



**CODE OF CONDUCT**  
**FOR MEMBERS OF AWMSG, AWPAG & NMG**  
**DECEMBER 2019**

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## 1 INTRODUCTION

- 1.1 The Welsh Government expects all holders of public office to work to the highest personal and professional standards. In support of this, all members of public bodies in Wales are required to abide by the principles set out in this Code of Conduct. Non-compliance with this Code shall be viewed as a breach of your terms and conditions of appointment.
- 1.2 Your appointment as an AWMSG member (or deputy member) may be terminated should you fail to perform your duties to the appropriate standards or where it is determined that your conduct means that you are no longer a suitable person to hold public office.
- 1.3 The role and responsibilities of AWMSG members is outlined in Annex 1 and has been agreed between the Welsh Government and the AWMSG Chair on 6 December 2019 whilst specific terms and conditions of service are set out in members' individual letters of appointment.

## 2 KEY PRINCIPLES OF PUBLIC LIFE

- 2.1 As an AWMSG member (or deputy) your behaviour, actions and the decisions you make must be fully consistent with the principles set out in this Code of Conduct. It is your responsibility to ensure that you are familiar with, and comply with, all the relevant provisions of this code.
- 2.2 The key principles upon which this Code of Conduct is based are the Seven Principles of Public Life. These are attached at Annex 2. In addition, Taking Wales Forward sets out the Government's priorities under the Programme for Government.

## 3 GENERAL CONDUCT

- 3.1 As an AWMSG member (or deputy) you will be expected to:
  - play a full and active role in the work of the Group and to fulfil your duties and responsibilities conscientiously and act, at all times, in good faith and in the best interests of the body;
  - deal with the public and their affairs fairly, efficiently, promptly, effectively and sensitively and to the best of your abilities;
  - comply with any statutory or administrative requirements relating to your post; and
  - respect the principles of collective decision-making and corporate responsibility.

You must not:

- act in a way that favours unjustifiably or discriminates unfairly against particular individuals or interests; nor
- use - or attempt to use - the opportunity of public service to promote your personal interests or those of any connected person, firm, business or other organisation.

### Use of Public Funds

- 3.2 You have a duty to safeguard public funds - which for this purpose should be taken to include all forms of receipts from fees, charges and other sources - and to ensure the proper custody of assets which have been publicly funded.
- 3.3 You must take appropriate measures to ensure that the Group at all times uses its resources as economically, efficiently and effectively as possible, with full regard to the relevant statutory provisions and to relevant guidance in Managing Welsh Public Money.
- 3.4 You are responsible for ensuring that the Group does not exceed its powers or functions, whether defined in statute or otherwise, or through any limitations on its authority to incur expenditure.

## **Allowances**

- 3.5 You must comply with the rules set by the AWMSG regarding remuneration, allowances and expenses. It is your responsibility to ensure compliance with all relevant HM Revenue and Customs' requirements concerning payments, including expenses.

## **Use of Official Resources**

- 3.6 You must not misuse official resources – facilities, equipment, stationery, telephony and other services, for example – for personal gain or for political purpose. Use of such resources must be in line with the Group's rules on their usage.

## **Use of Official Information**

- 3.7 You must not use any knowledge gained from your work as a member of AWMSG for private profit or any other direct or indirect gain, neither should you lay yourself open to suspicion of doing so. You must not, without receiving proper authority, disclose any information which is confidential in nature or which is provided in confidence to you. This duty continues to apply even after you have left the Group.

## **Hospitality, Gifts and Other Benefits**

- 3.8 You must not accept any gift, hospitality or benefit of any kind which might be seen to compromise your personal judgement or integrity or to influence you to show favour or disfavour to any person or organisation. Nor should you leave yourself open to the accusation that you might have been so influenced. If a gift is sent to you which you feel you cannot return, or a gift or hospitality is offered to you in circumstances in which it would cause embarrassment or offence (to you or the giver or others present) if you were to decline it, you should promptly record its receipt in writing in the public register of gifts maintained by the body for such purpose.

## **Political Activity**

- 3.9 In your public role you must abstain from all controversial political activities and be - and be seen to be – politically impartial. You should not occupy a paid party political post, nor hold a particularly sensitive or high-profile role in a political party. On matters directly affecting your work as a board member, you should not make political statements nor engage in other political activities. You must abide by any guidance issued from time to time by the Welsh Government on attendance at Party Political Conferences etc.
- 3.10 If you are a member, or become a member, of the UK Parliament, the House of Lords, the National Assembly for Wales and/or other Devolved Administrations or are a local councillor you are exempt from these requirements, although you should still exercise proper discretion on matters directly relating to the work of the Group and recognise certain political activities may be incompatible with your role as an AWMSG member.
- 3.11 You will also need to refer to the National Assembly for Wales (Disqualification) Order 2015 which disqualifies office holders of certain bodies from becoming members of the National Assembly for Wales.

