



# Conflict of Interest Policy

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## 3. Introduction

This policy applies to all Trustees and staff employed for the operation of Breedon Parish Hall.

### Why do we have a policy?

Trustees have a legal obligation to act in the best interests of Breedon Parish Hall (hereafter referred to as – the charity) and in accordance with the charity’s constitution and to avoid situations where there may be a potential conflict of interest. Staff employed by the charity and volunteers have similar obligations.

Conflicts of interests may arise where an individual’s personal or family interests and/or loyalties conflict with those of Breedon Parish Hall. Such conflicts may create problems that:

- inhibit free discussion
- result in decisions or actions that are not in the interests of [the charity]
- risk the impression that [the charity] has acted improperly.

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety. Even the appearance of a conflict of interest can damage the charity’s reputation, so conflicts need to be managed carefully.

### The declaration of interests

Accordingly, we are asking Trustees and all staff to declare their interests, and any gifts or hospitality offered and received in connection with their role in the charity. A declaration of interests form is provided for this purpose (**Appendix 1**), listing the types of interest you should declare.

To be effective, the declaration of interests needs to be updated at least annually, and when any material changes occur.

If you are not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the charity Chairman or deputy Chairman for confidential guidance.

This register of interests shall be used to record all gifts received by the Trustees and staff. Interests and gifts will be recorded on the charity’s register of interests, which will be maintained by the charity secretary. The register will be accessible by all Trustees.

## 4. Data Protection

The information provided will be processed in accordance with data protection principles as set out in the [Data Protection Act 2018](#). Data will be processed only to ensure that Trustees and staff act in the best interests of the charity. The information provided will not be used for any other purpose.

### **What to do if you face a conflict of interest**

If you believe you have a real or perceived conflict of interest you should:

- declare the interest at the earliest opportunity
- withdraw from discussions and decisions relating to the conflict.

The charity secretary should take special care to ensure that minutes or other documents relating to the item presenting a conflict are appropriately redacted for the person facing the conflict. A balance needs to be made to ensure that the person still receives sufficient information about the activities of the charity generally without disclosing such sensitive information that could place the individual in an untenable position.

You should declare your interest at the earliest opportunity and withdraw from any subsequent discussion, unless expressly invited to remain in order to provide information. In this case you may not participate in, or influence, the decision or any vote on the matter. You will not be counted in the quorum for that part of the meeting and must withdraw from the meeting during any vote on the conflicted item.

There are situations where you may participate in discussions from which you could indirectly benefit, for example where the benefits are universal to all users, or where your benefit is minimal. This action will be agreed by the chair and minuted accordingly.

If you fail to declare an interest that is known to the charity secretary and/or [the chairman of Trustees, the charity secretary or the chairman will declare that interest.

## 5. Decisions taken involving Trustee (or staff) with an interest

In the event of the committee having to decide upon a question in which a Trustee or member of staff has an interest, all decisions will be made by vote, with a simple majority required. A quorum must be attained for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate. Interested committee members may not vote on matters affecting their own interests

All decisions under a conflict of interest will be recorded by the charity secretary and reported in the minutes of the meeting. The report will record:

- the nature and extent of the conflict
- an outline of the discussion
- the actions taken to manage the conflict.

Where a Trustee benefits from the decision, this will be reported appropriately in the annual report and accounts.

All payments or benefits in kind to Trustees will be reported in the charity's accounts and annual report, with amounts for each Trustee listed for the year in question.

Where a member of the charity's staff is connected to a party involved in the supply of a service or product to the charity, this information will be fully disclosed in the annual report and accounts.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

### Managing contracts

If you have a conflict of interest, you must not be involved in managing or monitoring a contract in which you have an interest. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.

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# Appendix 1

## Declaration of Relevant Interests Form

I, as a Trustee of Breedon Parish Hall have set out below my relevant interests in accordance with our Declaration of Interests Policy.

<b>Category</b>	<b>Please give details of the relevant interest and whether it applies to yourself or, where appropriate, a member of your immediate family or some other close personal connection</b>
Current employment and any previous employment in which you continue to have a financial interest.	
Appointments (voluntary or otherwise) e.g., trusteeships, directorships etc.	
Membership of any professional bodies, special interest groups or mutual support organisations.	
Investments in unlisted companies, partnerships and other forms of business, major shareholdings of more than 1% of issued capital and beneficial interests.	
Gifts or hospitality offered to you by external bodies and whether this was declined or accepted in the last twelve months.	
Any contractual relationship with Breedon Parish Hall	
Any other conflicts that are not covered by the above.	

To the best of my knowledge, the above information is complete and correct. I undertake to update as necessary the information provided, and to review the accuracy of the information on an annual basis. I give my consent for it to be used for the purposes described in the Declaration of Interests Policy.

**Sign:**

**Print Name:**

**Date:**

# Appendix 2

## Resources

[Data Protection Act 2018 \(legislation.gov.uk\)](https://legislation.gov.uk)

Data Protection Act

[Specimen conflict of interest policy, declaration form and register of interests for charity trustees \(cgi.org.uk\)](https://cgi.org.uk)

Chartered Governance Institute UK & Ireland Document - Specimen Conflict of Interest Policy, declaration form and register of interests for Charity Trustees dated April 2021