

CODE OF CONDUCT AND REGISTER OF INTERESTS FOR MEMBERS OF RCR COUNCIL, BOARDS AND COMMITTEES

1. INTRODUCTION

- 1.1 Council has approved this Code of Conduct and a Register of Interests both of which are mandatory for Council members. It should be noted that completing the Register of Interests is not mandatory for members of College boards and committees, but they are strongly encouraged to do so.
- 1.2 The purpose of the Register is to place on record potential conflicts of interest. In addition, the Code of Conduct asks Council, board and committee members to declare any relevant interests in the course of College business.
- 1.3 The Register of Interests of Council Members is published on the College website.

2. CODE OF CONDUCT FOR COUNCIL, BOARD AND COMMITTEE MEMBERS

- 2.1 Membership of Council, boards and committees of the RCR is a privilege which carries with it the responsibilities of upholding the aims of the RCR (as laid down in the Charter). Council members also serve as Trustees of the College as a registered charity.
- 2.2 In order that both the public and members/Fellows of the College may have confidence in the effectiveness and impartiality of Council, boards and committees, members of those bodies undertake:
 - to make themselves available for service on Boards and Committees to which they have been elected or appointed;
 - to take decisions in the College's 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 Council, Board or Committee of the RCR;
 - to declare in the RCR's Register of Interests their membership of other bodies or organisations in accordance with the College's guidance on this matter;
 - to declare relevant interests or prior knowledge in the course of RCR business, and/or to take steps to avoid such interests or knowledge giving rise to a conflict of interest;
 - in regard to medical members of Council, boards and committees of the RCR, to promote the principles set out in *Good Medical Practice* (GMC);
 - 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 members of RCR Council, boards or committees, restricting information only when the principles of confidentiality or law demand it;
 - to observe the confidentiality of information identified as confidential which they receive as a privilege of membership of College Council, boards and committees;
 - to distinguish clearly, when speaking or writing, between personal views and those of the RCR;
 - to support the above principles by leadership and example.
- 2.3 Council, board and committee members often work closely with the College as a corporate body and in particular with its employees. This may include prolonged or intensive pieces of work. In so doing, Council, board and committee members should expect to receive helpful and timely advice, guidance and support from any College employee. Employees are subject to customary employment expectations and in particular to requirements as to their conduct. All employees have a line manager who should be the first point of reference, if any difficulties arise. In working

with an employee, Council board and committee members are reminded that invariably employees will have other tasks and duties to carry out in addition to the work that they may be doing in support of the member and that this may be work for the other Faculty. It is an employee's duty to ensure that any competing priorities are managed effectively and if not able to do this to refer the matter to their line manager. Ultimately the effective management, motivation, behaviour and, if necessary, discipline of any employee rests with the Chief Executive of the College. Council has agreed that the behaviour of any Council, board or committee member ultimately rests with the President. Council has also agreed a series of principles which are set out as Annex A to this Code of Conduct in order to manage any difficulties that may arise in Council, board and committee members' work with College employees.

3. **GUIDANCE ON THE REGISTER OF INTERESTS**

- 3.1 It is expected that Council, board and committee members will adhere to the RCR's Code of Conduct. As stated above, this is mandatory for Council members and strongly encouraged for all others.
- 3.2 Members of Council, boards and committees of the RCR 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, Council has established a Register of Interests. Like the Code of Conduct itself, declaration of interests in the Register is mandatory for Council members, and voluntary for members of other RCR boards and committees.
- 3.3 It is impossible to draw up an exhaustive list of organisations, still less of individuals, association with which might, under certain circumstances, be considered to bring about a possible conflict of interest.
In general, the RCR believes that members of Council, boards and committees should declare membership of, association with, or financial interest in any organisation if, in the view of the member, a conflict of interest or the appearance of such a conflict could arise.

The following interests need **NOT** be declared:

- a) Posts held in the ordinary course of employment or practice.
- b) Ordinary membership of professional bodies, medical Royal Colleges or defence organisations.
- c) Fellowship of professional bodies, medical Royal Colleges or specialist bodies.
- d) Membership of local community organisations.

