

## RCoA Board of Trustees, Council and Devolved Nation Board

### Code of Conduct

Membership of the Board of Trustees, Council and the Devolved Nations Boards is a privilege which carries with it the twin responsibilities of protecting patients and guiding Fellows, Members and Trainees. In order that all these may have confidence in the effectiveness and impartiality of Trustees, Council and Board members undertake:

- to make themselves available for service on the Board of Trustees and/or Council and those of its committees and working parties to which they may be elected or appointed
- to take decisions in the public interest without favour to any individual body corporate or other association, whether medical or lay
- to avoid placing themselves under obligation to any individual or organisation which might affect their ability to act impartially and objectively as members of the Board of Trustees and/or Council
- to declare in the College's Register of Interests their membership of other bodies or organisations in accordance with the Trustees and/ or Council's guidance on this matter
- to declare relevant interests or prior knowledge in the course of College business, and/or to take steps to avoid such interests or knowledge giving rise to a conflict of interest
- to declare any current professional misconduct investigations by the GMC or any other regulatory body/associated professional organisation/employer or equivalent.
- to declare any previous GMC investigation or any other regulatory body/associated professional organisation/employer or equivalent which resulted in an outcome other than 'no action'
- To declare any current charges or previous convictions of criminal offences.
- to promote the principles set out in Good Medical Practice if on Council
- to serve without seeking personal gain or preferment
- to avoid bias on grounds of race, disability, lifestyle, culture, beliefs, colour, gender, sexuality or age
- to be open about the decisions and actions they take as Trustees and/ or Council members, restricting information only when the principle of confidentiality demands it
- to observe the confidentiality of information identified as confidential which they receive as a privilege of Trustee and/ or Council membership
- to distinguish clearly, when speaking or writing, between personal views and those of the Board of Trustees and/ or Council
- to support the above principles by leadership and example.

#### Guidance on the Register of Interests

Current members and those elected, appointed or nominated for the first time, will be invited to indicate their commitment to the code by making a statement and returning it to the Chief Executive's office.

Members of the Board of Trustees and/ or Council are expected to act impartially and

objectively, and to take steps to avoid any conflict of interest arising as a result of their membership of, or association with, other organisations or individuals. In order that this should be clearly apparent, the College has adopted NHS England's guidance on Managing Conflicts of Interest in the NHS.

The Board of Trustees and/ or Council attaches great importance to trying to ensure a proper balance between transparency and privacy. It was agreed by Council in February 2005 that Conflicts of Interests should be available to all and are placed on the College website.

The NHS England guidance Conflicts of Interests fall into the following categories:

- financial interests: Where an individual may get direct financial benefit\* from the consequences of a decision they are involved in making
- non-financial professional interests: Where an individual may obtain a non-financial professional benefit\* from the consequences of a decision they are involved in making, such as increasing their professional reputation or promoting their professional career
- non-financial personal interests: Where an individual may benefit\* personally in ways which are not directly linked to their professional career and do not give rise to a direct financial benefit, because of decisions they are involved in making in their professional career
- indirect interests: Where an individual has a close association\*\* with another individual who has a financial interest, a non-financial professional interest or a non-financial personal interest who would stand to benefit\* from a decision they are involved in making.

\* A benefit may arise from the making of gain or avoiding a loss.

\*\* These associations may arise through relationships with close family members and relatives, close friends and associates, and business partners. A common sense approach should be applied to these terms. It would be unrealistic to expect members to know of all the interests that people in these classes might hold. However, if members do know of material interests (or could be reasonably expected to know about these) then these should be declared.

The NHS England guidance goes on to stipulate 'there are a number of common situations which can give rise to risk of conflicts of interest, being':

- Gifts;
- Hospitality;
- outside employment;
- shareholdings and other ownership interests;
- patents;
- loyalty interests;
- donations;
- sponsored events;
- sponsored research;
- sponsored posts; and
- clinical private practice.

Further guidance on how to interpret these categories is at Section 5 and Annex B of NHS

England's guidance on Managing Conflicts of Interest in the NHS (see page 30).

The Chief Executive will be responsible for keeping the Conflicts of members' Interests. Members should amend their entries in the register as soon as possible following any change in their circumstances, and will, in any event, be invited to update their entries in the spring of each year.

## **Guidance on Declarations of Professional Misconduct Hearings or Criminal Convictions**

In line with the [College's values](#) and as a condition for undertaking an elected role on Council, an appointment to the Board of Trustees or a Devolved Nation Board, individuals are required to disclose any previous or ongoing professional misconduct hearings unless the outcome was 'no action' or criminal charges and convictions. This declaration must be made prior to assuming the role or during their term if such matters arise while in post.

The purpose of this requirement is to ensure that the College can maintain an environment that upholds its duty of care to all members, fellows, staff, and other stakeholders, while safeguarding the reputation of the organisation. It is vital that these issues do not compromise the College's ability to fulfil its charitable aims or its public trust.

Individuals should notify the Chief Executive of the College in writing at [ceo@rcoa.ac.uk](mailto:ceo@rcoa.ac.uk) as soon as possible, providing relevant details. The Chief Executive will then initiate the appropriate process for reviewing eligibility to continue in a volunteer capacity, in accordance with the College's policies.