

SOM Code of Conduct - Agreed at SOM Board/ Council – Dec 2024

1 Introduction

SOM's code of conduct provides guidance on expected behaviour and sets out the standards of conduct that support our values in the work that we do. Every member is bound by this code of conduct when they apply and renew their membership. The code is reviewed annually. Members will be notified of any changes to this code at the time of their annual membership renewal. Do take a look at SOM's [articles of association](#).

This code of conduct will not be applied unreasonably or disproportionately

2 Behaviour principles

It is the responsibility of members to promote positive behaviours and challenge poor behaviours. No set of guidance can cover all eventualities, but key principles are suggested to be professional, accountable, kind representative and to respect others.

There is a code of conduct for SOM hosted meetings – at:
<https://www.occupationalhealthconferences.com/code-of-conduct/>.

3 SOM Responsibilities towards members

- SOM has a reciprocal duty towards members. There is a [SOM complaints policy 2020.pdf](#)
- SOM will support members and staff who in good faith challenge poor conduct and behaviours.
- Members must respect and support staff who assist them in their work.

4 Responsibilities as a SOM member

- Personal conduct - maintain a high standard of personal conduct and to treat staff and other members with respect. Promote, and role model the behaviour principles outlined in this code of conduct.
- Bullying and harassment, including sexual harassment, will not be tolerated and cases will be taken extremely seriously. Bullying includes behaviour that is intimidating, malicious, offensive or insulting and may be an abuse or misuse of power. Harassment is against the law. In the Equality Act 2010, it is defined as conduct that is related to one of the protected characteristics (age, race, religion or belief, gender reassignment, disability, sex, or sexual orientation). It is unwanted by the recipient, and it has the purpose or the effect of violating their dignity or creating a hostile, intimidating, offensive, degrading or humiliating environment for them. Sexual harassment is separately defined in the Equality Act 2010 as unwanted conduct of a sexual nature which has the same purpose or effect.
- Conflicts of interest: A conflict of interest is the risk that an individual's ability to apply judgement could be influenced by or perceived as influenced by a secondary interest. Members on committees, working party or guideline writing groups are required to complete and regularly update a form registering their interests. Members must also declare any relevant conflict of interest before a debate, or a decision is made. Where a potential conflict of interest exists, this may limit their participation in debate and/or decision-making. See Annex 1 for SOM guidance on what might constitute a conflict of interest and the process for recording.
- Confidentiality: Information about, or held by the SOM, that is not expressly put into the public domain SOM, may only be given to others if they are entitled to receive it and must not be used except for the benefit of the SOM.
- To protect the reputation and integrity of the SOM, members have a responsibility to demonstrate cohesion and to contribute constructively to debate.

5 Payments

Members must comply with current policy and procedures on expenses, honoraria or other remuneration. As the SOM is partly funded by member subscriptions, members should ensure that they are making best use of funds by being mindful of expenses, travel costs, as well as contributing to the meetings that they attend.

6 SOM branding and logos

The SOM owns several brands and logos. The Board has previously agreed that SOM does not share its logo for use by members. Anyone wishing to use SOM's logo, or brand is asked to contact the Chief Executive who can provide advice and further guidance.

7 Inclusive meetings (agreed SOM Council June 2022)

SOM members are professionals who are generally members of regulatory bodies, with codes of ethics and conduct. Within its remit as an educational charity, SOM does not tolerate discriminatory behaviour included (but not limited to) all protected characteristics such as ethnicity, culture, sexual orientation, ability etc. and:

- aims to be a diverse and inclusive professional learned society, both in terms of the people who lead and run the SOM and support the people who lead, deliver, and are involved in occupational health delivery
- will remain proactive in taking steps to ensure inclusion and engagement for all the people who work for and with us
- will continue to strive towards a culture that is diverse and inclusive that recognises and develops the potential of all members and staff.
- Through its Diversity and Inclusion Task Force (<https://www.som.org.uk/diversity-and-inclusion-task-force>), SOM will endeavour to:
 - -understand the causes of any inequities and barriers to diversity in SOM training, research, and delivery, and understand the interventions that work to address these
 - -extend our reach to include communities where our work will make the biggest difference and involve a broad range of people at every step
 - -embed equality, diversity and inclusion in our culture and the way we work. See: https://www.som.org.uk/sites/som.org.uk/files/SOM_Statement_of_Commitment_Diversity_and_Inclusion_March_2021.pdf

SOM meetings should be inclusive with everyone having a chance to speak. Expectations should be established upfront that must have due regard to the need to:

- prevent unlawful discrimination, harassment, and victimisation
- provide equal opportunities, for people who share a protected characteristic and those who do not
- promote good relations between people who share a protected characteristic and those who do not.