## **4 MEMBERS' INTERESTS**

### **Handling Conflicts of Interests**

- 4.1 You must comply with the rules set in place by the Group as to the handling of conflicts of interest. As a minimum these will require that you:
- declare as soon as possible in the public register kept by AWTTTC for such purpose any personal or business interests you maintain which may - or may be perceived to - conflict with your public duties;

- withdraw from the discussion or determination of matters in which you have a direct pecuniary interest (in matters in which you have an interest that is not of a direct pecuniary kind, you should consider whether participation in the discussion or determination of a such would suggest a real danger of bias).

4.2 It is your responsibility to ensure that your entry in the AWMSG's register of members' interests is accurate and kept fully up-to-date.

4.3 Conflicts of Interest is dealt with in more detail in Annex 3.

### **Business Appointments/Acceptance of Appointments during Term of Office and Following Resignation or Retirement**

4.4 On taking up your appointment to AWMSG you were required to make a declaration detailing any/all your other employment/business appointments. You should be aware that AWMSG's rules on handling conflicts of interest also include provisions should you seek to take up any new position during the period of your appointment.

4.5 For the avoidance of doubt you should consult with the AWMSG Chair and the Welsh Government before accepting any new appointments which might impact on the work of AWMSG.

## **5 RELATIONSHIP WITH THE CHAIR AND SUPPORT STAFF**

5.1 The Chair is responsible for the day-to-day management of the Group. The Chair and AWTTTC staff are available to advise, inform and assist you with your duties as an AWMSG member. As such, you will need to liaise closely with the Chair and senior AWTTTC staff in order that you might exercise your responsibilities effectively.

5.2 Day-to-day operational matters should be delegated to AWTTTC staff so far as is practicable within a clearly defined framework set out within the Service Level Agreement between Welsh Government and Cardiff and Vale University Health Board

5.3 The Chair will be responsible for monitoring the performance of members and will undertake annual appraisals.

5.4 You must not ask or encourage members or AWTTTC staff to act in any way which would conflict with the Code of Conduct.

## **6 PERSONAL LIABILITY OF AWMSG MEMBERS**

6.1 Although any legal proceedings initiated by a third party are likely to be brought against AWMSG as a whole, in exceptional cases proceedings (civil or, in certain cases, criminal) may be brought against the Chair or other individual AWMSG members (a member may be personally liable if he or she makes a fraudulent or negligent statement which results in loss to a third party, for example). AWMSG members who misuse information gained by virtue of their position may be liable for breach of confidence under common law or may commit a criminal offence under insider dealing legislation.<sup>1</sup>

6.2 AWMSG members who need further advice should consult the AWTTTC.

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<sup>1</sup> *In the case of a board which is incorporated under Companies Act legislation, an individual board member will be subject to the duties of directors under company law.*

**Grŵp Strategaeth Meddyginiaethau Cymru Gyfan**  
**All Wales Medicines Strategy Group**



**ROLES & RESPONSIBILITIES OF AWMSG  
AWPAG AND NMG MEMBERS**

**DECEMBER 2019**

**Background**

The All Wales Medicines Strategy Group (AWMSG) is a Welsh Government advisory committee responsible for advising the Welsh Ministers on strategic developments in prescribing as outlined in the Constitution and the AWMSG Medicines Strategy for Wales.

The Constitution is available on the AWMSG website and is reviewed annually.

**Membership**

Members are nominated by a professional body/organisation (as stated in the Constitution) and should therefore act in a 'representative capacity' rather than as an 'individual'. Members are appointed by the Chair in consultation with the Welsh Government.

A voting member's term of office shall be 4 years. Appointees may serve two terms but the total period of appointment must not exceed 8 years. Reappointment is subject to a satisfactory performance appraisal, which for all voting members will be undertaken by the Chair.

The Group aims to ensure there is broad geographical representation from across Wales.

Membership of the Group will end if a member is absent from three consecutive AWMSG meetings unless there is a reasonable cause.

**Meetings**

Up to ten meetings are held per year. Meetings are open to the public unless confidential commercial information, usually linked to a patient access scheme, is included in the appraisal documentation.

The quorum is nine voting members.

