

## Declaration of interests supporting guidance

Guidance questions to aid completion of the declaration of interest form for members of the Nottinghamshire Area Prescribing Committee and the Nottinghamshire Joint Formulary Group

The following questions reflect the issues that have been raised to date. It is not meant to be exhaustive.

### **GENERAL**

#### **1. What is the relevant timescale for the declaration?**

12 months before the date of the declaration or anticipated in the following 12 months.

#### **2. What personal pecuniary interests should I declare?**

A regular payment in cash or in kind, fee paid-work, shareholdings, expenses and hospitality above which you would have had if you had been self-financing, from a consultancy, directorship or position in or work for the manufacturer or owner of the product or intervention being recommended (specific interest) or the industry or sector from which the product or intervention comes (non-specific interest)

#### **3. What non personal pecuniary interests should I declare?**

A payment or other benefit to a department or organisation for which an individual has managerial responsibility that is not received personally. This includes fellowships or grants from a company to run a unit, support staff or commission research. This may relate to the intervention in question (specific interest) or to the manufacture or owner of the intervention but not to the intervention itself (non-specific interest)

#### **4. What personal non pecuniary interests should I declare?**

This may include, but is not limited to, a clear opinion of the conclusion of research or clinical/cost effectiveness evaluation of a recommended intervention, a public statement where a clear opinion has been expressed that may be interpreted as prejudicial to objective interpretation of evidence, holding office in a profession organisation or advocacy group with an interests in the intervention, or other reputational risk that relates to the intervention

#### **5. Do I need to declare membership of professional or voluntary organisations or advocacy groups?**

Membership of a professional or voluntary organisations or advocacy groups only needs to be declared if you hold a specific office in these bodies and it has a direct interest in a matter under consideration in work you are doing as part of your role in the APC or JFG. The most likely interests to arise are those where the individual may be inclined to 'promote' the line of a professional body or advocacy group irrespective of the evidence, or where their reputation as an office holder may be affected if the committee decision is not in accordance with the line taken by their professional organisation.

This would be a personal non-financial specific interest. In these circumstances you would need to discuss this with the chair of the meeting to decide on the most appropriate course of action.

**6. I am reviewing a declaration but it is unclear whether or not it may be a conflict of interest. Do I need to carry out background checks and investigate further?**

There is no obligation to conduct detailed checks on the interest beyond what has been declared. However, if you are uncertain about the nature of the interest you should seek clarification from the individual.

**7. What sort of organisations may give rise to a conflict of interest in public health programmes?**

Companies offering products labelled and promoted as health foods and/or health supplements and businesses providing fitness equipment or facilities together with those whose products are regarded as placing the public's health at risk through use or misuse, such as alcohol and tobacco.

**FINANCIAL INTERESTS**

**8. I invest in a fund which holds shares in healthcare companies but I have no control over dealing in them as this is managed by the fund manager. Does this have to be declared?**

No.

**9. I have shares in a company whose business includes healthcare insurance. Does this need to be declared and will it affect my work?**

This should be declared. It is a personal non-specific financial interest. It is unlikely to affect your work but you should make the committee aware.

**10. Is there any minimum non-personal financial interest that does not need to be declared?**

No.

**11. Do I have to declare pension rights in a company I used to work for?**

No

**12. In the 12 months before joining the committee, I worked on projects that were commissioned by companies falling within the definition of commercial sector. Do I need to declare an interest?**

Yes. This is regarded as a personal financial interest and it needs to be declared. It will be specific if it relates directly to the matters you are involved in.

**13. Do personal financial specific interests relate to the manufacturer/owner of the product being appraised or do they relate to the product itself?**

They relate to the 'matter under consideration'. In the case of a drug, for example, this will be the indication for which it is being considered. The matter or matters under consideration will be defined at the start of the development of the guidance. .

**14. Should interests related to competitor products be treated the same way as an interest in the product being appraised?**

Yes. A competitor interest is where you, or a family member, has a financial interest in a company producing a rival product to the one being considered. In these circumstances you should declare the interest.

**FAMILY INTERESTS**

**15. What is the definition of a 'family member'?**

'Family member' refers to (1) a spouse or partner living in the same residence as the individual, (2) as well as children and adults (who may or may not be living in the same residence) for whom the individual is legally responsible,

(for example, an adult whose full power of attorney is held by the individual). Children living away from home or siblings living in the same residence for whom the individual is not legally responsible are not covered by the policy.

**16. I have a family financial interest. How should this be handled?**

Where, for a committee member, a potential conflict arises involving a family member's financial specific interest and it is impractical to re-arrange the employee's duties, the committee chair may waive the potential conflict of interest if in their opinion the risks to the efficiency of committee are greater than the risks arising from the potential conflict of interest. In all such cases the committee chair must prepare a conflict of Interest sign-off form stating what action, if any, is appropriate. This will be attached to the individual's declaration of interest form.

**17. A family member is employed by a pharmaceutical manufacturer. Am I precluded from working on any product developed by that manufacturer or attending any committee where a product from that company is being discussed?**

Yes. This is a family financial specific financial interest. However, if your committee chair believes this is likely to cause severe operational difficulties they may waive the potential conflict of interest in the interests of operational efficiency.

**18. If a family member has shares in a pharmaceutical company do I need to declare an interest?**

Yes. This would be a family financial "non-specific" interest i.e. a payment from another company in the same industry sector. This must be declared but would not normally preclude the individual from working on that topic.

**Reference**

This supporting guidance was developed from NICE Policy on Conflicts of Interest Frequently asked questions for the Board and staff members October 2014