

BRITISH ACUPUNCTURE ACCREDITATION BOARD

Code of Conduct, Conflicts of Interest and Management of Meetings and Review

1. Introduction

The Board had major discussions about conflicts of interest in 2002 and, as a result, resolved within the 2002/5 Strategic Plan and this year's Action Plan to develop a Code of Conduct for members which included clarification of conflicts of interest.

This paper is a result of bringing together material from a number of sources into a coherent policy. All the papers that arose from the 2002 Board discussions on the topic, together with the Accreditation Committee's Criteria for Committee Effectiveness and the BAAC's work on Code of Conduct for Committee members and Guide for Chairs of Committees, have been reviewed.

The policy is in three major sections:

- Code of Conduct, inclusive of conflicts of interest
- Good practice in the management of meetings
- Annual Review of compliance

2. Code of Conduct for officers, members, attendees and observers of the Board, Executive Group, Accreditation Committee and accreditation visitors and external verifiers.

2.1 *Context: The Board role in serving the public*

Indirectly, the British Acupuncture Accreditation Board and those who contribute to its work serve the public. They are responsible for overseeing the accreditation of professional acupuncture education programmes, from which practitioners graduate to serve the public. The public interest is therefore at the centre of its work. All aspects of this work need to be credible and to be worthy of public trust and confidence. The Board has a duty of care and an obligation to the profession to ensure that their conduct is beyond reproach or concern at all times.

Board members (including officers, attendees, observers and members of the Board, Executive Group, Accreditation Committee, Accreditation visitors and external verifiers) are therefore in a position of trust. As such each has a fundamental responsibility to exercise impartial professional judgement in order to protect the public and to enhance the credibility of the Board and the profession of acupuncture. In any profession it is crucial to ensure that personal position, loyalties, knowledge, work or other experience, does not result in a biased decision (which in Statutory Regulation could be subject to Judicial Review).

In basing our accreditation process on peer review and therefore involving professional acupuncturists and others in the scrutiny of acupuncture programmes, there are clear opportunities for many vested interests to influence the course of the accreditation process. It is important that the Board has decision making processes that ensure that this is not so.

2.2 *Conflicts of Interest*

Conflicts of interest occur where a person (or group of individuals) has knowledge, information, experience, commercial or other contacts, which may influence the objectivity of their views in the decision making process. The potential for a conflict of interest exists whenever a person owes a loyalty to multiple interest or organisations. In matters of integrity and probity, perception is very important. The reasonable perception of abuse as a result of a conflict of interest is as potentially damaging to confidence in the work of the Board as the reality of a conflict of interest resulting in harm. It is therefore wise to err in decision making on the side of caution. If any facts or information emerge that might reasonably be seen to potentially compromise a member's judgement or objectivity, then it is best for them to declare a conflict of interest, or for the Board to agree that a member might be perceived as having a conflict of interest.

Whilst it is possible for members to have a conflict of interest in policy matters, conflicts are most apparent in discussions and decisions about individual teaching institutions. In this context the Board specifically defines those with a conflict of interest as:

- Persons in any specific role relating to the institution under discussion, including the dean, principal or programme leader, and anyone with a responsibility for teaching, external examining, directorship or trusteeship
- Persons in any dispute with the institution under discussion, including those involved in an institution in dispute

This list is not comprehensive. Individual Board members themselves have a duty to declare any other form of interest that might be considered as a conflict. In addition, they have a duty to make known to the Board if they know of an undeclared interest of another member, if this might compromise the objectivity of their contribution to decision making.

2.3 'Nolan' Principles of Public Life

The Board endorses the 'Nolan' Principles of Public Life. In the chart that follows (page 3) the 'Nolan' principles are outlined and the Board interpretation is highlighted in bold italics.

2.4 Code of Conduct

The Board's Code of Conduct follows the chart of the 'Nolan' Principles (page 4) The Code exemplifies the overall standard of behaviour expected of all those involved in the Board's work, and includes expectations about the contribution of Board members to the work. All existing and newly appointed officers, members of the Board, the Accreditation Committee, Accreditation visitors and external verifiers will be required to sign that they have read, understood and will endeavour to uphold the Board's Code of Conduct.

