

PCRS-UK Conflicts of Interest Policy

Background – Why have a policy?

To maintain and enhance the reputation of the PCRS-UK as an independent, charitable professional organisation, it is critical that all its activities are and are perceived to be free from commercial or personal interests particularly in relation to respiratory policy and education / guidance.

Moreover, Trustees have a legal obligation to act in the best interests of the Charity and in accordance with the memorandum and articles of association and to avoid situations where there may be a potential conflict of interest.

Conflicts of interest may arise where an individual's personal (or family) interests and / or loyalties conflict with those of the PCRS-UK. Such conflicts may create problems such as:

- Inhibits free discussion
- Results in decisions or actions taken that are not in the best interests of the PCRS-UK
- Risks causing the impression that the PCRS-UK has acted improperly

As far as the PCRS-UK is concerned, the links and interests of most concern relate to the pharmaceutical industry and other commercial companies in the respiratory field. The aim of this policy is to protect both the PCRS-UK and individuals involved from any impropriety or appearance of impropriety.

Declaration of Interests Register

All Trustees, Executive members and senior staff plus members of working parties /other groups which have delegated authority /powers will be asked to declare their interests at the point they join a Committee/Working party and on an annual basis thereafter'. A declaration of interests form is provided for this purpose, identifying the types of interests that should be declared (appendix 1).

If a form is not received by 1 March of any given year or before the first meeting of each Committee, whichever is earlier, the member will be asked to either present a form immediately or on the day, or may be asked stand down temporarily until a form is received.

The declaration of interest (DOI) register (hard and electronic copies of forms for all Committee members) will be maintained by the PCRS-UK secretariat. The full register will only be accessible to PCRS-UK Trustees, Chief Executive and PCRS-UK Executive Chair. The Chairs of PCRS-UK Committees, PCRS-UK leads and PCRJ Editor will have access to the information held on Committee members in their own areas. The information will be used to ensure that the Trustees, senior staff and Committee chairs act in the best interests of the PCRS-UK. The information will not be used for any other purpose.

The register of interests will be reviewed on an annual basis by the PCRS-UK Trustees such that they can identify and manage potential conflicts of interest. Likewise, the information on declared interests will be reviewed annually by the PCRS-UK Executive Chair and Chairs of PCRS-UK Committees /working parties for the members of that Committee/working party.

The Secretariat shall have available at any PCRS-UK Trustee or Committee meeting the declared interests of the Committee members for reference as needed by the Chair or Chief Executive.

Declaration of interests shall be the first agenda item at any PCRS-UK Trustee or Committee meeting. Individuals will be asked to declare any interest they have relevant to any particular agenda item in accordance with the guidance in appendix 2. Any new interests not contained on the register should also be declared, regardless of relevance to a given agenda item and the register updated accordingly. If individuals are not sure whether an interest should be declared they should err on the side of caution.

If individuals fail to declare an interest that is known to the Chair of the Committee, the Chair should declare the interest.

If the Committee Chair feels that the balance of interests on the Committee has become uneven, s/he should bring this to the attention of the Chief Executive and the Chairman of the PCRS-UK Executive or Trustees, and in such an unlikely situation, an individual may be asked to step down.

If an enquiry is received from any source about a potential Conflict of Interest by any Committee or staff member, the enquirer will be asked to make the request in writing to the CE who will follow it up with the Chair of the Committee and the individual member concerned. A response will be given within a reasonable period.

Handling Conflicts of Interest

The PCRS-UK needs the expertise and contribution from a wide range of primary care health professionals, who are likely to have varying levels of interest in the pharmaceutical industry and other companies in the respiratory field. The following general principles shall apply in managing the potential conflicts that may arise:

- PCRS-UK as a matter of policy adheres to nationally agreed guidelines wherever practical, particularly when making recommendations on individual products or products classes. In some circumstances such as its influencing policy work the PCRS-UK may make recommendations on the use of specific products /classes of products: these circumstances are limited but must be paid particular attention when dealing with conflicts of interest.
- A conflict of interest shall be deemed to be any payment in band B and above or total payment from any one company in band C or above (see appendix 1 for a description of bands).
- Where individuals benefit from one of the Charity's services, they will not be involved in decisions that directly affect that service. This however does not apply where the service / benefits are universally available to all members

Appendix 2 summarises the types of interest and how each should be handled at meetings.