Areas to consider for inclusive meetings:

- Review attendees: are we missing people who represent diverse points of view?
- Send the agenda out ahead of time.
- Greet each meeting participant warmly, by name, so everyone feels welcome.
- State ground rules up front and make sure they explicitly foster inclusion.
- Prevent anyone from dominating or derailing the discussion.
- Consideration of signing or technology to facilitate understanding

8 Suspension and exclusion

When a member becomes aware of allegations made against them that may result in disciplinary or regulatory action by third parties (including but not limited to, being excluded from employment or suspended from practice by the GMC, NMC, HCPC or another regulator), they must notify the Chief Executive.

Resolving Complaints in Relation to SOM members (agreed by SOM Council June 2022).

SOM is committed to working in an open and accountable way. This procedure has been developed to assist those who wish to make a complaint about the conduct of business within the SOM, specifically regarding an individual member, a regional group member or a chair. It is intended to provide a framework to a fair, transparent, equitable and timely response to all complaints about the conduct of business. This process is not to be used for complaints about SOM staff or contractors, which should be made to the Chief Executive.

SOM Members who participate in SOM roles do so because they share the same goals as SOM and often work long hours and in their own time. They are not financially rewarded for their valuable contribution. The SOM Trustees value and recognise the contributions and commitment which is undertaken by all SOM members by providing a safe and supportive environment in which to conduct the work of the SOM as well as to offer support to its staff.

This document is focused on the behaviour and respect of members as SOM members, not professional conduct (which is a matter for professional regulators). The SOM board notes the Commitment of Diversity and Inclusion statement https://www.som.org.uk/sites/som.org.uk/files/SOM_Statement_of_Commitment_Diversity_and_Inclusion_March_2021.pdf.

The articles of association of the SOM states the following:

TERMINATION OF MEMBERSHIP

1. *A person shall cease to be a Member if:*
 - 1.1 *he or she dies.*
 - 1.2 *he or she resigns by written notice to the Society.*
 - 1.3 *his or her name is erased from any register maintained by the General Medical Council of the United Kingdom, the Nursing and Midwifery Council of the United Kingdom or the Health and Care Professions Council of the United Kingdom (or any statutory successor to such bodies).*
 - 1.4 *in the case of registration in a country or countries outside the United Kingdom, his or her name is erased from any register by the appropriate registering body of that country or countries regulating his or her profession.*
 - 1.5 *he or she is more than 6 months in arrears of any subscription or fee payable by him or her to the Society.*
 - 1.6 *a resolution of the SOM Board to remove his or her membership is passed by at least two-thirds of the Trustees present and voting at the meeting of the SOM Board at which such resolution is proposed PROVIDED THAT:*
 - 1.6.1 *at least 28 days written notice of such meeting and the reasons for his or her proposed removal is sent to the Member proposed to be removed; and*

1.6.2 *the Member concerned is allowed to make representations at the meeting.*

Members or stakeholders should be encouraged to address the conduct of another, if they felt this was inappropriate.

The Board expects only to have to use its removal powers, as set out at 1.6 above, in the case of serious misconduct. It is never possible to offer an exhaustive list, but such circumstances may include conduct that is seriously disruptive to the business or the interests of SOM, conduct that is likely to bring SOM or its members into disrepute or conduct that might result in harm to patients or the public. In most cases it is expected that professional regulators would be the route to managing a misconduct issue.

Trustees would expect that minor queries about the way business are conducted should be resolved informally, in the first instance, by open and direct communication with the person(s) with whom the query/conduct relates to. However, resolution at this stage may not always be possible and where this is not, this policy will assist in the situation where additional assistance is needed to achieve a resolution.

MAKING A COMPLAINT

In the first instance, the complaint should be raised informally with the Chair of the committee or regional group concerned. If the complaint is about the Chair, then the Chief Executive should be contacted. Formal complaints should be made in writing, either by letter or email, to the Chief Executive and should identify.