It is proposed that the following interests **SHOULD** be declared:

- e) Any office held in a professional body, specialist society, medical Royal College or any body in the public, private or voluntary sector.
 - f) Consultancies, directorships or advisory positions if they relate to a medical, healthcare or pharmaceutical company or organisation, public body or political party, or any company that seeks work in the healthcare sector.
 - g) Financial interests in or other potential sources of income from medical, healthcare or pharmaceutical companies or organisations, although investments in funds or other investment vehicles managed by an independent third party (e.g. unit trusts, investment trusts, pension funds, ISAs etc) need not be declared.
 - h) Business interests where relevant to the activities of the College.
 - i) Any other public appointments which are not held in the ordinary course of employment or practice.
- 3.4 In case of doubt, members may seek the advice of the Chief Executive regarding what memberships, associations or interests they should declare.

3.5 The College will be responsible for keeping the Register of Interests. Members of Council, boards and committees 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 each year (following the AGM).

4. **CONNECTED PERSONS**

4.1 Council, board and committee members are expected to register the relevant business interests and offices of connected persons in addition to their own. Connected persons are defined by the Statement of Recommended Practice as:-

- members of the same family or household who may be able to influence, or be influenced by the Council member
- any business partner of a Council member
- trustees of non-charitable trusts, the beneficiaries of which are Council members, or connected with Council members

Approved by Council, 24 May 2002; updated to refer to *Chief Executive* in place of *General Secretary* September 2003

Re-affirmed by Council 17 November 2006

Updated August 2015 following Council's decision in March 2015 to extend arrangements for registering and declaring interests

Updated and Annex A added – approved by Council March 2016

Principles for dealing with issues and problems that arise in working between members of College Council, boards and committees and College employees

Overarching principle

Matters that concern employees are for the Chief Executive and his/her reports to deal with: matters that concern Fellows or members are for the President or appropriate Vice-President to deal with.

In support of the overarching principle, the following ***further principles*** apply:

- (a) As far as possible, issues should be resolved rapidly as soon as they arise and informally unless it is necessary to instigate a formal procedure.
- (b) Such issues must always involve a line manager at least and if of a potentially serious nature or of a serial or continuing nature must be made known to the appropriate senior manager and appropriate Vice-President or the President. This should be done with sensitivity and not be a public process.
- (c) As far as employee behaviours and performance are concerned, these should be dealt with under the College's employment contracts, Employee Handbook and policies which are issued, revised and promulgated from time to time.
- (d) If the matter involves a senior manager, the Chief Executive will automatically be involved.
- (e) If the issue involves the Chief Executive, the matter should be referred to an external and independent mechanism for investigation and if the investigator considers it appropriate recommendations as to any outcome or action.
- (f) As far as any "action" that might ensue that involves doctor behaviours, this should be dealt with by the President or appropriate Vice-President.
- (g) If the matter involves a Vice-President, the matter should be dealt with by the President.
- (h) If the matter involves the President, there are alternatives: it could be referred to the two Vice-Presidents or referred to an external and independent mechanism for investigation and if the investigator considers it appropriate, recommendations as to any outcome or action.
- (i) If the matter has high profile aspects to it, such as allegations which include equality and diversity, bullying or harassment or could impact negatively upon the reputation of the RCR, it should be referred to an external and independent mechanism for investigation and if the investigator considers it appropriate, recommendations as to any outcome or action.
- (j) The decision as to the outcome of and any action to be taken following investigation through an external and independent mechanism will rest with the College. The body or individuals within the College charged with making such a decision on any occasion will depend on the nature of the issues and those involved and may take account of but not be bound by any recommendations the investigator may have made.

While Council has not specifically agreed the nature of any external, independent mechanism that might be required, this might for example involve the President of another college who was willing to undertake the role and the Chief Executive of another college willing to undertake the role. If necessary, a wholly independent person who has skills and experience in dealing with the issues involved might be called upon. This might arise for example where bullying and harassment allegations or equality and diversity issues were involved.