In the event of the Board of Trustees or a PCRS-UK Committee having to decide upon a question in which a Trustee or member has an interest all decisions will be made by vote. A quorum must be present for the discussion and decision: interested parties will not be included when deciding whether the meeting is quorate. In the event of a committee or working party meeting not being quorate, the matter will be referred to the PCRS-UK Executive. In the event of a PCRS-UK Executive meeting not being quorate, the matter will be referred to PCRS-UK Trustees.

All decisions under a conflict of interest will be recorded by the organisation and reported in the minutes of the meeting. The report will record:

- The nature and extent of the conflict;
- An outline of the discussion;
- The actions taken to manage the conflict.

For matters arising outside formal Trustee or Committee meetings, the Chief Executive, Chair of the Trustees, PCRS-UK Executive Chair and anyone else with delegated authority to make decisions must ensure that relevant potential conflicts of interest are taken into consideration and handled according to the same principles set down for meetings.

Where a Trustee benefits from the decision, it will be reported in the statutory accounts as a related party transaction in line with the current Charities SORP.

All payments or benefits in kind to Trustees will be reported in the statutory accounts, with the amounts for each Trustee listed for the year in question.

Managing Contracts

Any Trustee, member of staff or Committee member with a conflict of interest must not be involved in managing or monitoring a contract in which he /she has an interest. Monitoring arrangements for such contracts will include provision for an independent challenge of invoices and termination of the contract if the relationship is unsatisfactory.

Reviewed and approved by PCRS-UK Executive 21/12/09

Reviewed and approved by PCRS-UK Trustees 21/12/09

Date of next review

Appendix 1: PCRS-UK ANNUAL DECLARATION OF INTERESTS

TO BE COMPLETED BY DATE

For the period (previous year)

PLEASE COMPLETE ALL FOUR SECTIONS OF THE FORM – NIL RETURNS ARE REQUIRED.

PLEASE ALSO MAKE SURE YOU INCLUDE YOUR NAME AND ALL THE COMMITTEE(S) ON WHICH YOU SERVE. THANK YOU

Please note that the completed forms will be held by the PCRS-UK , and be available for scrutiny, for the duration of your membership of the relevant Committee (or, in the case of a working party for as long as the working party remains current).

Name: _____

PCRS-UK Role _____

PCRS-UK Committee / Working Party / Group (list all): _____

In accordance with the PCRS-UK Conflicts of Interest Policy, I wish to declare to the PCRS-UK that my only interests in the pharmaceutical industry and other medically related commercial organisations, and any other interests that could potentially conflict with my work for the Society are listed below.

*Please group entries according to different companies and indicate how much was received **IN TOTAL** for EACH of the activities listed, in bands as follows:-*

- Band A Less than 1% of your annual income (and/or less than £1000) or share holding <1%*
- Band B Between 1% and 10% of your annual income or 1-10% share holding*
- Band C Any payment between 10% and 20% of your annual income or 10-20 % share holding*
- Band D Any payment over 20% of your annual income or over £20,000 or >20% share holding*

Definitions of Interests

See each section for definition of interest

If you are in any doubt about what to declare, please err on the side of caution or seek advice from the Chief Executive

1 PERSONAL INTERESTS (over the last 12 months, i.e. in previous year)

1.1 Paid Consultancy Work or employment

Consultancy refers to a paid retainer or agreement between a PCRS-UK member and a company with respect to one drug/product or more generally, usually with a contract for a period of time. This would include ongoing attendance at Advisory Board meetings but would not normally include a situation where an individual is paid for a specific item or for attending or speaking at an occasional meeting (see section 1.2)

a) Pharmaceutical industry

Company	Area/Product /Service Concerned	Amount (banded as above)

b) Other Organisations with an interest in respiratory medicine

Other organisations with an interest in respiratory medicine include not for profit organisations/charities as well as private providers, and other commercial companies involved with respiratory medicine.

