

## **Nursing and Midwifery Council**

### **Managing Interests Policy for Members of the Executive**

<b>Policy title</b>	Managing Interests Policy for Members of the Executive
<b>Summary</b>	A policy which provides guidance on managing conflicts of interest for members of the Executive to ensure that the NMC adheres to a high standard of governance.
<b>Approval</b>	Executive Board on 19 April 2017
<b>Policy Owner</b>	Governance team
<b>Review date</b>	Review May 2021

# Managing Interests policy for Members of the Executive

## Our values

1. Our values underpin everything we do and all our policies.

### **We are fair**

We treat everyone fairly. Fairness is at the heart of our role as a trusted, transparent regulator and employer.

### **We are kind**

We act with kindness and in a way that values people, their insights, situations and experiences.

### **We are collaborative**

We value our relationships (both within and outside of the NMC) and recognise that we're at our best when we work well with others.

### **We are ambitious**

We take pride in our work. We're open to new ways of working and always aim to do our best for the professionals on our register, the public we serve and each other.

## Policy overview

2. Members of the Executive have a duty to ensure that they are not placed in a position where their personal interests are in conflict with their duty to act in the interests of the NMC.
3. This policy aims to ensure that interests are managed appropriately and that members of the Executive can be confident that:
  - 3.1. their actions will not bring the NMC into disrepute;
  - 3.2. they have acted impartially and in accordance with the principles set out in this policy; and
  - 3.3. they have not compromised their responsibility to act in the interests of the NMC and in the public interest.

## Scope

### Who is covered?

4. This policy applies to members of the Executive. A separate policy applies to NMC Council members.
5. If you require any further advice or guidance about your responsibilities under this policy, you should contact the Governance team.

### What is covered?

6. A conflict of interest arises when your NMC responsibilities could be affected by a personal interest, personal association or a personal interest or association of your family or close associates. It becomes significant if the interests may or may appear to influence your judgement, actions or decision-making.
7. Conflicts may be financial as well as non-financial, and may be direct or indirect. So for example, conflicts can arise from an indirect financial interest (for example, payment to a spouse or personal partner) or a non-financial interest (for example, preserving the individual's reputation).
8. Conflicts of loyalty may arise in respect of an organisation of which the individual is a member or with which they have an affiliation, or from personal or professional relationships with others, for example where the role or interest of a family member, friend or acquaintance may influence an individual's judgement or actions, or could be perceived to do so. Depending upon the individual circumstances, these factors can all give rise to potential or actual conflicts of interest.
9. A conflict of interest may also be anticipatory, where the actions of an individual may be perceived to put them or their family or close associates in a more favourable position.

## Guidance on managing interests

10. In considering what might constitute a potential conflict, you should bear in mind the seven principles of public office: selflessness; integrity; objectivity; accountability; openness; honesty; and leadership.<sup>1</sup>
11. In order to ensure sound governance and transparency, the NMC maintains a comprehensive register of Council members' and members of the executive interests.

### Registering interests

12. You should declare the following interests on the register:
  - 12.1. **Details of all posts held in courses of employment.** This includes employment in a consultancy, directorship and / or advisory capacity and unpaid work.

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<sup>1</sup> The Seven Principles see: [Committee on Standards in Public Life](#)

- 12.2. **Any office held in any health care related organisation.** This includes NHS authorities and trusts, regulatory bodies, professional associations, learned societies, royal colleges and trade unions and charities, trusts and voluntary organisations.
- 12.3. **Membership of any body whose principal purposes include influencing public opinion or policy.** This includes membership of 'think tank' or lobbying organisations.
- 12.4. **Majority, controlling or otherwise significant<sup>2</sup> shareholdings, stocks and trusts** known to be held by you or, if you are aware of them, by anyone in your close family<sup>3</sup> in companies whose business activities may give rise to an actual or perceived conflict of interest with the NMC's activities.
- 12.5. If you have been involved in any such business activities, or are aware of anyone in your close family having been involved in any such business activities, you are required to disclose the relevant person(s), the name of the organisation or business that they are involved with and a description of the relevant transaction.
- 12.6. **Any business dealing or other financial transactions, including any contract to supply goods or services** to the NMC, or to any person or organisation connected to the activities of the NMC.
- 12.7. **Current, anticipatory or recent association with any NMC Approved Education Institutions.**
- 12.8. **Any close personal ties with the NMC's advisers or prospective advisers, Council members or other members of the Executive.**
- 12.9. **Any other interest which may be relevant and not covered by the above.** This could include any association through close family members or associates which might lead a fair-minded observer, having considered the facts, to conclude that such an interest might influence an individual's judgement in matters relevant to NMC activity.