2.5 Register of interests

The Board will maintain a register of interests that will be open to scrutiny by any Board member on request. This will be based on the declared interests of the members and may be added to at any time. Appendix 1 contains a declaration of interests form which each officer, Board and Committee member, accreditation visitor and external verifier will be expected to update at least annually. The Chair has the right to challenge any member who may be perceived as having a conflict of interest which has not been declared by the member and, to add to the list if the Board thinks this is necessary.

3. Good Practice in the management of meetings

Board expectations of the management of meetings are outlined in the Good Practice guide (page 5). This serves as a reminder, primarily to secretarial staff and the Chairs of meetings. In making this explicit however, the guide gives information to members about what they can expect.

4. Annual monitoring

In order to enable the Code of Conduct to become embedded in the Board's work and to monitor the effectiveness of the Board, all aspects of the Board will be subject to annual monitoring. Evaluation of accreditation visits is already well established as is the annual review of the Accreditation Committee. The latter incorporates both the review of the action plan, including feedback from the accredited teaching institutions, but also an evaluation of the effectiveness of the Committee itself. In future, this practice will also apply to the Board and both Board and AC members will be expected to complete a brief questionnaire rating compliance with the new Code and Good Practice guide. The form in Appendix 2 will be used for this purpose. Issues arising from this audit will be reflected in the Board's review of its activity and included, where necessary, in the following year's action plan.

Principles of Public Life: The 'Nolan Principles'

In performing their duties, Board officers, members, attendees and observers must uphold the following seven principles of public life. The principles are given below and followed in bold italics by the Board's interpretation of these.

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.

Board members will contribute to debate and take decisions solely in terms of the public interest. They will not do so in order to gain financial or other material or professional benefits for themselves, their family or their friends.

This includes not, in their official capacity, or in any other circumstance, use their position as a member improperly to confer on or secure for him or herself or any other person, an advantage or disadvantage.

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 public duties.

Board members will not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their duties as Board members. Such obligations and interests that are inherent in their role shall be declared in writing annually, and at each meeting orally for relevant items on the agenda. The Board will then make a decision about temporary exclusion from the meeting.

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.

In carrying out Board business, including making comments and decisions on teaching institutions, Board members will make their decisions without bias and 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.

Board members are accountable for their decisions and actions to the public and to the profession 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.

Board members will be as open as possible, within the constraints of confidentiality, about all the decisions and actions that they take and the motivations behind them. They will give reasons for their decisions and restrict information only when the wider public interest clearly demands this. The processes of decision making will be explicit.

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 public interest.

Board members have a duty to declare any private interests relating to their public duties, as well as any reason why they will not take part in any discussion or decision, and to take steps to resolve any conflicts of interest arising in a way that protects the integrity of the Board and the public interest.

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

Board members will promote and support these principles by leadership and example, both within their work for the Board and in their professional work beyond this.

Code of Conduct for Board, Executive Group and Committee officers, members, attendees and observers

General Guidelines

In performing their functions all those involved are expected to:

- uphold the seven principles of public life, known as the 'Nolan principles'
- endeavour to promote the highest possible standards for the acupuncture profession in education, research and practice
- observe confidentiality about any discussion relating to individual teaching institutions and about other issues when requested to do so
- conduct themselves in a way which does not damage or undermine the reputation of the Board or compromise the impartiality, or perception of the impartiality, of the Board
- make decisions together and take joint responsibility for them.
- convey accurately the range of perspectives within any debate undertaken by the Board and the Accreditation Committee within the limits of agreed confidentiality and without identifying, unless by agreement, individual proponents of views
- promote equality and not discriminate either against any person (including on the basis of race, religion, gender or sexual orientation) or against any 'other therapeutic approach' institution or form of acupuncture different to their own

Guidelines for Meetings

In attending and contributing meetings Board and Committee members are expected to:

- attend regularly, punctually and for the whole of the scheduled meeting time if at all possible
- be informed and prepared for the meeting by reading the agenda and papers
- contribute, when required, to the work of the Board beyond attending meetings
- respect and value each other's perspective and contribution
- contribute in an informed and rational way

Corporately

- take and consider professional advice on anything on which the Board does not have the expertise within themselves.