Company	Area/Product /Service Concerned	Amount (banded as above)

1.2 Personal Benefits

This section mainly concerns fees (e.g. for lectures or occasional Advisory Committees) from which you benefit personally. Benefits in kind should also be registered. Use section (1.4) for travel and attendances at Conferences. Fees from all respiratory related work should be declared regardless of whether they are from a commercial or not for profit organisation.

Company	Nature or Purpose of Payment	Amount <i>(banded as above)</i>

1.3 Personal Travel Grants/Hospitality (or expenses) for conferences/meeting etc.

Travel grants or expenses for yourself, whether paid directly or indirectly, but not travel grants for other members of your Practice or Department.

Company	Nature or Purpose of Support	Amount <i>(banded as above)</i>

1.4 Summary by Company / Organisation

By company please list your total interest as a % of your total annual income as banded above

Company /Organisation	Interest as a % of your total annual income (banded as above)

1.5 Shares in any relevant companies

Shares refers to any shares in the pharmaceutical industry or other medically related commercial organisation, excluding pension plans, mutual funds and unit trusts. It refers to shares held by the PCRS-UK member or close family member (spouse, children <18 years)

Company	Shares Held (banded as above)

2 NON-PERSONAL INTERESTS

For example, fees and grants paid to your Department, and for which you have direct responsibility, and which are used for research, education, equipment, salaries etc. Also includes benefits in kind, and fees for your own work if you do not benefit personally.

Company	Nature or Purpose of Support	Amount £ <i>(banded, as above)</i>

3. OTHER INTERESTS THAT MAY BE SEEN AS POTENTIAL CONFLICTS

e.g. commercial interest of spouse/partner; being a Trustee or member of relevant outside organisations, including pressure groups

Company	Nature or Purpose of Support	Completed or continuing?

4 ADDITIONAL PLANNED INTERESTS FOR [YEAR]

Please list only additional activities which are certain or very likely during [Year]

Company	Nature or Purpose of Support

DECLARATION

I confirm that I have read the PCRS-UK Conflicts of Interest Policy and that I have declared all relevant interests

SIGNATURE :
(emailed signature/typed name is acceptable)

PRINT NAME:

DATE:

Please return PCRS-UK Secretariat, Smith House, Waterbeck, Lockerbie
DG11 3EY
Or by email to info@PCRS-UK.org

Appendix 2

Declaration of interests during the meeting and implications

NATURE OF INTEREST	DESCRIPTION	INVOLVEMENT IN DISCUSSION
<i>Personal Specific</i>	Member engaged in current and/or ongoing work on the product or activity under consideration and has personally received payment for that work from the industry	May take part in the discussion as it relates to that product or activity at the discretion of the Chair but may not vote
<i>Lapsed personal specific interest</i>	As above but the interest is no longer current	Can take full part in proceedings
<i>Personal non-specific interest</i>	Current personal interest in the company concerned which does not relate specifically to the product or activity under discussion	May take part in the discussion as it relates to that product or activity at the discretion of the Chair but may not vote
<i>Non-personal specific</i>	Member is aware that the department for which they are responsible has at any time worked on the product or activity under discussion	Can take full part in proceedings <u>unless</u> they have personal knowledge of the product through their own work or the supervision of others in which case they may take part in the discussion at the discretion of the Chair but not vote
<i>Non-personal, non-specific</i>	Member is aware that the department for which they are responsible is currently receiving payment from the company which does not relate to the product under discussion	May take part in the proceedings unless the Chairman rules otherwise