

MANAGING CONFLICTS OF INTEREST

Updated Guidance

In line with recent guidance from the Cabinet Office, it is proposed that the register and associated guidance on handling conflicts are updated.

CoRWM has always kept a register of conflicts of interests and guidance on reporting conflicts. This guidance has been updated to make it more relevant to conflicts that CoRWM might face. It also provides further guidance on recognising different types of conflict and how these could be managed, see Annex A for updated guidance. The register of interest template has been expanded to provide further details of remuneration and clarity over payments received, see Annex B. Some examples of conflicts and guidance to suggest how they could be managed can be found in Annex C.

Proposal

That the committee agrees the updated guidance in Annex A, and the associated register of interests in Annex B. Once agreed, the register (Annex C) will be updated by the secretariat with current and past interests and members will be contacted if more information is required.

Annex A: Conflict of interest guidance

Recognising a conflict

One of the Nolan Principles on Public life¹ relates to conflicts of interest. The principle states that Holders of Public Office 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. According to this principle, CoRWM Members should declare any personal or business interest which may, or may be perceived to be (by a reasonable member of the public) influencing, or having influenced their judgement in committee business.

A conflict may arise due to financial, political, professional or personal business. One may also arise due to the interests of a close relative, partner, employee or employer. The following are examples of interests that should be recognised as such:

- companies, partnerships, trusts, charities or other bodies of which the member is a proprietor, partner, director, paid employee, or is in receipt of funding from such a body, where the activities of the body are relevant to CoRWM's work;
- membership of local authorities, Boards of Regulators and other Government advisory bodies;
- shares in companies that carry out activities in the nuclear or radioactive waste management field;
- ownership of land or property, that may have a bearing on CoRWM work;
- political activity;
- consultancy, research or advisory services, for or paid for by CoRWM's stakeholders, e.g., Government, nuclear industry, regulatory bodies, local authorities, environmental or other pressure groups;
- a family member, colleague, employee, employer or any other close associate with an interest in any of the above, or where the interest may have a bearing on CoRWM work.

Declaring a Conflict or Potential Conflict of Interest

Members should make any potential conflicts of interest known to the Committee and inform the secretariat who will record the nature of the conflict in a publically available register. The register template can be found in annex B. New conflicts may also be recorded in published minutes of meetings. The Chair should confirm whether any member has identified any new conflict of interests at the start of each plenary meeting.

Declarations should be made as soon as possible after the member becomes aware that they may have a new conflict, and updated provided as the position, or more information is known.

On declaring a conflict, or potential conflict, the following should be provided including:

- date of declaration
- details of all parties involved
- description of the conflict including the content of any work carried out, and how it relates to CoRWM's work,
- the remuneration received, and by whom,
- the way in which money is allocated (e.g. directly, or through a third party such as a research council).

¹ http://www.public-standards.org.uk/Library/The_seven_principles_of_public_life.pdf

Handling Conflicts

Conflicts of interest will be handled on a case-by-case basis. The Chair is responsible for deciding what action is/if any is taken to manage the conflict. The nature of the action taken will depend on a number of factors which may include:

- the involvement of the member in the activity, for example for some paid work, both in the application for the work and the carrying out of the work;
- who is receiving a benefit, for example, the main benefit may be to the members themselves, their staff or their organisation.
- the remuneration received (if any),
- the way in which remuneration is decided,
- the magnitude /profile of the conflict,
- the possible perception of the conflict by others,

The action taken to handle any conflict, if required, may take various forms. For example, the Chair may request that the member is excluded from discussions on matters, or contributing to the committee's outputs. It should also be noted that guidance from the Government office for Science advises that for a specialist body such as CoRWM, potential conflicts of interest should not necessarily preclude selection of those members otherwise best qualified². This should also be interpreted in terms of the requirement for a particular member to work on a specific topic, if he or she is deemed to be the most suited member in terms of their area of expertise, and the Chair believes that he or she will act in CoRWM's best interests. It is also recognised that for certain skill sets required by the committee, potential appointees are limited to a small number of experts.

As a guide, various examples of conflicts are given in Annex C and the way in which they could be managed described.