## **The Register of Interests**

13. The NMC places great importance on a proper balance between transparency and privacy. Register of interests declarations need to be maintained to ensure high standards of governance rather than to solicit unnecessary details of a person's personal circumstances, and is used to support probity and maintain confidence in the regulatory process.
14. The Governance team is responsible for maintaining the register of interests for members of the executive.
15. The NMC is committed to transparency in its decision making. As such, when a member of the Executive completes a register of interest's declaration, this is made public and available for public inspection on the NMC website.

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<sup>2</sup> For this purpose, significant shareholding is defined as a shareholding of greater than 20%

<sup>3</sup> Spouses or personal partners, relatives (whether natural, adoptive or via marriage) and dependants of the member or the members' spouse or personal partner should be included.

16. Members of the Executive have a responsibility to provide relevant information when they are completing a register of interests declaration. You will be asked to update your entry on a six monthly basis. You are also responsible for providing any amendments to the Governance team as soon as possible following a change in circumstances.

### **Declaring interests at meetings**

17. Members of the Executive should declare the existence and nature of any personal or prejudicial interest that they may have in any business being discussed at any meeting including Council meetings (or any meeting of a committee reporting to Council) and Executive Board meetings. The Secretary to Council or the relevant committee or board should be made aware of the conflict of interests at the earliest time possible. In addition, should a conflict of interest become apparent during the course of the meeting, the member must make the meeting aware of this as soon as the conflict arises.

### **Personal interests**

18. Members of the Executive are regarded as having a personal interest in any matter if it might influence, or be perceived as influencing, the person concerned in their conduct of NMC business. If the person is in doubt as to whether an interest is sufficiently relevant to be declared, the interest should be declared.
19. Personal interests are declared for inclusion in the register of interests declaration.

### **Material interests**

20. A personal interest is a material interest if a member of the public with knowledge of the relevant facts would reasonably regard the interest as sufficiently significant to prejudice the Executive member's judgement of the public interest. Material interests will be managed in accordance with the principles set out in the Standing Orders of the Council which state:
  - 20.1. If a member declares a personal, financial, or other interest in any item of business in the agenda, the Chair will determine where there is a material conflict of interest and, if so, whether and to what extent (if at all) that person should participate in discussion and decision of the matter.
  - 20.2. If the Chair declares an interest in, the remaining members will determine whether there is a material conflict of interest, and, if so, whether and to what extent (if at all) the Chair should participate in discussion and decision of the matter.

### **Gifts / hospitality**

21. As provided for under the staff Gifts and Hospitality policy, members of the Executive must not accept gifts, hospitality or benefits, offered in relation to NMC business, which could or might appear to influence or compromise your judgement or integrity. Further guidance can be found in the staff Gifts and Hospitality policy. If you are unsure you can ask the Governance team for advice.

## **Non Compliance**

22. Non-compliance with this policy will be dealt with under the Disciplinary Policy.
23. Advice and guidance on this policy or on the registration or declaration of interests is available from the Governance team.

## Register of Interests

### Member of the Executive Declaration

#### Register of Interests

I have read the guidance on the Register of Interests, and I list below organisations of which I am a member, with which I am associated or in which I have a financial interest, where a conflict of interest or the appearance of such a conflict could arise.

Please note that the register of interests will be published on the NMC website.

Organisation	Position

*Please continue this table if necessary*

**Close family and associates**

Please note that this section will **not** be published on the NMC website.

I list below the names of my close family<sup>4</sup> and associates and I wish to declare the following business dealings or other financial transactions they have had with the Nursing and Midwifery Council (excluding annual registration fees).

Column A – Please list your close family members – even if there have been no relevant transactions

Column B – please list their relationship with you

Column C – please list any relevant transactions that have taken place

<b>Column A: Name of close family member and/or associate</b>	<b>Column B: Their relationship with you</b>	<b>Column C: Any relevant transactions that have taken place</b>

Name: .....

Signed: .....

Date: .....

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<sup>4</sup> Close members of the family of a person are those family members, who may be expected to influence, or be influenced by, that person in their dealings with the entity and include:

- a) That person’s children and spouse or personal partner;
- b) Children of that person’s spouse or personal partner; and
- c) Dependents of that person or that person’s spouse or personal partner.