

**Guidelines on Conduct for Participants
Isle of Wight Council - Third Sector Commissioning Programme
September 2009**

THE PURPOSE OF THESE GUIDELINES

- 1) These guidelines protect the integrity of people involved in third sector commissioning and reduce the risk of impropriety or any perception of impropriety in making decisions. The guidelines apply to anyone involved in third sector commissioning.

CONFLICT OF INTEREST

- 2) A conflict of interest is where a person or organisation involved in third sector commissioning may have an interest that means they may not be able to be impartial or objective, or may receive an unfair competitive advantage. Conflicts may be real, potential, perceived from the viewpoint of others, or a combination of these factors.
- 3) Not all conflicting interests are unethical or not permitted. Ways can be found to manage or reduce a conflict to an acceptable level. The third sector commissioning programme will look to manage potential conflicts through open disclosure and keeping potential conflicts apart.
- 4) Conflicts of Interest must be managed at organisational and individual levels. At the organisational level we must ensure that no organisations have a competitive advantage in commissioning.
- 5) At the individual level we must be sure that participants will not create a competitive advantage for any applicant or sharing or using information, create an unfair advantage.

OUR STANDARDS

- 6) All participants in the third sector commissioning process must agree that they will comply with the Nolan Principles set out in Appendix One below. In addition, public sector officers on the panel must comply with their organisation's officer code of conduct.
- 7) Where participants are involved in the grant-making process, a conflict of interest may emerge when a participant:
 - a. is involved in considering and advising on the design and content of a commissioning programme;
 - b. is party to an application being considered, or is acting as a referee;
 - c. is from the same organisation as an applicant;
 - d. has a commercial interest in the proposal.

OUR PROCEDURES

- 8) Pre-meeting briefings will bring to the Chair's attention any relevant connection between an application and a participant, including organisational conflicts of interest. The Chair will apply the Council's guidelines to identify where a conflict of interest will require an individual panel member to withdraw from the process.
- 9) At the start of a third sector commissioning appraisal panel, the Chair will ask panel members to make a declaration of any conflicts of interest. This is 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.
- 10) If an individual participant finds that a conflict of interest becomes apparent only as a meeting is taking place, the nature of the conflict should be declared as soon as practicable to the Chair of the meeting. The Chair will rule on whether the participant should withdraw from the meeting, taking advice as necessary.
- 11) A conflict of interest for any of the following reasons will automatically require that the participant to withdraw from a meeting where:
 - a. a participant is a party to an application being considered, or is acting as a referee;
 - b. a participant is from the same organisation as the applicant;
 - c. the participant has a conflict of interest of a personal nature.
- 12) If after exploring other possibilities, it is considered that the exclusion of a participant under 10 (b) or (c) above would compromise ability to make an objective and rational judgement of an application, the automatic exclusion may be overridden. This must be solely on the grounds that the value to the quality and integrity of the appraisal and assessment process of the participant in question is judged to outweigh any suggestion of bias arising from the declared conflict of interest.
- 13) A panel member may voluntarily choose to withdraw from the discussion of a proposal at any time. This may be for a number of reasons as discussion of a proposal develops. This will be recorded in the minutes at the point at which a participant ceases to take part in the discussion and leaves the meeting.

Statement of Declaration
Isle of Wight Council - Third Sector Commissioning Programme

I confirm that I have read and understood the above conflicts of interest policy and 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 potential or actual conflict of interest 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 the panel immediately.

I agree to not disclose information that I am made aware of through meetings, applications, reports, references, or any other appraisal activity to other staff from my organisation or any other organisation, which may give them an uncompetitive advantage in commissioning.

Signature

Date

Name and Job Title

Organisation

Guidelines on Conflict of Interest for Participants in Third Sector Commissioning

This Code has been developed in line with the NOLAN PRINCIPLES.

All participants in Third Sector Commissioning must endorse and comply with the following principles:

1. Selflessness

Participants 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

Participants will not place themselves under any financial or other obligation to outside people or organisations that might influence them in the performance of their role;

3. Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending others for rewards and benefits, Participants will make such choices on merit;

4. Accountability

Participants are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office;

5. Openness

Participants should be as open as possible about all the decisions and actions they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands;

6. Honesty

Participants 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

Participants should promote and support these principles by leadership and Example.