

'You matter, we care'

Trust Board Meeting (Part 1)	Date: 30 TH October 2013
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Title:	Annual review of Directors and Senior Officers' Interests
Item:	BD/13/218

Executive Director lead and presenter	Director of Corporate Affairs/Company Secretary
Report author(s)	Assistant Company Secretary

History:	<i>n/a</i>
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This report is for:	
Decision	
Discussion	
To Note	X

Executive Summary of key issues
<p>The Register of Directors' Interests was updated in October 2013 through the distribution of guidance and declaration forms to members of the Board and to all other senior officers of the Trust where there seniority is defined by their job title containing the word "director" or "head of".</p> <p>The updated Register of Directors' and Senior Officers' Interests is attached at Appendix A for the Board's attention.</p>

This report addresses these Strategic Objectives:	
Consolidate	X
Integrate	
Expand	

This report addresses these Values:		
Passion	Doing our best, all of the time	
Respect	Listening, understanding and valuing what you tell us	
Integrity	Being open, honest, straightforward and reliable	X
Diversity	Relating to everyone as an individual	
Excellence	Striving to provide the highest quality support	

1. Background

- 1.1. It is a duty and obligation under Trust Standing Orders for members of the Trust Board of Directors to declare interests which are relevant and material to the Board of which they are a member. This duty is derived directly from the NHS Code of Accountability.
- 1.2. Interests which are regarded as relevant and material include:
 - 1.2.1. Directorships, including Non-executive Directorships held in private companies or PLCs (with the exception of those of dormant companies);
 - 1.2.2. Ownership or part-ownership of private companies, businesses or consultancies likely or possibly seeking to do business with the NHS;
 - 1.2.3. Majority or controlling shareholdings in organisations likely or possibly seeking to do business with the NHS;
 - 1.2.4. A position of Authority in a charity or voluntary organisation in the field of health and social care;
 - 1.2.5. Any connection with a voluntary or other organisation contracting for NHS services;
 - 1.2.6. Research funding/grants that may be received by an individual or their department;
 - 1.2.7. Interests in pooled funds that are under separate management.
- 1.3. In addition, any member of the Trust Board of Directors who comes to know that the Trust has entered into or proposes to enter into a contract in which he/she or any person connected with him/her (as defined in Standing Order 8.3) has any pecuniary interest, direct or indirect, shall declare his/her interest by giving notice in writing of such fact to the Trust as soon as practicable.
- 1.4. Financial Reporting Standard No 8 (issued by the Accounting Standards Board) specifies that influence rather than the immediacy of the relationship is more important in assessing the relevance of an interest. The interests of partners in professional partnerships including general practitioners should also be considered.
- 1.5. Board members are advised in Standing Orders that if they have any doubt about the relevance of an interest, this should be discussed with the Chair or the Company Secretary.

2. Register of Interests

- 2.1. Trust Standing orders requires that:
 - 2.1.1. The Chief Executive will ensure that a Register of Interests is established to record formally declarations of interests of Board or Committee members. In particular, Standing Orders require that the Register will include details of all directorships and other relevant and material interests (as defined in SO 8.1.3) which have been declared by both executive and non-executive Trust Board members.
 - 2.1.2. These details will be kept up to date by means of an annual review of the Register in which any changes to interests declared during the preceding twelve months will be incorporated.
 - 2.1.3. The Register will be available to the public and the Chief Executive will take reasonable steps to bring the existence of the Register to the attention of local residents and to publicise arrangements for viewing it. In the past this has been via the public website.

- 2.1.4. Last year, in response to a request by our Auditors in relation to a review of compliance with the Bribery Act; it was agreed that the process of declaration of interests will be extended to all staff within the Trust who are operating at an Agenda for Change pay band of 8A or above. This equates to senior managers.
- 2.1.5. In response to concerns in relation to protecting the anonymity of this extended group of clinicians, in particular, but also complying with the Trust's duties in relation to publication, it has been agreed that the register will be made available for public viewing as and when requested, but not published to the website.

3. Recording of Interests in Trust Board Minutes

- 3.1. In accordance with Trust Standing Orders, at the time Board members' interests are declared, they should be recorded in the Trust Board minutes.
- 3.2. Any changes in interests should be declared at the next Trust Board meeting following the change occurring and recorded in the minutes of that meeting.

4. Publication of Declared Interests in the Annual Report

- 4.1. Board members' directorships of companies likely or possibly seeking to do business with the NHS should be published in the Trust's annual report. The information should be kept up to date for inclusion in succeeding annual reports.

5. Conflicts of Interest which arise during the course of a meeting

- 5.1. During the course of a Trust Board meeting, if a conflict of interest is established, the Board member concerned should withdraw from the meeting and play no part in the relevant discussion or decision.

6. Updated Register of Interests

- 6.1. The Register of Directors' Interests was updated in October 2013 through the distribution of guidance and declaration forms to members of the Board and to all other senior officers of the Trust where there seniority is defined by their job title containing the word "director" or "head of".
- 6.2. The updated Register of Directors' and Senior Officers' Interests is attached at Appendix A for the Board's attention.

7. Conclusion

- 7.1. This concludes the annual review of the Register of Directors' and Senior Officers' Interests.

8. Recommendation

- 8.1. The Board is recommended to note the updated Register of Directors' and Senior Officers' Interests.