² See [Code of Practice for Scientific Advisory Committees: CoPSAC 2011](#)

Annex B: New Register of Interests

| Date identified | Member name | Details of conflict including all parties involved and capacity of member involved | Remuneration received by member or member's associate, relative, organisation etc. | How remuneration is received e.g. through direct bid, or third party | Action taken | Date no longer valid |
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Annex C: Example Conflicts and Guidance for Management of the Conflict

| Example Conflict or Potential Conflict | Suggested Management of Conflict |
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| <p>Receipt of funding or payment from the NDA or DECC that is:</p> <ul style="list-style-type: none"> • received directly from NDA or DECC (and not through a third party e.g. research Council), and • bid for under the name of the member, and • is for work carried out by that member or their staff, and • contributes to the member's salary, company or institution's income, and • is on a subject on which CoRWM scrutinizes NDA or DECC. | <p>The member is not able to lead on any work that the committee carries out in the subject area that relates to the work that is or was carried out under the declaration of conflict. The member is however able to contribute to the work produced by the committee. The conflict should be brought to the attention of the lead or other members associated with the committee's work on this area, and also to all those involved at the point that the work is signed off.</p> |
| <p>Receipt of funding or payment for work or research:</p> <ul style="list-style-type: none"> • indirectly from DECC or NDA, for example through an independent panel overseen by a research council, and • for which the member is a named bidder in the application process, and • the work is carried out by that member or their staff, and • which contributes to the member's salary, company or institution's income, and • is on a subject on which CoRWM scrutinizes NDA or DECC. | <p>The member is able to be the lead on any work that the committee carries out on any subject. However the conflict should be brought to the attention of all when the work is signed off.</p> |
| <p>Receipt of funding or payment for work or research:</p> <ul style="list-style-type: none"> • indirectly from DECC or NDA, for example through an independent panel overseen by a research council, and • for which the member is NOT a named bidder in the application process, but their members of staff are named bidders, and • the work is carried out by the member's staff only with no involvement by the member, and • which contributes to the company or institution's income, and • the work is on any of the subject areas on which CoRWM scrutinizes NDA or DECC. | <p>The member is able to lead on any work that the committee carries out on any subject. However the conflict should be brought to the attention of all when the work is signed off and the member should not have sole responsibility to sign off any work or provide any advice on behalf of the committee.</p> |

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| <p>Receipt of funding or payment for work or research:</p> <ul style="list-style-type: none"> • directly from DECC or NDA, • the member is NOT a named bidder in the application process, but their members of staff are named bidders, and • the work is carried out by the member's staff only with no involvement by the member and • the work is on any of the subject areas on which CoRWM scrutinizes NDA or DECC. | <p>If it is possible, the member should manage this within their organisation so that they are not associated with this work, for instance, by making arrangements so that the staff report through a third party for the entirety of this item of work.</p> <p>If this is not possible, the member will not lead on any work that the committee carries out in the subject area that relates to the declared matter. The member is however able to contribute to the committee's work in this area. The conflict should be brought to the attention of the lead member of the committee that is carrying out the work, and also to all those involved in signing it off.</p> |
| <p>Receipt of funding by a member, their staff or their institution which amounts to less than a specified threshold, from NDA or DECC (suggested amount tbc.)</p> | <p>In this case, the conflict is not considered to be required to be managed.</p> |
| <p>Receipt of funding or payment for work or research from NDA or DECC that is on a subject outside of CoRWM's remit.</p> | <p>These members are not able to sign off, make final decisions or provide advice that is not signed off by another member or the rest of the committee. They are however able to contribute to all the areas of the committee's work.</p> <p>The conflict should be brought to the attention of the rest of the committee and this should be considered during the compilation and at final sign off of any work.</p> |
| <p>Receipt of funding or payment for work or research from a third party such as a waste producer.</p> | <p>Management will be decided on a case by cases basis and will be dependent on the subject area and type of work that is being carried out, and its overlap with CoRWM's work.</p> |
| <p>Receipt of funding or payment for work or research from a regulator.</p> | <p>There would normally be no conflict of interest in this case.</p> |