Good practice in the management of the Board, Executive Group and Accreditation Committee Meetings

General Guidelines

- The terms of reference are clear, as well as the limits of its responsibilities
- The roles of those involved are clear, including their level of participation in the meetings
- The workload is reasonable and consistent with the nature of the committee.
- The venue for the meeting is:
 - accessible
 - light and airy
 - large enough
 - prepared beforehand and arranged so that all members can see each other.
- Refreshments such as coffee, tea, water and lunch are available
- Secretarial support is in place
- Financial remuneration is in accordance with agreed guidelines

Meeting Management

- Agendas are clear, structured in a way that informs committee members about the expected outcome of the items, and achievable in the time available.
- Papers are prepared and circulated a reasonable period of time before the meeting, usually at least one week (three weeks for AGM agenda and papers)
- All confidential papers are marked accordingly
- Meetings begin and end on time.
- New members are introduced to all and briefed prior to the meeting
- In introducing the meeting priorities are stated, contentious issues identified and a general timetable is offered.
- The agenda is adhered to but may be adjusted to give priority to urgent items.
- Items for confidential discussion are explicitly identified
- Members with a conflict of interest are required to declare this and to leave the meeting for each relevant item
- All members are given reasonable opportunity to express their views
- When a formal decision is required, the proposition is stated clearly and the membership asked to ratify their understanding of the proposition. If no amendments are proposed by the membership, the Chair requests a proposer and seconder and a vote is taken with the number of members for, against and abstaining being recorded
- Decisions and actions are reiterated to ensure clarity for the members and the minute-taker.
- Minutes are accurate, highlight responsibility for actions and are circulated promptly, usually within two weeks.

BRITISH ACUPUNCTURE ACCREDITATION BOARD

COMPLIANCE WITH THE BOARD'S CODE OF CONDUCT AND MEETING MANAGEMENT

This is an evaluation of BOARD MEETINGS/ACCREDITATION COMMITTEE MEETINGS (please delete as appropriate). If you are a member of both the Board and the AC please complete a separate evaluation for each.

Please read the Board's Code of Conduct carefully. At the end of the Code you are asked to comment on the Board's /Accreditation Committee's compliance with the Code. If you have doubts about any aspect of compliance, please refer by number to item about which you have concerns and explain what is your concern.

Board and Committee members, officers, attendees, observers and accreditation visitors will be expected to:

1.0 Uphold the seven principles of public life, known as the 'Nolan principles'

1.1 Selflessness

Board members will contribute to debate and take decisions solely in terms of the public interest. They will not do so in order to gain financial or other material or professional benefits for themselves, their family or their friends.

This includes not, in their official capacity, or in any other circumstance, use their position as a member improperly to confer on or secure for him or herself or any other person, an advantage or disadvantage.

1.2 Integrity

Board members will not place themselves under any financial or other obligation to outside individuals or organisations that might influence them in the performance of their duties as Board members. Such obligations and interests that are inherent in their role shall be declared in writing annually, and at each meeting orally for relevant items on the agenda. The Board will then make a decision about temporary exclusion from the meeting.

1.3 Objectivity

In carrying out Board business, including making comments and decisions on teaching institutions, Board members will make their decisions without bias and on merit.

1.4 Accountability

Board members are accountable for their decisions and actions to the public and to the profession and must submit themselves to whatever scrutiny is appropriate to their office.

1.5 Openness

Board members will be as open as possible, within the constraints of confidentiality, about all the decisions and actions that they take and the motivations behind them. They will give reasons for their decisions and restrict information only when the wider public interest clearly demands this. The processes of decision making will be explicit.

1.6 Honesty

Board members have a duty to declare any private interests relating to their public duties, as well as any reason why they will not take part in any discussion or decision, and to take steps to resolve any conflicts of interest arising in a way that protects the integrity of the Board and the public interest.

1.7 Leadership

Board members will promote and support these principles by leadership and example, both within their work for the Board and In their professional work beyond this

- 2.0 endeavour to promote the highest possible standards for the acupuncture profession in education, research and practice
- 3.0 observe confidentiality about any discussion relating to individual teaching institutions and about other issues when requested to do so
- 4.0 conduct themselves in a way which does not damage or undermine the reputation of the Board or compromise the impartiality, or perception of the impartiality, of the Board
- 5.0 make decisions together and take joint responsibility for them.
- 6.0 convey accurately the range of perspectives within any debate undertaken by the Board and the Accreditation Committee within the limits of agreed confidentiality and without identifying, unless by agreement, individual proponents of views
- 7.0 promote equality and not discriminate either against any person (including on the basis of race, religion, gender or sexual orientation) or against any organisation, institution or form of acupuncture different to their own

Guidelines for Meetings

In attending and contributing meetings Board and Committee members are expected to:

- 8.0 attend regularly, punctually and for the whole of the scheduled meeting time if at all possible
- 9.0 be informed and prepared for the meeting by reading the agenda and papers
- 10.0 contribute, when required, to the work of the Board beyond attending meetings
- 11.0 respect and value each other's perspective and contribution
- 12.0 contribute in an informed and rational way

Corporately

- 13.0 take and consider professional advice on anything on which the Board does not have the expertise within themselves.

