

<b>Agenda Item:</b>		<b>Meeting:</b> Audit Committee	<b>Meeting Date:</b> APRIL 2019
<b>Report Title:</b>	Declaration of Interests, gifts, sponsorship and hospitality		
<b>Sponsoring Executive Director:</b>	Group Company Secretary		
<b>Author(s):</b>	Group Company Secretary		
<b>Report previously considered by and date:</b>	This update has not been considered elsewhere before being presented to the Audit Committee		
<b>Purpose of the report:</b>			
Information	<input type="checkbox"/>	Assurance	<input checked="" type="checkbox"/>
Review and Discussion	<input type="checkbox"/>	Approval / Agreement	<input type="checkbox"/>
<b>Reason for submission to Trust Board in Private only (where relevant):</b>			
Commercial confidentiality	<input type="checkbox"/>	Staff confidentiality	<input checked="" type="checkbox"/>
Patient confidentiality	<input type="checkbox"/>	Other exceptional circumstances	<input type="checkbox"/>
<b>Link to Trust Strategic Themes:</b>			
Patient Care	<input type="checkbox"/>	Sustainability	<input type="checkbox"/>
Our People	<input checked="" type="checkbox"/>	Quality	<input type="checkbox"/>
Systems and Partnerships	<input type="checkbox"/>		
<b>Any implications for:</b>			
Quality	None		
Financial	None		
Workforce	This supports having a fit and proper workforce		
<b>Link to CQC Domains:</b>			
Safe	<input type="checkbox"/>	Effective	<input type="checkbox"/>
Caring	<input type="checkbox"/>	Responsive	<input type="checkbox"/>
Well-led	<input checked="" type="checkbox"/>	Use of Resources	<input type="checkbox"/>
<b>Communication and Consultation:</b>			
Regular updates on those yet to complete their declarations are provided to the Trust Medical Director.			
<b>Executive Summary:</b>			
<p>The attached report shows the declared interests of the Board and Trust Directors and that the review of these undertaken by the Chair and Chief Executive has not identified any conflicts.</p> <p>The attached report provides an update on the level of returns from the various staff groups making their required return this year. As reported within the interim report to the Audit Committee the levels of engagement have been high, with all Board, Group and Trust Directors making a declaration. The return rate for applicable senior manager and the consultant body has not been as high. However, the level of staff engagement provides a reasonable level of assurance over compliance with the Trust policy.</p> <p>The Trust is required to publish its register of interests on its website and this will be done during April 2019.</p>			
<b>Key Recommendation(s):</b>			
<p>The Committee is asked to NOTE the contents of the report and in so doing to note the level of assurance this provides on the Board, Group Director, Trust Director, Senior Manager and Consultant body compliance with the Trust's policy on declaring interests.</p> <p>The Committee is asked to NOTE the Board register of interest, gifts, hospitality and sponsorship and the comments that these do not cause any conflict for the Trust or those individuals.</p>			

To: Audit Committee

Date: 29 March 2019

From: Group Company Secretary

## **DECLARATION OF INTERESTS**

### **1.00 INTRODUCTION**

1.01 This paper provides an update on the application of the Trust's Declaration of Interest (DOI) process.

### **2.00 POLICIES AND GUIDELINES**

2.01 The Declaration of Interest process is supported by two key policies; the Standards of Business Conduct and Conflicts of Interest Policy, together with, the Policy on the Receipt of Hospitality, Gifts and Inducements. All policies are within date.

### **3.00 FIT AND PROPER PERSON AND DECLARATION OF INTEREST PROCESS**

3.01 The Trust policy states that the following groups must declare their Interests; All Executive and Non- Executive Directors, Governors, Consultants, all staff in the Procurement Team, senior managers within the Finance Directorate and staff within the Facilities & Estates Directorate who manage tender processes.

### **4.00 BOARD DOI PROCESS**

4.01 Group Executives and Non-Executives along with those at Group and Trust Director level staff are required to complete an annual self-assessment of their ability to meet the fit and proper persons requirements, and as part of this review, reconfirm any outside interests. This process also serves to remind these staff to declare any gifts, hospitality or sponsorship they have received.

4.02 The table at appendix a shows the declared interests of Board, Group and Trust Directors, all of which have been considered by either the Chair or Chief Executive or for Trust Directors their respective Group Executive Director who have confirmed there is no conflict with any of these declared interests..

