

Confidentiality and Conflicts of Interest during Public Procurement

Dear Procurement Project participant,

Procurement for the Provision of **xxxxxxx services** for NHS North West London Integrated Care Board

This Declaration Form is intended to capture conflicts of interest relating to individuals involved in the aforementioned procurement in order to avoid any distortion of competition and to ensure equal treatment of all companies seeking to do business with the Contracting Authority.

Involvement, in the context of conflicts of interest, may relate to any stage in the commercial lifecycle including preparation and planning, publication, selection and award and contract implementation.

Individuals must avoid placing themselves in a position where there is a conflict between their personal and/or outside interest and their official duties in a procurement and must comply with internal policy relating to gifts, hospitality and conflicts of interest at all times.

Examples of conflicts of interest may include, but are not restricted to:

- if you are a current or previous employee of a company, or have a member of your family, your partner (married, civil partnership or not), your siblings, your children, or any close personal or professional relationships that are an employee of a company, that is seeking to do business with the Contracting Authority;
- if you, or a member of your family/friends (as set out above), has a financial interest in a company that is seeking to do business with the Contracting Authority;
- if you, or a member of your family/friends (as set out above), has a financial relationship of any kind with a company seeking to do business with a Contracting Authority.

This is a non-exhaustive list of examples, and it is your responsibility to ensure that any and all actual, potential or perceived conflicts are disclosed prior to you being involved in the procurement.

If you are unsure whether your current or previous relationship or involvement with a company that is seeking to do business with the Contracting Authority constitutes a conflict of interest, you should seek advice from an Authorised Individual stated below.

This Form also includes a requirement for individuals involved in the procurement to treat information (including but not restricted to bid documents, supplier evaluations etc.) with the appropriate level of confidentiality, and not make any unauthorised disclosures of this information.

All individuals with access to procurement information must sign this Form.

Authorised Individuals

Authorised Individuals are responsible for managing the disclosure of procurement information and conflicts

of interest. The Authorised Individuals for the procurement are:

Name, title/role and email address, acting on behalf of the Procurement Board.

If conflicts of interest arise at any time during the commercial lifecycle, the above Authorised Individual must be notified. Any disclosure of procurement information must also be approved by the Authorised Individual prior to disclosure.

Any disclosure by you will be assessed by the Authorised Individual on a case-by-case basis. Individuals will only be excluded from carrying out the role described in Annex 2 where the identified conflict is in the Authorised Individual's assessment to be material and cannot be mitigated or be reasonably dealt with in another way.

The statements below including confirmation that you will maintain confidentiality in relation to the process and declare any actual or perceived conflicts of interest by **completing and returning Annex 1**. The form should be completed electronically and return via email.

Thank you ahead of your involvement through this important procurement project.

Yours sincerely

Name

Role

Please complete and return immediately Part 1 and Part 2 of Annex 1 on the next page.

Note: do not complete Annex 2, which is for completion by the Authorised Officer.

Annex 1 - DECLARATIONS TO MAINTAIN CONFIDENTIALITY AND CONFLICT OF INTEREST

Name:	
Date:	
Job title/Role:	
Organisation represented:	
Telephone:	
Email:	

Part 1: FORM OF CONFIDENTIALITY UNDERTAKING

Statements

1. I acknowledge that my official duties cause me to have access to documents or data pertaining to the above procurement. I am aware that unauthorised disclosure of information could damage the integrity of the procurement and that transmission or revelation of such information to unauthorised persons will subject me to disciplinary action.
2. I will not divulge, publish or reveal by word, conduct, or any other means such information or knowledge, except as necessary to do so in the performance of my official duties related to this procurement and in accordance with the laws of the United Kingdom, unless specially authorised in writing in each and every case by an Authorised Individual of the Contracting Authority.
3. I acknowledge that the information I receive will be given only to persons specifically granted access to the procurement, and it may not be further divulged without specific prior written approval from an Authorised Individual.
4. If at any time during the procurement my participation might result in an actual, potential, or perceived conflict of interest, I will immediately report the circumstances to the appropriate Authorised Individual.

Do you accept the above? If so, type 'YES' here.

Part 2: CONFLICTS OF INTEREST DECLARATION

Declaration Guidance

Declaration A should be signed if there are no actual, potential or perceived conflicts of interest.

Declaration B should be signed if there are actual, potential or perceived conflicts of interest. The conflicts of interest and mitigation must be stated in Annex 2 below, as must the role that the individual will be carrying out (where appropriate) within the procurement. An Authorised Individual must also sign Declaration B to confirm that they accept that appropriate mitigations have been put in place.

The issues regarding conflicts of interest have been explained to me. I fully understand the nature and scope of such conflicts and accept the related obligations.

I confirm that I will notify the Procurement Lead for this procurement process, and/or the Authorised Individual if any potential or actual conflicts of interest come to light following my completion and return of this form so that they may be addressed by the Authorised Individual as appropriate.

Do you accept the above? If so, type 'YES' here...

Declaration A (if no conflicts of interest)

I declare that I have read and accept the Statements above, and that there are no conflicts of interest of any nature which would prevent me from participating in the aforementioned procurement.

If any actual, potential or perceived conflicts of interest arise in the future, I will inform an Authorised Individual immediately.

Does Declaration A above apply? If so, type 'YES' here...
If not, leave blank

Declaration B (if actual, potential of perceived conflicts of interest)

I confirm that there is a potential conflict of interest, the nature and impact of which I have described in Annex 2.

If any other actual, potential or perceived conflicts of interest arise in the future, I will inform an Authorised Individual immediately.

Does Declaration B above apply? If so, type 'YES' here...
If not, leave blank

If you responded YES to Declaration B, please set out details of the potential / actual conflict of interest

[Optional] Please set out potential mitigations for consideration by the Authorised Officer.

Annex 2 – Decision of Authorised Officer: Mitigations / Exclusion

Having considered the potential / actual conflicts of interest reported to me above, the following decision has been taken:	
Appropriate and proportionate mitigation(s) to be put into place will be:	
With these mitigations in place, the scope of role that may be undertaken in the procurement by this individual will be: [include details of any specific limits or exclusions of involvement]	
OR	
If the individual is to have no [further] role in the procurement, please state so here...	

Authorised Individual

By signing this Form, I confirm that the conflicts of interest within Declaration B at Annex 1 above have been mitigated appropriately, and that the individual's role in the procurement is confirmed above within this Annex 2, which is appropriate and proportionate.

Name:	
Date:	
Job title/Role:	
Organisation represented:	
Telephone:	
Email:	