Tyrone and Fermanagh Hospital, Omagh, BT79 0NS or email: equality.admin@westerntrust.hscni.net. **Quality Assurance can take up to three weeks.**

Directorate SMT Approval: The completed Equality Screening Form **MUST** be presented along with the policy/proposal to your Directorate SMT for approval.

Quarterly Equality Screening Reports: When final Trust approval is received, ensure that you send the completed screening form and associated policy/proposal, etc. to the Equality and Human Rights Unit, for inclusion in the WHSCT's quarterly equality screening reports. As a public document, the screening form will be available for downloading on both the Trust's website and intranet site.