4.03 The register of gifts and hospitality recorded by the Board, Group and Trust Directors is shown at appendix b.

### **5.00 CONSULTANT, SPECIALIST GRADE DOCTORS, TRUST DOCTORS DOI PROCESS**

5.01 As reported within the interim report to the Committee the DOI process for Doctors previously formed part of their Annual Appraisal process and within 2019/20 it will again form part of that year's annual appraisal. This revision will offer an efficient mechanism for reminding these staff of the need to make their annual return.

5.02 Of the 504 expected returns at the end of March 2019 we have received 254 completed forms (some 50%), the same position as reported to the Audit Committee in January 2019.

## **6.00 SENIOR STAFF DOI PROCESS**

- 6.01 Trust Directors are also required to complete an annual self-assessment of their ability to meet the fit and proper persons requirements and as part of this review and reconfirm any outside interests. All of these staff have completed their return for 2018/19.
- 6.02 For other senior staff, declaration of interest forms have been sent out and 31 from the 49 sent have been returned, equating to some 63% returned (this is up from the 51% compliance rate reported to the January 2019 Audit Committee).
- 6.03 Discussions continue about developing an IT system to support the engagement and return of the required forms from decision makers within IT, Pharmacy, Procurement, Finance and Estates and Facilities. The Trust has ceased supporting the sharepoint platform that previous system was developed for and as such IT are exploring other options. It should be noted that for procurement staff and pharmacy staff they do complete individual declarations as part of the individual procurement processes.

## **7.00 RECOMMENDATIONS**

- 7.01 The Committee is asked to NOTE the contents of the report and in so doing to note the level of assurance this provides on the Board, Trust Director and Consultant body compliance with the Trust's policy on declaring interests.
- 7.02 The Committee is asked to NOTE the Board register of interest, gifts, hospitality and sponsorship and the comments that these do not cause any conflict for the Trust or those individuals.

## Appendix A

### REGISTER OF DIRECTORS' INTERESTS AND FIT AND PROPER PERSON DECLARATION

All Board members have acknowledged and declared as an interest the Management Contract arrangement between Western Sussex Hospitals NHS Foundation Trust and Brighton and Sussex University Hospital NHS Trust.

Name	Job Title	Interests Declared	Enhanced Fit and Proper Person declaration completed	Period
Mike Viggers	Chair (ceased being chair at 31/5/18)	<ul style="list-style-type: none"> <li>Nil declaration</li> </ul>	Yes	01/04/2018 – 31/05/2018
Joanna Crane	Non-Executive Director	<ul style="list-style-type: none"> <li>Nil declaration</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Lizzie Peers	Non-Executive Director – Advisor	<p>None related directly to NHS Organisations</p> <ul style="list-style-type: none"> <li>Independent member of Quality Assurance Board, Ministry of Justice Witness Intermediary Scheme; Independent member of National Police Chiefs Council Audit and Assurance Board; Independent member of Audit and Risk Committee Local Government Boundary Commission; Independent Board Director at SAAA Ltd audit procurement organisation for smaller local authorities</li> <li>Trustee of Emsworth Health Trust</li> <li>Trustee and Treasurer of The Elizabeth Foundation</li> <li>Partner is Programme Manager at West Sussex County Council.</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Jonathan	Non-Executive Director	Non-personal interests:	Yes	For the Period of 01 April 2018 to

Name	Job Title	Interests Declared	Enhanced Fit and Proper Person declaration completed	Period
Furmston	– Advisor	<ul style="list-style-type: none"> <li>Spouse works for BT in the division supplying the Public Sector.</li> <li>From 1<sup>st</sup> April 2017 to 30<sup>th</sup> June 2017 was an employee of the BT Group that provides services to the Public Sector</li> </ul>		date.
Michael Rymer	Non-Executive Director	<ul style="list-style-type: none"> <li>Trustee St Barnabas Hospice, Worthing</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Patrick Boyle	Non-Executive Director / Interim Chair (from 1 <sup>st</sup> June to 30 <sup>th</sup> September 2018)	<ul style="list-style-type: none"> <li>Director, Patrick Boyle Executive Coaching and Consulting Limited working with the following NHS Clients: <ul style="list-style-type: none"> <li>Norfolk Surgical and Diagnostic Centres – Contract ended April 2017.</li> <li>Guys and St Thomas NHS Foundation Trust (Coaching Register) - approx. 50 hours</li> <li>NHS England (Coaching Register) – approx. 50 hours.</li> </ul> </li> </ul>	Yes	For the Period of 01 April 2018 to date.
Malcolm Reed	Non Executive Director	<ul style="list-style-type: none"> <li>Dean of Brighton and Sussex Medical Centre</li> <li>Medical Legal Expert</li> <li>Honorary Consultant for BSUH</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Martin Sinclair	Non-Executive Director	<ul style="list-style-type: none"> <li>Trustee – Asthma UK</li> <li>Director, Sinclair Pouw Consulting Ltd, company currently dormant and has no involvement with the NHS or the wider health sector.</li> <li>Brother is CEO of National Services Scotland (NHS Scotland)</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Kirstin Baker	Non-Executive Director	<ul style="list-style-type: none"> <li>Non-Executive Director of The Pensions Regulator (2 days a month)</li> <li>Vice-chair of the University of Sussex.</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Alan McCarthy	Chair (from 01 Oct	<ul style="list-style-type: none"> <li>Chair of SICK! Festival Ltd – performing arts charity based in Manchester.</li> <li>Trustee of Albion in the Community.</li> </ul>	Yes	01/10/2018 to