Minutes of meetings are published on the AWMSG website at [www.awmsg.org](http://www.awmsg.org).

## **Responsibilities of Members**

Members must declare any conflicts of interest – refer to the Conflicts of Interest Guidance (Annex 3).

Members should prepare thoroughly and be familiar with the meeting documentation. Members, should not prejudge the case, but make their best recommendation based on the evidence and discussion at the AWMSG meeting.

Questioning should fall within the wider AWMSG remit ensuring, for example, that it relates only to the licensed area under discussion and within the appropriate parameters for the AWMSG decision making process.

Members are responsible for making recommendations to the Welsh Ministers.

Members should be aware that if a quorum is not present there can be no decision-making and the meeting may not go ahead. Therefore, should members be unable to attend, they should contact the designated deputy as soon as possible and arrange for them to attend in their place. Members should also inform AWTTTC that they are unable to attend so that apologies can be relayed to the Chair.

Members are asked to be consistent with the Nolan Principles - the Seven Principles of Public Life: (see Annex 2).

## **Roles & Responsibilities of the Group**

The Group shall advise the Welsh Ministers on strategic developments in medicines management, to align to A Healthier Wales and relating to:

- Delivering better outcomes for patients;
- Reducing harm and improving medication safety; and,
- Supporting the delivery of value based care

This will involve:

- forecasting developments in the use of medicines and their impact on NHS Wales;
- advising on the availability of relevant new medicines/formulations and existing medicines with new indications, and the likely expenditure implications of making these medicines routinely available in NHS Wales;
- advising NHS Wales of trends in prescribing practice and measures that might be introduced to secure improvements and efficiencies and monitoring subsequently;
- engaging with Health Boards, NHS Trusts and other relevant bodies to ensure that recommendations and advice generated by AWMSG are an integral part of decision-making within NHS Wales;
- ensuring that relevant stakeholders are kept abreast of developments, advice and guidance in medicines management;
- liaising with Welsh Government colleagues as required to secure Welsh Government ratification for recommendations and advice generated by AWMSG; and
- producing and publishing an annual report.



## The Seven Principles of Public Life

### **Selflessness**

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their family, or their friends.

### **Integrity**

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their official duties.

### **Objectivity**

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

### **Accountability**

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

### **Openness**

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

### **Honesty**

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.

### **Leadership**

Holders of public office should promote and support these principles by leadership and example.

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**All Wales Medicines Strategy Group**



## **DECLARING CONFLICTS OF INTERESTS**

**(Reviewed October 2019)**

1. As a Member or Deputy Member of the All Wales Medicines Strategy Group (AWMSG) or one of its sub-groups, the New Medicines Group (NMG) and the All Wales Prescribing Advisory Group (AWPAG), you are expected to declare any personal or business interests which may, or may be perceived to, influence your judgement in performing your functions. In considering what interests to register, you should be mindful of the need to ensure that you do not lay yourself open to suspicion that you are using knowledge or information gained during the course of your appointment to AWMSG, NMG or AWPAG for personal advantage.
2. You are also required to register the interests of close family members and of persons living in the same household where these are closely related to the activities of the AWMSG.
3. You are expected to exercise careful judgement in determining what interests need to be recorded. In areas of doubt, you should seek advice from the Chair of AWMSG or the Head of Liaison & Administration in AWTTTC (it is better to err on the side of disclosure in marginal cases: the test is whether members of the public might reasonably think the interest could influence judgement).
4. The register will be reviewed and updated annually or to reflect any changes in members' circumstances. You must therefore notify the AWTTTC Head of Liaison & Administration of any changes as soon as practicable.
5. You are also required to make declarations of interest at AWMSG, NMG or AWPAG meetings at which any potential conflicts arise which have not previously been notified.
6. You must complete and sign personally the Declaration of Interest/s Form and ensure that a hard copy of the form is provided to the AWTTTC Administrator (forms will not be accepted if they are delivered by electronic means or are not signed by the Board Member).
7. The register of interests will be published. In practice, this means that information will be added to the AWMSG's website to inform members of the public that they may ask for a copy of the register of interests.



If you become a member of AWMSG, or one of its sub-groups, you will be asked to complete a declaration of interest form before your appointment, on a yearly basis and before you participate in an AWMSG, NMG or AWPAG meeting. The following information briefly describes what this might mean for you.

### **What is a 'declaration of interest'?**

It is the process by which a member of AWMSG, or one of its sub-groups, formally registers any commercial or financial interests that might affect their objectivity (for instance if they carry out work for, or their organisation receives funding from, a healthcare industry). Such an interest might create a *conflict of interest* and could affect the independence of any AWMSG recommendation to which the person contributed.