1. The nature of the complaint
2. Who has been involved?
3. What has/ has not been done to attempt to resolve the issue
4. Why you are not satisfied with the outcome
5. How you would like to see the matter resolved

STAGE ONE

The complaint will be acknowledged by the Chief Executive and will be discussed with the SOM Honorary Secretary within one week of receipt of complaint. If the complaint is about the SOM Honorary Secretary, then the SOM Hon Treasurer will be asked to assist. If necessary, the complainant will be advised that the process will entail making a copy of the complaint available to the Chair of the Committee/SOM Regional Group concerned so they have an opportunity to review the complaint accordingly.

An initial discussion will occur to assess if the nature of the complaint can be resolved by a series of informal conversations.

STAGE 2

If not resolved, the CEO will procure an investigation with an independent investigator to communicate directly with the complainant and any relevant Chair of Committee/ SOM Regional Group, and establish a timetable for discussions and decisions/resolution of the complaint including actions because of the complaint.

The independent investigator will then discuss this with both parties and staff (if relevant) within two weeks of procurement (subject to the availability of everyone involved) to be able to obtain further facts (if required), before making any decision.

Any recommendation on how to proceed should be conveyed to both parties within two working days of the investigator having concluded their work.

STAGE 3

The independent investigator may decide (having gone through the evidence) that a resolution could be achieved by facilitating a meeting of both parties. If this is the case a meeting will be held within two weeks of the decision being conveyed to both parties, facilitated by the investigator.

STAGE 4

It is hoped that the proposed way forward would be acceptable to all parties. Should this not be the case any party has the right to refer the matter for a decision by an appeals Committee. If the investigator believes that no form of informal resolution is possible, they may refer the consideration of the complaint direct to Stage 4 on the conclusion of their investigation at Stage 2.

The Appeals Committee will include two of the three non-SOM members of the Board, and a further SOM member appointed by the Board.

They will then be asked to decide the outcome based on the information provided no longer than two weeks after being asked to do so. They may request the investigator or any party to attend part of their consideration of the investigator's recommendation.

In the event of the Committee agreeing a recommendation short of removal of membership, there is no further right of appeal. A recommendation to remove membership is not appealable, given that the matter will then be considered by the Board.

If the outcome is a recommendation to remove his or her membership - this needs to be passed by at least two-thirds of Trustees present and voting at the meeting of the SOM Board at which such resolution is proposed provided that:

- at least 28 days written notice of such meeting and the reasons for his or her proposed removal is sent to the Member proposed to be removed; and
- the Member concerned is allowed to make representations at the meeting

The final decision will be conveyed to both parties no later than 3 weeks after the Board Meeting.

It is expected that all parties will accept the proposed resolution of the complaint. There is no appeal right against a decision to remove membership.

Trustees will review the complaint, and the procedures used in the resolution process and take steps to avoid a similar complaint happening in future, to improve the overall way in which SOM operates.

Annex 1 Conflicts of Interest Policy – Agreed by SOM Board September 2023

1 Scope

This policy applies to members of the Board of Trustees, the Board of SOM Enterprises Limited, the Chief Executive and direct reports, all members of the Board and SOM Council, Regional Group office holders, and special interest groups, committees and advisory groups and anyone producing publications or external outputs for the SOM.

2 Purpose

The trustees of SOM have a range of legal obligations arising from charity and other law¹. There is an over-riding obligation on trustees to act in the best interests of SOM and in accordance with its governing documents. To meet those obligations everyone, including trustees, members of all the Board's committees and advisory groups, SOM employees and

¹ <https://www.gov.uk/government/publications/conflicts-of-interest-a-guide-for-charity-trustees-cc29/conflicts-of-interest-a-guide-for-charity-trustees>

those producing outputs for SOM in scope of this policy are required to comply with this policy.

Conflicts of interest may arise where the personal, professional, institutional, or family interests and /or loyalties of a Board, committee/advisory group member or member of staff conflict with those of SOM. Such conflicts may:

- inhibit free discussion.
- result in decisions or actions that are not in the best interests of SOM
- risk giving the impression that SOM has acted improperly.

The aim of this policy is to protect SOM and those in scope of this policy from any impropriety, or the appearance of the same.

3 Definitions and declaration of interests

Interests are defined as:

Direct financial interests – where an individual stands to gain direct financial benefit from a decision.

Indirect financial interests – where a close relative of an individual stands to benefit financially from a decision and where the financial affairs of the individual and relative in question are bound together.

Non-financial interest or personal conflicts – where an individual receives no financial benefit from the decision but continues to be influenced by external factors. This includes interests arising from membership of clubs and other organisations.

Conflict of loyalties – where an individual may have competing loyalties between SOM and some other person or entity.

