

DECLARATION OF MEMBERS' INTERESTS CODE OF PRACTICE

1. Introduction

This code of practice guides members of COMARE as to the circumstances in which they should declare an interest in the course of the Committee's work.

To avoid any public concern that commercial interests of members might affect their advice to Government, Ministers have decided that information on significant and relevant interests of members of its advisory committees should be on the public record. The advice of the Committee frequently relates to matters which are connected with the radiation industry generally and, less frequently, to commercial interests involving radioactivity. It is therefore essential that members should comply with the Code of Practice which is set out below.

2. Scope and definitions

This code applies to members of COMARE and its subcommittees, sub groups, working groups and working parties which may be formed.

For the purposes of this code of practice, the 'radiation industry' means:

- (a) companies, partnerships or individuals who are involved with the manufacture, sale or supply of products processes or services which are the subject of the Committee's business. This will include nuclear power generation, the nuclear fuel reprocessing industry and associated isotope producing industries, both military and civil and also medical service industries;
- (b) trade associations representing companies involved with such products;
- (c) companies, partnerships or individuals who are directly concerned with research or development in related areas;
- (d) interest groups or environmental organisations with a known interest in radiation matters.

This excludes government departments, professional bodies, international organisations and agencies.

It is recognised that an interest in a particular company or group may, because of the course of the Committee's work, become relevant when the member had no prior expectation this would be the case. In such cases, the member should declare that interest to the Chairman of the meeting and thereafter to the Secretariat.

In this code, 'the Department' means the Department of Health, and 'the Secretariat' means the secretariat of COMARE.

3. Different types of interest – definitions

The following is intended as a guide to the kinds of interests which should be declared. Where a member is uncertain as to whether an interest should be declared he or she should seek guidance from the Secretariat or, where it may concern a particular subject which is to be considered at a meeting, from the Chairman at that meeting. Members of the Committee and the Secretariat are under no obligation to search out links between one company and another, for example where a company with which a member is

connected has a relevant interest of which the member is not aware and could not reasonably be expected to be aware.

If members have interests not specified in these notes but which they believe could be regarded as influencing their advice they should declare them to the Secretariat in writing and to the Chairman at the time the issue arises at a meeting.

3.1 *Personal interests*

A personal interest involves current payment to the member personally. The main examples are:

- (a) Consultancies and/or direct employment: any consultancy, directorship, position in or work for the radiation industries which attracts regular or occasional payments in cash or kind.
- (b) Fee-paid work: any work commissioned by those industries for which the member is paid in cash or kind.
- (c) Shareholdings: any shareholding in or other beneficial interest in shares of those industries. This does not include shareholdings through unit trusts or similar arrangements where the member has no influence on financial management.
- (d) Membership or affiliation: any membership role or affiliation that the member or close family member has to clubs or organisations with an interest or involvement in the work of the Department. This will not include professional bodies, organisations and societies.

3.2 *Non-personal interests*

A non-personal interest involves current payment which benefits a department to which a member is responsible, but is not received by the member personally. The main examples are:

- (a) Fellowships: the holding of a fellowship endowed by the radiation industry.
- (b) Support by industry: any payment, other support or sponsorship by the radiation industry which does not convey any pecuniary or material benefit to a member personally but which does benefit their position or department, eg:
 - (i) a grant from a company for the running of a unit or department for which a member is responsible;
 - (ii) a grant or fellowship or other payment to sponsor a post or a member of staff in the unit for which a member is responsible. This does not include financial assistance for students, but does include work carried out by postgraduate students and non-scientific staff, including administrative and general support staff.
 - (iii) the commissioning of research or work by, or advice from, staff who work in a unit for which the member is responsible.
- (c) Support by charities and charitable consortia: any payment, other support or sponsorship from these sources towards which the radiation industry has made a specific and readily identifiable contribution. This does not include unqualified support from the radiation industry towards the generality of the charitable resource.
- (d) Trusteeships: where a member is trustee of a fund with investments in the radiation industry, the member may wish to consult the Secretariat about the form of declaration which would be appropriate.

