



CMHP
College of Mental Health Pharmacy

Business Conduct Policy

Introduction

The College of Mental Health Pharmacy (the CMHP), including its directors and employees, must be impartial, honest, and transparent in the conduct of its business.

All staff and directors will strive to avoid any conflict of interest between the interests of the organisation and personal, professional, and business interests. This includes avoiding actual conflicts of interest as well as the perception of conflicts of interest.

The purpose of this policy is to protect the integrity of the College decision making processes, to enable stakeholders including members to have confidence in the organisations integrity and to protect the integrity and reputation of staff and directors.

Declarations of Interest

Upon appointment, each director will make a full, written disclosure of interests, such as relationships and posts held that could potentially result in a conflict of interest. Unless otherwise agreed, directors will submit a completed declaration of interest form as part of the election process and then updated forms annually, usually after the Annual General Meeting. Declarations of interest forms should include information about primary NHS, academic, or private employment.

Each director is also required to submit a new declaration of interest form before each Council meeting detailing any activities undertaken since the previous Council meeting that may be considered a conflict of interest.

The information required is as follows:

- A description of the activity undertaken by the director and the company involved *e.g.*, *attendance at a conference sponsored by Lilly*
- The capacity in which the director was undertaking the activity *e.g.*, *CMHP director, NHS pharmacist*
- The monetary band that applies to the activity *e.g.*, *Band B*

The CMHP Council have decided, in the spirit of transparency, to include a pragmatic estimate of monetary value as part of the ongoing declaration of interest process:

- Band A: £10-£100
- Band B: £101-£500
- Band C: £501-£1000
- Band D: over £1000

It is recognised that whilst in some circumstances the exact monetary payment will be known, on other occasions, such as a sponsored conference attendance, it will not be known. In these cases, it is expected that the following criteria be used:

- Band A: Attendance up to one day
- Band B: Attendance including an overnight stay
- Bands C/D: Attendance including more than one overnight stay or abroad, where the band is determined by the length of stay and the venue

While it is acknowledged that the above may overestimate some activities, it will also underestimate others, and is a practical way of ensuring that all activities are declared.

Declarations of interest will be collated and presented at the Annual General Meeting each year before being displayed on the College website.

In addition to attendance of events, the memorandum of association for the College states that a director must declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the charity or in any transaction or arrangement entered into by the charity which has not previously been declared.

A director must absent themselves from any discussions of the directors in which it is possible that a conflict will arise between their duty to act solely in the interests of the charity and their personal interests. This includes, but is not limited to, any personal financial interests.

If a conflict of interests arises for a director because of a duty of loyalty owed to another organisation or person, and is not authorised by virtue of any other provision in the articles, the unconflicted directors may authorise the conflict of interests where the following conditions apply:

- The conflicted director is absent from the discussion of any arrangement or transaction affecting that other organisation or person
- The conflicted director does not vote on any such matter and is not to be counted when considering whether a quorum of directors is present at the meeting
- The unconflicted directors consider it in the interests of the charity to authorise the conflict of interests in the applied circumstances

Conduct of Directors

No director shall use their position as director of the College for personal gain. Directors should only state that they are representing the College when this has been explicitly approved by the Council, President, or Vice President. This approval may be undertaken on an individual basis e.g., when a director is asked to attend a conference or meeting and wishes to represent the College or on an ongoing basis e.g., as media spokesperson for the College.

Use of CMHP Email Group

No director will use the CMHP email group for personal gain. All members of the CMHP, including directors, may share information from their main employing organisation such as details of job vacancies or courses they have organised, but they must make it clear that they work for the organisation involved.

Relationship with Industry and Other Organisations

The CMHP may choose to interact with other commercial, charity, or voluntary sector organisations in a number of ways. These may include:

CMHP Corporate Partnership Scheme

The CMHP Corporate Partnership Scheme is a way of ensuring that the CMHP has a transparent relationship with the pharmaceutical industry and other commercial organisations.

As part of the Scheme, Corporate Partners may have potential enquiries that may be routed to a director via the Executive Officer. In these cases, any response from a director will be on behalf of the CMHP and not in an individual capacity. There are no other requirements from individual directors as part of the corporate partnership scheme.

CMHP Partner Organisations

The CMHP may choose to designate individual organisations as CMHP Partner Organisations. These will usually, but not exclusively, be other charities or academic organisations that have similar aims or work closely with the CMHP. These organisations will usually have a free or reduced fee stand at the annual conference. The CMHP Council decides who will become a partner organisation.

There are no requirements for individual directors with regards to these partner organisations. If an individual director has any connection with one of the partner organisations it should be declared either annually if on an ongoing basis, or before each meeting as necessary.

Individual contracts with specific organisations

The CMHP may hold contracts for specific pieces of work or ongoing projects with other commercial organisations. All requirements with regards to any responsibilities for individual directors should be detailed in each contract.

Complaints Procedure

The CMHP aims to ensure that complaints raised about a Council member, or a person employed by the Council, are resolved fairly and promptly. For the purposes of this procedure, an employed person is any person who has been engaged under contract (including those considered self-employed) to complete work for the CMHP.