Perception of conflict of interest should also be considered.

Governance officeholders, Trustees and members of the Board's committees and advisory groups and those who produce outputs publicly for SOM are required to complete a series of declarations (including a declaration of interests) on appointment and at each Board meeting or every calendar year annually thereafter.

4. Data protection

Personal information provided under the terms of this policy will be processed in accordance with SOM's data protection policy and the law relevant statutory provisions. The information provided will not be used for any other purpose.

5. Defining a conflict of interest

If a conflict of interest arises at any SOM meeting, at which a person in scope of this policy is present (at a member of the meeting or otherwise), that personal individuals who has a conflict of interest shall be obliged to declare his or her interest.

Such a person shall not be involved in any decision relating to a matter in which he or she has a material interest except with permission of the Board, the committee, advisory group, or other forum in which the matter arises and in accordance with this Policy.

A member of staff is permitted to be involved in any decision relating to a matter in which he or she has a material interest if such interest arises **only** by virtue of his or her status as an employee of SOM. In such circumstances no specific permission is required, provided that a declaration of that interest has been made.

If an office holder person in scope of this policy fails to declare an interest which is known to any other person present at such a meeting, then such person may declare that interest.

6. Decisions taken where a person in scope of this policy has an interest

A person in scope of this policy shall not vote at any meeting on any resolution concerning any matter in which he or she has an interest or duty which is material and which conflicts or may conflict with the interests of SOM unless otherwise determined in accordance with this policy.

A record of conflict interests should be kept by the SOM Communications and Events Manager for webinars and reports, or other outputs of the SOM.

The chair of any meeting of the Board or its committees or advisory groups shall demit the chair for consideration of any item of business resolution concerning any matter in which he or she has, directly or indirectly, an interest or duty which is material and which conflicts or may conflict with the interests of SOM. In such circumstances, another of those persons present shall be appointed by simple majority to take the chair for consideration of that business resolution.

The relevant meeting shall decide (by way of majority vote of non-conflicted members) which of the following options should be taken in respect of a member of the meeting where a conflict has been identified:

- The individual should leave the meeting while the item is being discussed.
- The individual should be allowed to remain in the meeting while the item is being discussed but should not be allowed to take part in the discussion or vote.
- The individual should be allowed to speak on the item but should not vote.
- The individual should be allowed to speak and vote on the item.

All decisions where there is a declared conflict of interest will be recorded and reported in the minutes of that meeting. The report will record the

- nature and extent of the conflict.
- the outline of the discussion.
- the actions taken to manage the conflict; and
- whether the person concerned was permitted to participate in consideration and vote on the matter in respect of which the conflict

SOM DECLARATION OF COMPETING INTERESTS

Report /Webinar Title: Click here to enter text.

Speaker/ Author(s): Click here to enter text.

This must contain a declaration of interests from ALL authors/speakers. The lead author of speaker is required to confirm whether they and/or their co-authors/speakers have any competing interests to declare, and to provide details of these. The lead author/speaker is required to complete and return this Declaration of Competing Interests form to the SOM Office at admin@som.org.uk. It is the lead author or speaker's responsibility to ensure that all adhere to this policy.

SOM requires disclosure of any financial interests or connections by all authors/speakers, direct or indirect, or other situations which may *raise the question of bias* in the work reported or the conclusions, implications, or opinions stated. When considering whether you should declare a competing interest or connection consider the competing interest test: Is there any arrangement that would embarrass you or any of your co-authors/speakers if it was to emerge after publication or speaking and you had not declared it?

This information may be communicated in a statement in the SOM report or webinar. If an author/ speaker states that there are no competing interests, then a statement to this effect will be included in the published paper and should also be mentioned when speaking

I. The corresponding author/speaker confirms on behalf of all authors/speakers that there have been no involvements that might raise the question of bias in the work reported or in the conclusions, implications, or opinions stated:

Printed Name: Click here to enter text.

Signature: _____ *on behalf of all*
authors/speakers

Date:

OR

II. Competing interest statement declared by the corresponding author on behalf of all authors/speakers:

Example: Drs A & B have received payments and travel funding from [business name] for overseas lectures. Total funding: approximately [Amount]. Dr C holds stock in [business name], the makers of [product], and is currently conducting research sponsored by this company. Dr A is also a member of the speakers' bureau for [business name]

The authors'/speakers' joint statement is as follows:

Click here to enter text.

Printed Name:

Signature: _____ *on behalf of all*
authors/speakers

Date: _____