3.3 Specific interests

A specific interest relates explicitly to the material, product, substance or application under consideration by the Committee.

A member must declare a personal, specific interest if they currently receive a payment, in any form, for any significant fundamental development work undertaken previously or at this time, on a material, product or substance or its application under consideration. This will include the production of radioactive substances and devices designed to use ionising or non-ionising radiation for diagnostic, treatment or other purposes.

A member must declare a non-personal, specific interest if they are aware that the department to which they are responsible currently receives payment for significant fundamental development work undertaken previously or at this time, on a material, product or substance or its application under consideration but they have not personally received payment for that work in any form. This will include the production of radioactive substances and devices designed to use ionising or non-ionising radiation for diagnostic, treatment or other purposes.

3.4 Non-specific interests

A non-specific interest relates to a company or associated material, product, substance or application, but not to the specific material, product, substance or application under consideration by the Committee.

A member must declare a personal, non-specific interest if they have a current personal interest with a material, product or substance from a particular company, which does not relate specifically to the material, product, substance or application from that company under consideration.

A member must declare a non-personal, non-specific interest if they are aware that the department to which they are responsible is currently receiving payment from the company concerned which does not relate specifically to a material, product or substance or its application under discussion.

If a member is aware that a substance, product or material or their application under consideration is or may become a competitor of a substance, product or material manufactured, sold or supplied by a company in which the member has a current personal interest, they should declare their interest in the company marketing the rival product, substance or matter.

Members are under no obligation to seek out knowledge of such work done for or on behalf of the radiation industry within departments to which they are responsible if they would not reasonably expect to be informed. This applies to all non-personal, specific and non-specific interests.

4 Declaration of interests

4.1 Declaration of interests to the Secretariat

Members should inform the Secretariat in writing when they are appointed of their current personal and non-personal interests and annually in response to a Secretariat request. Only the name of the company (or other body) and the nature of the interest is required; the amount of any salary, fees, shareholding, grant, etc, need not be disclosed. An interest is **current** if the member has a continuing financial involvement with the industry, eg if they hold shares in a radiation company, has a consultancy contract, or if the

member or the department to which they are responsible is in the process of carrying out work for the radiation industry. Members are asked to inform the Secretariat at the time of any change in their personal interests, and may be invited to complete a form of declaration when required. It would be sufficient if changes in non-personal interests are reported at the next annual declaration following the change. (Non-personal interests involving less than £5000 from a particular company in the previous year need not be declared.)

The register of interests should be kept up-to-date and be open to the public.

4.2 Declaration of interests at meetings and participation by members

Members are required to declare relevant interests at Committee meetings and to state whether they are personal or non-personal interests. The declaration should include an indication of the nature of the interest.

(a) If a member has a current (personal or non-personal) interest in the business under discussion, they will not automatically be debarred from contributing to the discussion subject to the Chairman's discretion. The Chairman will consider the nature of the business under discussion and of the interest declared (including whether it is personal or non-personal) in deciding whether it would be appropriate for the relevant member to participate in the item.

(b) If a member has an interest which is not current in the business under discussion, this need not be declared unless not to do so might be seen as concealing a relevant interest. The intention should always be that the Chairman and other members of the Committee are fully aware of relevant circumstances.

A member, who is in any doubt as to whether they have an interest which should be declared, or whether to take part in the proceedings, should ask the Chairman for guidance. The Chairman has the power to determine whether or not a member with an interest shall take part in the proceedings.

If a member is aware that a matter under consideration is or may become a competitor of a product process or service in which the member has a current personal interest, they should declare the interest in the company marketing the rival product. The member should seek the Chairman's guidance on whether to take part in the proceedings.

If the Chairman should declare a current interest of any kind, they should stand down from the chair for that item and the meeting should be conducted by the Deputy Chairman or other nominee if the Deputy Chairman is not there.