

Niche – Managing Conflicts

2021-22

With all of our engagements we adhere to strict processes to protect against actual or potential conflicts of interest arising with our work or with our client relationships. From time to time it is inevitable that different teams within Niche will work with the same clients directly, or in close proximity within the same system. We may be working with the same client on a number of different projects. This in itself does not necessarily present a conflict, unless we are simultaneously providing advisory support and audit/ review /evaluation activity at the same time (or in a sequential timescale) in the same subject area or within the same working group.



Identifying and managing conflicts

In order to identify, avoid or manage conflicts we have a number of steps that we routinely put into place:

1. At the outset of each potential engagement we undertake a Partner-led exercise 'decision to bid' to identify the main client/s, ultimate holding party and proxy parties to the proposed engagement. We examine, through an established decision tree, whether a conflict or potential conflict exists with the project or with the client relationship.
2. If a conflict or the potential for conflict is deemed to exist, we will then assess whether this prohibits or excludes us from bidding for the work or whether we proceed to bid for the work, notify that a conflict or potential for conflict may exist and put into place a management statement and action plan.
3. The management action plan may involve taking actions such as ensuring that different Partners within the firm are responsible for leading different work. We can also put into place a strict no-disclosure protocol between teams. As a matter of course, only teams named on individual projects are given access to relevant client files and so individuals not connected to projects are, at all times, unable to access client information.
4. At key stages throughout the lifespan of a project, we re-assess the conflict or potential for conflict during project updates, if the status of a review changes at any point we will take the relevant action to update the client or proxy and will take suitable steps to address the issue as it arises.

As a firm, we do not state any implementation of 'Chinese Walls' as we are not FCA regulated and also, these are difficult to enforce. We work principally on a conflict avoidance and not a conflict management protocol.

Inducement protections

Niche Health and Social Care Consulting do not offer, invite or accept any inducements for work undertaken with any of our clients or any individuals seen to have any influence in relation to any engagement. If any members of staff are deemed to have offered or received inducements for work this could be a case for instant dismissal. We conduct client engagements with the utmost integrity at all times and we are mindful of all anti-fraud protections, anti-money laundering and other protection protocols, particularly for our public sector clients.

An inducement could be perceived in a number of different ways and is not just in relation to selling or winning work. An inducement, for example, could be in relation to providing a 'favourable' opinion in relation to a piece of work, such as an investigation, in return for the promise of more work or support with relationship development etc.

Most of our work is won through fair competition through NHS procurement frameworks. This means that no one single bidder is given an unfair advantage over any other provider. A provider may offer 'reasonable incentives' to purchasers, but this is different to an inducement under fair competition rules. Reasonable incentives may include offering discounts for work, increasing the scope of the review or including senior staff time for free.

Where we enter into contracts outside of NHS Framework provision, we are particularly mindful to assess the potential for conflicts (above) and the potential for inducements, particularly when undertaking engagements with the same client. We carefully examine the 'perception' for inducements and we will decide whether further action is needed to affirm our continuous commitment to anti-bribery and anti-inducement laws in line with our good standing.

Niche Health and Social Care Consulting, 2021