### **Why is this important?**

Declaring interests helps avoid concern that links with the healthcare industry or other relevant interests might unduly influence the work of AWMSG and its sub-groups. It ensures that such interests are openly and publicly declared. Declaring such an interest wouldn't necessarily preclude you from being a member of AWMSG or its sub-groups, but it might mean that you would not be able to participate in the discussion and/or vote where you may have a conflict of interest. Declarations of interests are reviewed on an annual basis and displayed on the AWMSG website.

### **Meetings:**

The Chair and members are required to make a full declaration of interests on appointment and annually. Members are also required to make further declarations of relevant interests at each meeting. If your interest is so significant that it could affect your objectivity throughout the development of an assessment/appraisal (for instance if you work for a healthcare industry or have a significant number of shares in a relevant company), it is unlikely that you would be able to serve as a member. Members must declare relevant interests in advance of meetings, so papers are not sent to them and a deputy can be sought. If there is any uncertainty as to whether or not an interest should be declared, please seek guidance from the AWMSG Secretariat. All declarations of interest will be recorded by the Secretariat in the minutes of the relevant meeting.

### **Competitor interests:**

If a member is aware that a medicine under consideration is, or may become, a competitor of a product developed, manufactured, sold or supplied by a company in which the member has a current personal financial or family financial interest, they should declare an interest. Individuals may be able to take part in the discussion but will not be entitled to vote. Whether the individual will be permitted to take part in discussion will be the decision of the Chair and will depend on the circumstances.

### **Interests and restrictions**

Interests can be specific or non-specific and financial or non-financial. Financial interests can be personal or non-personal. The different types of interest and restrictions are explained below:

- A **personal financial interest** involves a current personal payment, which may either relate to the manufacturer or owner of a product or service being evaluated, in which case it is regarded as '**specific**' or to the industry or sector from which the product or service comes, in which case it is regarded as '**non-specific**'. This may include any consultancy work, fee-paid work, direct share-holdings or expenses/hospitality in the 12 months preceding the meeting at which the declaration is made.

- A **personal family interest** relates to the personal interests of a family member of AWTTTC staff or members of AWMSG or its sub-groups, and involves a current payment to the family member. The interest may relate to the manufacturer or owner of a product or service being evaluated, in which case it is regarded as '**specific**', or to the industry or sector from which the product or service comes, in which case it is regarded as '**non-specific**'. This may include any consultancy work, fee-paid work or direct share-holdings in the 12 months preceding the meeting at which the declaration is made.
- A person declaring a **personal specific financial or personal family specific interest** should not take part in the proceedings as they relate to the intervention or matter and will normally leave the meeting until the matter has been concluded. In exceptional circumstances he or she may, at the discretion of the Chair, answer questions from other members but should then leave the meeting until the discussion has been concluded.
- A person declaring a **personal non-specific financial interest** should not take part in the proceedings. In exceptional circumstances he or she may, at the discretion of the Chair, answer questions from other members but should then leave the meeting until the discussion has been concluded.
- A **non-personal financial interest** involves payment which benefits a department or organisation for which a person has managerial responsibility, but is not received by the person themselves. For example, charities or self-help organisations might receive funding such as sponsorship money or educational grants from the healthcare industry, which might be considered as affecting the objectivity of people working for the organisation.

*NB: It is not always easy to know whether an organisation receives funding or payment from the healthcare industry, and you are not expected to make exceptional efforts to find out about such payments.*

- A person declaring a **non-personal specific financial interest or a personal family non-specific interest** may take part in the proceedings unless he or she has personal knowledge of the intervention or matter either through his or her own work, or through direct supervision of other people's work. In either of these cases he or she should declare this interest and not take part in the proceedings except to answer questions.
- A person declaring a **non-personal non-specific financial interest** may take part in the proceedings unless, exceptionally, the Chair rules otherwise.
- A **personal specific or non-specific non-financial interest** in a topic under consideration might include, but is not limited to:
  - a clear opinion, reached as the conclusion of a research project, about the clinical and/or cost effectiveness of an intervention under review
  - a public statement in which a member has expressed a clear opinion about the matter under consideration, which could reasonably be interpreted as prejudicial to an objective interpretation of the evidence
  - holding office in a professional organisation or advocacy group with a direct interest in the matter under consideration
  - other reputational risks in relation to an intervention under review.
- A person declaring a **personal specific or non-specific non-financial interest** may take part in the proceedings unless, the Chair rules otherwise.