Name	Job Title	Interests Declared	Enhanced Fit and Proper Person declaration completed	Period
	2018)			date.
Marianne Griffiths	Chief Executive	<ul style="list-style-type: none"> <li>• Co-owner of Eden Consulting</li> <li>• Husband is co-owner of Eden Consulting and provides Social Services consultancy to Local Government.</li> <li>• Son works for Coastal CCG.</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Karen Geoghegan	Chief Financial Officer	<ul style="list-style-type: none"> <li>• Nil declaration</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Denise Farmer	Chief Workforce and Organisational Development Officer	<ul style="list-style-type: none"> <li>• Son works for Ernst Young.</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Dr George Paxton Findlay	Chief Medical Officer / Deputy Chief Executive	<ul style="list-style-type: none"> <li>• Wife is a General Practitioner currently employed and working within Brighton &amp; Hove (Montpellier Surgery).</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Nicola Ranger	Chief Nursing and Patient Safety Officer	<ul style="list-style-type: none"> <li>• Family members operate a company called 'Ranger Care' but no shares held or direct connection or involvement in the business.</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Peter Landstrom	Chief Delivery and Strategy Officer and Chief Operating Officer (BSUH)	<ul style="list-style-type: none"> <li>• Nil declaration</li> </ul>	Yes	For the Period of 01 April 2018 to date.

Name	Job Title	Interests Declared	Enhanced Fit and Proper Person declaration completed	Period
Rab McEwan	Interim Chief Operating Officer (BSUH)	Declaration being obtained	Being obtained	Commenced 7 January 2019
Caroline Davies	Nurse Director (BSUH)	<ul style="list-style-type: none"> <li>• Nil declaration</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Rob Haigh	Medical Director (BUSH)	<ul style="list-style-type: none"> <li>• Nil declaration</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Clare Stafford	Finance Director (BSUH)	<ul style="list-style-type: none"> <li>• Nil declaration</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Helen Weatherill	Human Resources Director (BSUH)	<ul style="list-style-type: none"> <li>• Nil declaration</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Ben Stevens	Interim Director of Operations	<ul style="list-style-type: none"> <li>• Nil declaration</li> </ul>	Yes	For the Period April to 06/01/2019

Name	Job Title	Interests Declared	Enhanced Fit and Proper Person declaration completed	Period
Philip Holmes	Interim Director of Facilities and Estates	<ul style="list-style-type: none"> <li>No direct paid employment</li> <li>Director of Praxxes Limited</li> <li>Partner works as NHS Winter Surge Director in London.</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Brian Courtney	Interim Director of Corporate Governance	<ul style="list-style-type: none"> <li>Director of BHC Consulting Ltd Management Consultancy, providing consultancy services to the NHS.</li> </ul>	Yes	29/03/2018 – 03/05/2018
Chipo Kazoka	Interim Group Company Secretary	<ul style="list-style-type: none"> <li>No return made</li> </ul>	No return made	21/05/2018 – 29/06/2018
David Haycox	Interim Group Company Secretary to 2/12/18 then continued to provide hand over to new Group Co Sec until 20/12/18	<ul style="list-style-type: none"> <li>Fulfilling role through consultancy / interim contract.</li> <li>Director of DH Governance Ltd, providing governance consultancy services to the NHS.</li> </ul>	Yes	10/07/2018 – 20/12/2018
Glen Palethorpe	Group Company Secretary (From 03.12.18)	<ul style="list-style-type: none"> <li>Was a partner with RSM until 31/3/14.</li> <li>Wife works for Brighton and Hove CCG within the Primary Care Commissioning Team.</li> </ul>	Yes	03/12/2018 to date.
Clare Williams	Group Nurse Director – Workforce and Education	<ul style="list-style-type: none"> <li>Nil Declaration</li> </ul>	Yes	For the Period of 01 April 2018 to date.



