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Bwrdd Iechyd Prifysgol
Bae Abertawe
Swansea Bay University
Health Board



Meeting Date	15 September 2022	Agenda Item	2.7
Report Title	Amendments to the Standards of Business Conduct and Declarations of Interest Compliance Update		
Report Author	Liz Stauber, Head of Corporate Governance		
Report Sponsor	Hazel Lloyd, Interim Director of Corporate Governance		
Presented by	Hazel Lloyd, Interim Director of Corporate Governance		
Freedom of Information	Open		
Purpose of the Report	The purpose of the report is to set out proposed changes to the standards of business conduct and provide an update as to compliance with declarations of interest.		
Key Issues	<p>Earlier in 2022-23, internal audit completed a review of the standards of business conduct – in particular the process for declaring interests. While the audit received a reasonable assurance rating, areas for improving compliance interests were identified and work had been undertaken to strengthen the standards of business conduct policy to address these. Full completion of the action plan (appendix one) in response to the audit is on track for completion. Progress has been made in a number of areas, resulting in changes to the standards of business conduct policy which require Audit Committee approval.</p> <p>In addition, there is a requirement for compliance with declarations of interest to be reported to the committee at least once a year and this is also set out in the report.</p>		
Specific Action Required <i>(please choose one only)</i>	Information	Discussion	Assurance
	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
			<input checked="" type="checkbox"/>
Recommendations	<p>Members are asked to:</p> <ul style="list-style-type: none"> - APPROVE the proposed changes to the standards of business conduct policy; - NOTE the progress against the action plan in response to the internal audit review; - AGREE the revised timescales for the remaining outstanding actions; - NOTE the tracker established to monitor declarations of interest returns; - NOTE the 2022-23 registers for declarations of interest and gifts and hospitality. 		

Amendments to the Standards of Business Conduct and Declarations of Interest Compliance Update

1. INTRODUCTION

The purpose of the report is to set out proposed changes to the standards of business conduct and provide an update as to compliance with declarations of interest.

2. BACKGROUND

Earlier in 2022-23, internal audit completed a review of the standards of business conduct – in particular the process for declaring interests. While the audit received a reasonable assurance rating, areas for improving compliance interests were identified and work had been undertaken to strengthen the standards of business conduct policy to address these. These are set out in the report for Audit Committee approval. Full completion of the action plan (**appendix one**) in response to the audit is on track.

In addition, there is a requirement for compliance with declarations of interest to be reported to the committee at least once a year and this is also set out in the report.

3. GOVERNANCE AND RISK ISSUES

(i) Amendments to the Standards of Business Conduct

The internal audit review of compliance with declarations of interest was an opportunity to review and strengthen the full standards of business conduct. As such, the following changes have been recommended:

Page	Section	Change(s)
7	Chair's responsibility	Removal of reference to the standards of behaviour framework as this does not exist and is provided through the standards of business conduct policy;
8	Director of Corporate Governance	More detail specified as to the groups directly asked to complete declarations of interest
11	Register of Interests	Email address for enquires updated to the main board services address
13	Gifts from Service Users or their relatives	Removed the sentence which prohibits accepting gift cards as this is a similar gift to money and in-line with other health boards.
17	Charitable Funds	Reference included to the process for accepting gifts to the charity
20	Private Practice	Requirement included at section 18.2 for all consultants to complete the general declarations interest form and for any private clinical practice to be declared
22	Distribution	Frequency of reminders changed to quarterly
33	Appendix 3i	Removal of need to decline gift vouchers

Page	Section	Change(s)
35	Appendix 3ii	Generic email address included for forms to be submitted to the corporate governance team
36	Appendix 3iii	Generic email address included for forms to be submitted to the corporate governance team
37	Appendix 3iv	Additional appendix included for the protocol to accept gifts to the health board charity
40	Appendix 4	Generic email address included for forms to be submitted to the corporate governance team
54	Appendix 10	Generic email address included for forms to be submitted to the corporate governance team
56	Appendix 11	New appendix added specifically for private clinical work to be declared

The revised policy in full is at **appendix two**

(ii) Progress Against the Internal Audit Response

Changes to the standards of business conduct policy is not the only area of progress made as part of the response to the internal audit recommendations. The following actions have also been completed:

- A tracker (**appendix three**) established to monitor returns and a reminder process put into place to chase those outstanding;
- A section added to the declarations of interest register for mitigating actions;
- New form added to the standards of business conduct for private clinical practice. Executive Medical Director has reminded consultant staff of the need to declare any private practice work. Study leave applications will now need to include confirmation that declarations have been submitted as part of an annual programme;
- Quarterly sample checks of submissions against the Companies House records have commenced;
- Standards of business conduct policy now included in staff handbook;
- Quarterly reminders sent to the corporate and service group leads to cascade within their teams to remind staff of their responsibilities to declare interests. Intranet bulletins are also now published. In addition, regular reminders are sent to board members and senior managers to remind them to update their forms if there have been changes.