**Personal** - involves payment directly to an individual by a pharmaceutical company or related trade associations whose business may be directly affected by the advice.

- Examples:
- Consultancies
  - Expenses/hospitality provided by a pharmaceutical company
  - Fee-paid work
  - Unit trusts similar
  - Shareholdings

**Non-personal** - involves payment that benefits a department for which an individual is responsible, but the payment is not received by the individual directly.

- Examples:
- Fellowships
  - Grants from a company
  - Charity funding
  - Grants or fellowships to sponsor a post/staff member in the unit for which the individual is responsible
  - Commissioning of research/other/work/advice from staff who work in a unit for which the individual is responsible
  - Support by the pharmaceutical industry/other relevant industry

**Specific** - payment (interest) relates to a particular product under consideration

**Non-specific** - payment (interest) is not related to the particular product under consideration

**Specific** - payment (interest) relates to a particular product under consideration

**Non-specific** - payment (interest) is not related to the particular product under consideration

**Personal specific**  
- individual has at anytime worked on the product under consideration and is personally receiving or has personally received payment of that work

**Personal non-specific**  
- individual has a current personal interest in the pharmaceutical company concerned which does not relate specifically to the product under consideration  
-if shares have been disposed for 3 months or 12 months has elapsed from the date of receipt of payment from the pharmaceutical company where an ongoing consultancy is no longer in place this interest may not apply

**Non-personal specific**  
- the department for which the individual is responsible is currently receiving payment in respect of work done on the product under consideration

**Non-personal specific**  
- the department for which the individual is responsible has at any time received payment in respect of work done on the product under consideration

**Non-personal non-specific**  
- the department for which the individual is responsible for is currently receiving payment from the pharmaceutical company concerned which does not relate specifically to the product under consideration

**NON-ATTENDANCE**

- individual shall take no part in the meeting, but at the chairman's discretion may answer questions from members and then leave until the meeting is concluded

**ATTENDANCE**

- individual may take part in the meeting unless exceptional circumstances cause the chairman to rule otherwise

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## DECLARATION OF INTEREST/S FORM

December 2019

All interests that might unduly influence an individual's judgement and objectivity in the conduct of AWMSG business should be declared. **If in doubt, please declare all interests.** This includes the All Wales Prescribing Advisory Group and New Medicines Group. The time period for relevant interests is 12 months before joining a committee and for the duration of membership of the committee.

### **Personal interest (including personal family interest)**

Involves a payment to an individual member (or their partner, spouse or dependant) from a pharmaceutical company or service under discussion. This will include:

#### **1. Employment / consultancies / pension / fee paid work**

Please include all remunerated employment and any sources of remuneration that do not fall clearly within any other category. If the post is as a consultant or adviser please indicate the nature of the consultancy.

#### **2. Gifts/hospitality**

You should register gifts, hospitality, material benefits or advantage which you, your partner or any dependent child has received relating to or arising out of your membership of AWMSG. You must register all tangible gifts (e.g. money, jewellery, glassware etc) and any other benefits (e.g. hospitality, tickets to sporting and cultural events, relief from indebtedness, concessionary loans, provision of services etc) worth more than £100, though members may record all gifts received if they so wish.

#### **3. Remuneration (or other benefit, e.g. expenses)**

You should register any remuneration that you, your partner or any dependent child receives from any public or private company or body which has a contract with the AWMSG or the All Wales Therapeutics & Toxicology Centre (AWTTC) or which is tendering for any contract with AWMSG or AWTTC.

#### **4. Shareholdings**

You should register the names of any companies or other bodies in which you, your partner or any dependent child has any beneficial interest in shares which either have a market value greater than 1 per cent of the issued share capital; or have a value exceeding 50 per cent of your basic gross annual salary.

#### **5. Remunerated Directorship(s)**

Please include all remunerated Directorships. Members are advised to include as "remuneration", salaries, fees and any taxable allowances or benefits (e.g. company car). Unremunerated directorships should also be included where remuneration is paid through another company in the same group.



**I declare that I have read and understood the AWMSG Declarations of Interest Guidelines and that I wish the above interest(s) to be recorded, in accordance with the relevant provisions of the guidelines.**

I am aware that failure to declare relevant interests may result in a committee member being required to stand down.

Signed: ..... Date: .....

**Alternatively,**

**I declare that I have no interests to declare.**

I am aware that failure to declare relevant interests may result in a committee member being required to stand down.

Signed: ..... Date: .....