In all cases, the complainant must make every effort to resolve the complaint informally prior to a formal complaint being raised. The submission of a formal complaint does not remove the option to resolve the matter informally.

If an individual has any concern about the performance or behaviour of a Council member or CMHP employee, they should bring this to the attention of the Honorary Secretary. The Honorary Secretary should hear the concerns and try to resolve the matter informally. The Honorary Secretary may involve another member of the Council to manage the complaint if it is within their area of expertise. If the complaint is against the Honorary Secretary, the President will take the role of the Honorary Secretary in these procedures. In all cases, the President maintains an overview of all complaints against CMHP members and this procedure.

If the concern is unable to be resolved informally, the individual may wish to make a formal complaint by completing a complaint form (Appendix 1) and sending it to info@cmhp.org.uk within 28 days of the alleged incident, along with copies of any documents relevant to the complaint.

The complainant must agree to let the person(s) named in the complaint see the complaint letter and all associated documentation. A copy of the complaint procedure must be sent to the person(s) about whom the complaint has been made.

The Honorary Secretary must review the information provided and decide in consultation with the Immediate Past President whether the CMHP is the most appropriate body to deal with the complaint. Depending on the nature of the complaint it may be decided in this consultation that the Honorary Secretary hand over the investigation to another member of the CMHP Council.

The Honorary Secretary should confirm with the complainant within 7 days of receipt of the complaint whether the CMHP will investigate the complaint further. If the complaint is not to be investigated by the CMHP, the Honorary Secretary must provide the complainant with the reason for this decision.

The Honorary Secretary should complete the investigation as quickly as reasonably possible, ideally within a maximum of 28 days from receipt of the complaint form. The complainant must be notified as soon as practicable if this timeframe is not possible. The complaint investigation process may include, but is not limited to, the following:

- Review of complaint and supporting documents
- Review of all notes of meetings and any relevant supporting evidence. This may include telephone call records, emails, policies and procedures, and correspondence
- Contact with complainant to obtain further information on the complaint including whether any witnesses need to be consulted
- Contact with the person(s) about whom the complaint has been made to record their version of events, obtain supporting documentation, and whether any witnesses need to be consulted
- Contact with any witnesses

Upon completion of the investigation, the Honorary Secretary will decide upon one of the following courses of action:

- Seek further information from any of the parties involved in the complaint
- Advise both parties that an agreed independent intermediary should be appointed to seek to resolve the situation informally
- Advise the complainant that the complaint should be referred elsewhere
- Advise both parties that the complaint has been dismissed as unfounded
- Refer the complaint and the investigation to the CMHP Council where action to resolve the complaint will be agreed

If the matter is to be brought before Council, the Council and the person(s) about whom the complaint has been made must be given a minimum of 7 days' notice of the allegations prior to the meeting. Each person named in the complaint is entitled to nominate another College member to support them at the meeting. The discussion and outcome of the meeting will be recorded the Council minutes.

All parties involved will receive the same letter outlining the decision of the CMHP and the reason(s) for that decision, as well as any follow up action plan or ongoing monitoring.

In the event that any party wishes to appeal the Council's decision, the case should be referred to the President for review.

All paper and electronic records related to the complaint will be retained by the Honorary Secretary for 8 years from the date of the decision.

Appendix 1: CMHP Complaint Form

Please use this form to raise a formal complaint about a Council member, or a person employed by the Council. Please note that the CMHP does not investigate the following types of issues:

- Employment issues
- Individuals' fitness to practice
- Work carried out during the course of NHS or other organisations' duties

Please return this completed form, along with copies of any documents relevant to the complaint, to info@cmhp.org.uk within 28 days of the alleged incident.

You will receive formal acknowledgement of your complaint within 7 days of receipt of this form, with details of whether the CMHP will investigate your complaint further. In the event that the CMHP will not investigate your complaint further you will also receive an explanation of the reason(s) for this.

Your Details

Name	
Address	
Telephone	
Email	

I am... <i>(please tick)</i>	
...a member of the public	
...the employer of the person(s) concerned	
...a colleague of the person(s) concerned	
...a healthcare professional	
...a member of another body (e.g. police, MHRA)	
...a member or employee of the CMHP Council	

Communication Preferences

How would you prefer to receive updates? <i>(please circle)</i>	Letter / Email / Telephone
If you have any specific communication needs, please provide details of any adjustment(s) you require	

Details of the Complaint

Please include the following:

- The exact nature of the complaint
- The name(s) of any individual(s) about whom you are complaining
- The date(s) and time(s) of the alleged incident(s)
- The name(s) of any witnesses to the alleged incident(s)
- Informal action you have already taken to try to resolve the complaint and the date(s) on which this occurred
- How you would like the complaint to be resolved

Declaration and Consent

In order to investigate your complaint, we will need to disclose the information you provide to the person(s) you name in this complaint. Please sign and date below to consent to this. Please note that we are unlikely to be able to investigate your concern further if you do not complete this section of the form.

I consent to the CMHP disclosing my complaint and any related information I provide to the person(s) named on this form.

I declare that all the information I have provided is, to the best of my knowledge, complete and accurate.

Signed..... Date.....