

## **Annex C3: Guidance on the Register of Interests and Conflicts of Interest**

1. Council members have a duty to act impartially and objectively, and take steps to avoid any conflict of interest arising as a result of their membership of, or association with, other organisations or individuals. To make this fully transparent, we have established a register of members' interests. As charity trustees, members have a duty to avoid putting themselves in a position where their personal interests conflict with their duty to act in the interests of the charity, unless authorised to do so.
2. Council attaches great importance to a proper balance between transparency and privacy. The aim of the register is not to satisfy curiosity but to support transparency and probity, and to maintain confidence in the regulatory process.
3. With this aim in mind, Council has agreed that the following interests should be declared:
  - a. Posts held in the course of employment or practice.
  - b. Membership of professional bodies, medical Royal Colleges, specialist societies, local medical committees or the medical defence organisations.
  - c. Fellowships of professional bodies, medical Royal Colleges, or specialist societies.
  - d. Any office held in a professional body, medical Royal College, specialist society, or other similar body in the public, private or voluntary sector. Offices include posts such as President, Chair, Chief Executive, Treasurer or Secretary.
  - e. Membership of a committee or Council of a professional association, specialist society, medical Royal College or other similar body.
  - f. Membership of, or posts held in, local authorities, or local or national community organisations.
  - g. A position of authority in a charity or voluntary organisation in the field of health and social care;
  - h. A connection with a professional body, voluntary or other organisation in the field of health and social care;
  - i. Consultancies, directorships, or advisory positions if they relate to a medical, healthcare or pharmaceutical company or organisation, NHS Trust, Health and Social Services Board, Area or Local Health Board, Primary Care Trust or equivalent authority, public body or political party.

j. Directorships, including non-executive directorships held in private companies or public limited companies (with the exception of dormant companies).

k. Ownership, part-ownership or directorship of private companies, business or consultancies.

l. Freemasonry.

m. Majority, controlling or otherwise significant shareholdings, stocks and trusts known to be held by a member or, if the members is aware of them, by anyone in their close family<sup>1</sup> in companies whose business activities may be relevant to, or conflict with, our decisions and activities.

n. Connection to any person or company that has a contractual arrangement for matters affected by our business or is involved in tendering for such a contract.

o. Membership or association with any other organisations or individuals which may have an interest or influence in our work.

4. Members are free to engage in political activities or to maintain links with political organisations provided that such activity does not conflict with the role of Council or compromise their position as a member. Political activity should be included among the interests declared by members.

5. The Chief Executive is responsible for keeping the register of members' interests. The register will be published on our website. Members have a duty to provide relevant information and advise the Council Secretariat of any amendments to their entries in the register as soon as possible following any change in their circumstances. Members will, in any event, be invited to update their entries on a six monthly basis.

### *Conflicts of Interest*

6. It is central to the proper conduct of business that Council should act and be perceived to act impartially and that its members should not be, or risk being perceived to be, improperly influenced in their role by professional, business, social or other relationships.

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<sup>1</sup> To include spouse, civil partner, child, parent, brother or sister, whether natural, adoptive or by marriage

### *Disclosure of interests*

7. Members should disclose the existence and nature of any personal or prejudicial interest that they may have in any business being discussed at a Council or other GMC meeting by contacting the Council Secretariat in advance. If the existence of such an interest is not apparent to a member at that time but becomes apparent during the course of the meeting, he or she must disclose it as soon as it becomes apparent.

### *Personal Interests*

8. A member is to be regarded as having a personal interest in any matter if it relates to any interest disclosed by the member in the Register of Members' Interests or if a decision upon the matter might reasonably be regarded as affecting to a greater extent than others, the well-being or financial position of that member, or, to the extent that the member is aware of any relevant interests, of anyone in his/her close family, or any person with whom the member has a business relationship, or:

- a. Any employment or business carried on by such persons.
- b. Any person who employs or has appointed such persons, any firm in which they are a partner, or any company of which they are directors.
- c. Any corporate body in which such persons have a beneficial interest in a class of securities exceeding the nominal value of £5000.

9. Personal interests are declared for inclusion in the Register of Interests, and the procedure in paragraph 10 is followed when those interests are considered to be prejudicial.

### *Prejudicial Interest*

10. A member with a personal interest in a matter also has a prejudicial interest in that matter if a member of the public with knowledge of the relevant facts would reasonably regard the interest as being so significant that it is likely to prejudice the member's judgement of the public interest.

11. A member with a prejudicial interest in any matter has a duty to:

- a. Withdraw from the meeting while the matter is being considered at that meeting and play no part in any decision or vote on the matter.
- b. Exercise no function of Council in relation to that matter.
- c. Avoid influencing any decision about the matter.