The main area now outstanding on the action plan relates to the declarations of interest and secondary employment of all staff. Discussion have been undertaken with the learning and organisation development (OD) team which has confirmed that it is possible to add the statutory and mandatory competencies on ESR statements which require staff to confirm they are aware of the standards of business conduct and if they have any declarations/secondary jobs to declare. While these could be added now to meet the original deadline of November 2022, it is proposed that the timescales be extended to March 2023, as this would tie-in with the roll-out of supervisor self-service and as such, managers would then receive a notification that

the staff have completed the competencies and can discuss any concerns with them around declarations. This would also enable to process to commence at the start of the financial year, even if it was on a service group by service group basis.

(iii) Declarations of Interest and Gifts and Hospitality

In-line with good governance, the Audit Committee should receive an update on the entries to the declarations of interest and gifts and hospitality registers for the current financial year.

The health board's standing orders state all board members must declare any personal, business or financial interest which may affect their role. Interests of close family should also be declared. Board members should declare any interests at the time they are appointed and any additions or changes as they arise. At the start of each financial year, board members are asked to renew their declarations by the corporate governance team and these are reported to the Audit Committee at least once a year. A summary of board members' current interests for 2022-23 is at **appendix four**.

The health board's standing orders also state that all staff should declare if they or a close relative or associate has a controlling or financial interest in a business which could impact on the health board. In addition, they must declare all private interests which could potentially result in personal gain thanks to their job. Members of the delivery units' triumvirates are sent declaration forms for completion at the start of each financial year as well as quarterly reminders to share with staff to declare interests and hospitality. All these declarations are logged on the register held by the Director of Corporate Governance which is available on request.

Arrangements are in place to prompt to specific groups of employees to complete declaration of interest forms particularly those staff specified in 'high risk' areas such as; *capital planning, estates, pharmacy and procurement*. This includes any 'nil returns'. A table of submissions received is logged on the declarations of interest register held by the Director of Corporate Governance which is available on request.

The health board currently hosts two organisations; Welsh Government's Delivery Unit and the Emergency Medical Retrieval and Transfer Service (EMRTS) for which the health board requires declarations of interest from its directors and senior managers. All those received are logged on the declarations of interest register held by the Director of Corporate Governance which is available on request.

Entries included on the gifts and hospitality register during the last twelve months have been included as **appendix five**. A separate process was agreed by the Audit Committee in July 2022 for gifts/donations to the health board's charity and these are now logged on a separate register. This is also at **appendix five**.

4. FINANCIAL IMPLICATIONS

There are no financial implications associated with this report.

5. RECOMMENDATION

Members are asked to:

- **APPROVE** the proposed changes to the standards of business conduct policy;
- **NOTE** the progress against the action plan in response to the internal audit review;
- **AGREE** the revised timescales for the remaining outstanding actions;
- **NOTE** the tracker established to monitor declarations of interest returns;
- **NOTE** the 2022-23 registers for declarations of interest and gifts and hospitality.

Governance and Assurance		
Link to Enabling Objectives (please choose)	Supporting better health and wellbeing by actively promoting and empowering people to live well in resilient communities	
	Partnerships for Improving Health and Wellbeing	<input checked="" type="checkbox"/>
	Co-Production and Health Literacy	<input type="checkbox"/>
	Digitally Enabled Health and Wellbeing	<input type="checkbox"/>
	Deliver better care through excellent health and care services achieving the outcomes that matter most to people	
	Best Value Outcomes and High Quality Care	<input type="checkbox"/>
	Partnerships for Care	<input type="checkbox"/>
	Excellent Staff	<input checked="" type="checkbox"/>
	Digitally Enabled Care	<input type="checkbox"/>
	Outstanding Research, Innovation, Education and Learning	<input type="checkbox"/>
Health and Care Standards		
(please choose)	Staying Healthy	<input type="checkbox"/>
	Safe Care	<input type="checkbox"/>
	Effective Care	<input type="checkbox"/>
	Dignified Care	<input type="checkbox"/>
	Timely Care	<input type="checkbox"/>
	Individual Care	<input type="checkbox"/>
	Staff and Resources	<input checked="" type="checkbox"/>
Quality, Safety and Patient Experience		
Ensuring good governance is critical part of providing good quality, safety and patient experience. Ensuring that the health board is open and transparent in providing information is a key factor in the quality, safety and experience of patients receiving care.		
Financial Implications		
No financial implications for the committee to be aware of.		
Legal Implications (including equality and diversity assessment)		
No legal implications for the committee to be aware of.		
Staffing Implications		
No staffing implications for the committee to be aware of.		
Long Term Implications (including the impact of the Well-being of Future Generations (Wales) Act 2015)		
No implications for the committee to be aware of.		
Report History	Declarations of interest and gifts and hospitality register are submitted to the committee on an annual basis, as a minimum.	
Appendices	Appendix one – management response to the internal audit; Appendix two – revised standards of business conduct policy; Appendix three – declarations of interest tracker; Appendix four – declarations of interest register 2022-23; Appendix five – gifts and hospitality register 2022-23.	