Evaluation of Compliance: Please make a general comment about the overall compliance with the Code. If you have specific concerns please refer to the number of the item and comment fully on your concerns.

Please read the Board's Good Practice in the Management of Meetings listed below carefully. At the end of this Guide you are asked to comment on the Board's /Accreditation Committee's compliance with the Guide. If you have doubts about any aspect of compliance, please refer by number to the item with which you have a concern and explain what is your concern.

General Guidelines

- 1.0 The terms of reference are clear, as well as the limits of its responsibilities
- 2.0 The roles of those involved are clear, including their level of participation in the meetings
- 3.0 The workload is reasonable and consistent with the nature of the committee.
- 4.0 The venue for the meeting is:
 - accessible
 - light and airy
 - large enough
 - prepared beforehand and arranged so that all members can see each other.
- 5.0 Refreshments such as coffee, tea, water and lunch are available
- 6.0 Secretarial support is in place
- 7.0 Financial remuneration is in accordance with agreed guidelines

Meeting Management

- 8.0 Agendas are clear, structured in a way that informs committee members about the expected outcome of the items, and achievable in the time available.
- 9.0 Papers are prepared and circulated a reasonable period of time before the meeting, usually at least one week (three weeks for AGM agenda and papers)
- 10.0 All confidential papers are marked accordingly
- 11.0 Meetings begin and end on time.
- 12.0 New members are introduced to all and briefed prior to the meeting
- 13.0 In introducing the meeting priorities are stated, contentious issues identified and a general timetable is offered.
- 14.0 The agenda is adhered to but may be adjusted to give priority to urgent items.
- 15.0 Items for confidential discussion are explicitly identified
- 16.0 Members with a conflict of interest are required to declare this and to leave the meeting for each relevant item
- 17.0 All members are given reasonable opportunity to express their views
- 18.0 When a formal decision is required, the proposition is stated clearly and the membership asked to ratify their understanding of the proposition. If no amendments are proposed by the membership, the Chair requests a proposer and seconder and a vote is taken with the number of members for, against and abstaining being recorded
- 19.0 Decisions and actions are reiterated to ensure clarity for the members and the minute-taker.
- 20.0 Minutes are accurate, highlight responsibility for actions and are circulated promptly, usually within two weeks.

Evaluation of Compliance: Please make a general comment about the overall compliance with the Guide. If you have specific concerns please refer to the number of the item and comment fully on your concerns.

**BRITISH ACUPUNCTURE ACCREDITATION BOARD
Declaration of Interests Form**

Name: _____

Position in BAAB: _____

Nature of Interests Declared

The interests declared on this form need primarily to be those relating to any activity to do with acupuncture and education. You may also wish to declare any interests to do with other complementary therapies. The information will be kept by the BAAB Executive Secretary. The declaration will be reviewed annually.

Type of Interest	Organisation and nature of interest/position
Directorship/Council Member of any registering association of acupuncture	
Directorship/partnership in any form of business delivering acupuncture services or products e.g. sole tradership, private company or PLC	
Ownership/partnership of an independent acupuncture education provider	
Trusteeship/Governorship of any teaching institution involved in acupuncture, or of any higher education institution	
Position(s) of employment with an acupuncture course provider(s), acupuncture related organisation, or higher education institution	
Other interests in acupuncture or complementary medicine generally not covered by the above from which any remuneration is received; i.e. owner or partner in a complementary health clinic	
Any other unpaid interests in acupuncture, CAM or higher education generally	
Any other interest which in your judgement may be perceived to be a conflict of interest with your position in BAAB	
Please indicate if you are in acupuncture practice (tick box)	Yes <input type="checkbox"/> No <input type="checkbox"/>

I declare the above disclosures to be a true record of my interests

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