

**Birmingham City Council Adults and Communities Directorate
Declaration of Conflicts of Interest
May 2008**

PURPOSE OF THESE GUIDELINES

1. These guidelines set out the procedures for managing conflicts of interests that Birmingham Council expects its service appraisal and strategic assessment panel members to follow in the assessment of proposals and/or the allocation of funds to the third sector from the Adults and Communities Directorate. The guidelines have been developed in order to protect the integrity of panel members and reduce the risk of impropriety or any perception of impropriety in the conduct of appraisal and assessment business and allocation of funds. These guidelines apply to all individuals involved in any way in the review of applications for funding.

DEFINITION OF CONFLICT OF INTEREST

2. A conflict of interest is where an organisation involved in this commissioning process may have an interest in the outcome of the commissioning that means they may not be able to be impartial or objective in the commissioning process or may receive an unfair competitive advantage. Such conflicts may be real, potential, perceived from the viewpoint of some external observer, or some combination of these.

Not all conflicting interests are unethical or impermissible. Ways can usually be found to manage or reduce a conflict to an acceptable level. In this programme we will look to manage potential conflicts through disclosure and keeping potential conflicts apart.

Conflicts of Interest will be managed at two levels - the organisational level, and the individual level. The main aim of the management actions at the organisational level is to ensure that no organisations have a competitive advantage in commissioning.

The main aim of the actions at the individual level is to ensure that any information or discussions that a person has will:

- a. not create a competitive advantage for their organisations/directorate.
- b. they will not impart that information to another part of their organisation, thus creating an unfair advantage. The latter will be managed through a confidentiality clause at the end of the Declaration of Interest form.

STANDARDS

2. All members of the panels agree that they endorse and will comply with the Nolan Principles as set out in Appendix One attached. In addition, officers of the City Council will be subject to the Ten General Principles of Public Life as set out in the Birmingham City Council Constitution (Volume B). and to the Officer Code of Conduct.

3. In the context of appraisal and assessment review of project funding proposals, a conflict of interest is normally deemed to arise:
 - a. when a panel member is a signatory to the proposal or application under consideration, or is acting as a referee.
 - b. where a panel member is from the same institution as the applicant;
 - c. where a panel member has a commercial interest in the proposal.

PROCEDURES

4. Pre-panel meeting briefings will be used by Birmingham City Council staff to bring to the Chair's attention all relevant information on any connection between an application and a panel member, including institution conflicts of interest. These, the Council's guidelines should be followed in order to identify where a conflict of interest will require an individual panel member to withdraw from the meeting.
5. At the start of the panel meeting, the Chair will ask panel members to make a declaration of conflicts of interest. This declaration will include the requirement for a positive declaration that there is no conflict of interest. All panel members will complete the statement of declaration at the beginning of the meeting. In addition, the nature of any conflict of interest, including positive declarations, will be recorded in the minutes of the meeting. If an individual panel member finds that a conflict of interest becomes apparent only as the meeting progresses, the nature of the conflict should be declared as soon as practicable to the Chair of the panel, Birmingham City Council staff, with reference to these guidelines will advise the Chair whether the individual should absent him/herself from the relevant part of the meeting.
6. A conflict of interest in any of the following categories will automatically require that the member withdraw from the meeting for the discussion of that application:
 - a. the panel member is a signatory to the proposal or application under consideration;
 - b. the panel member is a member of the same organisation/body as the applicant;
 - c. the panel member has a conflict of interest of a personal nature.
7. If after exploring other possibilities, it is considered that the exclusion of a member under 7 (b) above would compromise the panel's ability to make a proper scientific judgement of the proposal, the automatic exclusion may be overridden. Where such an exception is made, it must be solely on the grounds that the value to the quality and integrity of the appraisal and assessment process of the panel member in question may be deemed to outweigh any residual suggestion of bias arising from the declared conflict of interest.
8. Notwithstanding any of the above, a panel member may voluntarily choose to withdraw from the discussion of a proposal at any time if he/she wishes to do so. This may arise from a number of reasons as discussion of a proposal develops. This should also be recorded in the minutes at the point at which an individual ceases to take part in the discussion and leaves the meeting.

**STATEMENT OF DECLARATION
ADULTS AND COMMUNITIES DIRECTORATE**

**THIRD SECTOR COMMISSIONING
May 2008**

I hereby confirm that I have read and understood the above conflicts of interest policy of and that I will make full disclosure of interests, relationships and holdings that could potentially result in a conflict of interest. I will make full disclosure to the Panel when a conflict of interest situation arises. I agree that if I become aware of any information that might indicate that this disclosure is inaccurate or that I have not complied with the conflicts of interest policy, I will notify the Chair of either the Service Appraisal or Strategic Assessment Panel immediately.

I agree to not disclose information that I am privy to through board meetings, specification writing, appraisal or any other event to other staff from my organisation or any other organisation that may be tendering, which may give them an uncompetitive advantage in commissioning..

Signature

Name and Job Title (if applicable)

Organisation (if applicable)

Date

Appendix One

This Code has been developed in line with the NOLAN PRINCIPLES and seeks to recognise that:

All members agree that they endorse and will comply with the following principles:

1. Selflessness
members will take decisions solely in terms of the public interest. They will not do so in order to gain financial or other material benefits for themselves, their family, their friends, or the organisation they represent;
2. Integrity
members will not place themselves under any financial or other obligation to outside members or organisations that might influence them in the performance of their official duties;
3. Objectivity
In carrying out public business, including making public appointments, awarding contracts, or recommending others for rewards and benefits, members will make such choices on merit;
4. Accountability
members are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office;
5. Openness
members should be as open as possible about all the decisions and actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands;
6. Honesty
members have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest;
7. Leadership
members should promote and support these principles by leadership and example;