

## **Conflict of Interest Breaches**

1. It is the duty of every employee, governing body member, committee or sub-committee member and GP practice member to speak up about genuine concerns in relation to the administration of the CCGs' policy on conflicts of interest management, and to report these concerns.
2. These individuals should not ignore their suspicions or investigate themselves, but rather speak to the Director of Compliance (CWHHE), Head of Governance (BHH). If an independent route outside of the executive line is required, for CWHHE, the Lay Member Lead for Audit and Governance (CWHHE) should be contacted, in BHH the Conflicts of Interest Guardian (BHH). In the event that there is a concern regarding either of those independent members, this should be raised with the relevant Governing Body Chair and Accountable Officer in the first instance.
3. Effective management of conflicts of interest requires an environment and culture where individuals feel supported and confident in declaring relevant information, including notifying any actual or suspected breaches of the rules. The individuals listed above are able to provide advice, support, and guidance on how conflicts of interest should be managed and to ensure that individuals who wish to come forward to notify an actual or suspected breach of the rules are supported appropriately. All such reports of breaches will be treated in the strictest of confidence, as far as statutory responsibilities allow.
4. Each suspected breach will be looked into objectively by a non-conflicted member of the NWL Governance staff who will then report their findings to the Directors of Compliance (CWHHE) and Quality and Integrated Governance (BHH). The Directors will assess the materiality of the breach, actions already taken and what further action(s) are required. All reports will be shared with the lead Lay Members for Audit and Governance.
5. For breaches deemed to be material, an anonymised Register of Breaches will be published on each CCG's website, setting out:
  - the date and summary of the breach;
  - how it had been investigated;
  - the outcome of the investigation;
  - actions taken to address the breach and prevent its recurrence; and
  - any governance arrangements and reporting mechanisms (including escalation to regulators) triggered by the breach.

6. All breaches, material or otherwise, will be reported to the CCG's Audit Committee. Serious breaches will also be reported to NHS England via the Improvement and Assurance Framework Quarterly Returns mechanism.
7. Statutorily regulated healthcare professionals who work for, or are engaged by, CCGs are under professional duties imposed by their relevant regulator to act appropriately with regard to conflicts of interest. The CCG will report statutorily regulated healthcare professionals to their regulator if they believe that they have acted improperly, so that these concerns can be investigated. Statutorily regulated healthcare professionals should be made aware that the consequences for inappropriate action could include fitness to practice proceedings being brought against them, and that they could, if appropriate, be struck off by their professional regulator as a result.
8. It is CCG policy that anyone who wishes to report a suspected or known breach of the policy, who is not an employee or worker of the CCG, should also ensure that they comply with their own organisation's whistleblowing policy, since most such policies should provide protection against detriment or dismissal.
9. The individuals listed at 2. above are in a position to cross refer to and comply with other policies within the CCG on raising concerns, counter fraud, or similar as and when appropriate. All such notifications should be treated with appropriate confidentiality at all times in accordance with policies, (eg Whistleblowing) and applicable laws. The person making such disclosures should expect an appropriate explanation of any decisions taken as a result of any investigation.
10. Finally, providers, patients and other third parties can make a complaint to NHS Improvement in relation to CCGs' conduct under the Procurement Patient Choice and Competition Regulations. The regulations are designed as an accessible and effective alternative to challenging decisions in the Courts.

Do email any initial concerns / queries to  
[CWHHEGovernance@nw.london.nhs.uk](mailto:CWHHEGovernance@nw.london.nhs.uk) or call 0203 350 4958.