Name	Job Title	Interests Declared	Enhanced Fit and Proper Person declaration completed	Period
Anil Mathew	Group Director of Continuous Improvement	<ul style="list-style-type: none"> <li>Joint director of a start-up company, “Lean Enabled Group” that provides professional advice, training and recruitment services around process improvement within small and medium sized companies cover both public and private sectors.</li> <li>Joint share holder of aforementioned company.</li> <li>Trustee Director/Governor at Worthing High School (un-remunerated post).</li> </ul>	Yes	For the Period of 01 April 2018 to 20 January 2019.
Ian Arbutnot	Group Director of IM&T	<ul style="list-style-type: none"> <li>Nil declaration</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Jenny Procter	Group Director of Efficiency and Delivery	<ul style="list-style-type: none"> <li>Partner is Delivery Director for GGI, a consultancy firm used by BSUH.</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Jonathan Keeble	Group Director of Communications and Engagement	<ul style="list-style-type: none"> <li>Nil declaration</li> </ul>	Yes	For the Period of 01 April 2018 to date.
Robert Cairney	Group Director of Capital Development and Property	<ul style="list-style-type: none"> <li>Spouse is a Non-Executive Director of Healthwatch covering Sussex</li> </ul>	Yes	For the Period of 01 April 2018 to date.

## Appendix B

### Board and Trust Director register of gifts, hospitality and sponsorship

Board member / Trust Director	Gifts received or declined (from whom and value)	Hospitality received or declined (from whom and value)	Sponsorship received (from whom and value)	Gifts / hospitality or sponsorship given (to whom and value)
Mike Viggers	None	None	None	None
Alan McCarthy	None	None	None	None
Mike Rymer	None	None	None	None
Patrick Boyle	None	None	None	None
Joanna Crane	None	None	None	None
John Furmston	None	None	None	None
Lizzie Peers	None	None	None	None
Kirstin Baker	None	None	None	None
Martin Sinclair	None	None	None	None
Malcolm Reed	None	None	None	None
Marianne Griffiths	None	<p>Keynote speaker at V11 Lean in Healthcare Conference, Finland 5.2.19 followed by workshop to Execs of Hospital Region of Helsinki and Uusimaa. Return flight to Finland £134.88 + dinner and taxis £25-£75. Cost of hotel accommodation not known.</p> <p>'Woman in Leadership' lunch event from Clive Lewis, OBE £25 - £75</p>	None	None

Board member / Trust Director	Gifts received or declined (from whom and value)	Hospitality received or declined (from whom and value)	Sponsorship received (from whom and value)	Gifts / hospitality or sponsorship given (to whom and value)
		<p>Dinner with Jason Parker, Partner, KPMG and Kim Barnas, catalysis and John Toussaint. £25 - £75.</p> <p>Attendance at the CEO Forum Lean Healthcare Transformation Summit in Amsterdam. Standard registration cost of Summit: Euros 1000.00 + Dinner £25-£75.</p>		
George Findlay	None	None	None	None
Karen Geoghegan	None	None	None	None
Nicola Ranger	None	None	None	None
Peter Landstrom	None	<p>Visit to Chicago as Speaker at Catalysis/Createvalue.org Summit. £710 + taxis and dinner. Attended on behalf of CEO.</p> <p>Keynote speaker at V11 Lean in Healthcare Conference, Finland 5.2.19 followed by workshop to Execs of Hospital Region of Helsinki and Uusimaa. £171.40 + dinner and taxis. Cost of hotel accommodation not known.</p>	None	None
Denise Farmer	None	Lunch at a 'Woman in Leadership' event from Clive Lewis, OBE £25 - £75	None	None
Glen Palethorpe	None	None	None	None
David Haycox	None	None	None	None

Board member / Trust Director	Gifts received or declined (from whom and value)	Hospitality received or declined (from whom and value)	Sponsorship received (from whom and value)	Gifts / hospitality or sponsorship given (to whom and value)
Brian Courtney	None	None	None	None
Chipo Kazoka	None	None	None	None
Rab McEwan	Declaration being sought			
Caroline Davies	None	None	None	None
Rob Haigh	None	None	None	None
Clare Stafford	None	None	None	None
Helen Weatherill	None	None	None	None
Ben Stevens	None	None	None	None
Philip Holmes	None	None	None	None