

## **Amersham United Charities - Conflict of Interest Policy**

### **1. Purpose**

This Conflict of Interest Policy has been written for Amersham United Charities to ensure that the Board correctly identifies, deals with and records conflicts of interest/loyalty, and to comply with the Charity's Governance Code. This policy applies to all trustees and the Clerk.

### **2. Introduction**

The Board of Amersham United Charities has a legal obligation to act in the best interests of the Charity and in accordance with its Governing Document. The Charity Commission's annual return asks if charities have a Conflict of Interest Policy.

A conflict of interest is any situation in which a trustee's or the Clerk's personal interests or loyalties could, or could be seen to, prevent the trustee from making a decision only in the best interests of the charity. The perception that there is a conflict of interest can damage the charity's reputation. Trustees and the Clerk must be prepared to respond appropriately to any suggested conflict of interest, whether accurate or not, in order to protect the reputation of the charity. They must ensure that potential conflicts of interest are identified and addressed effectively. All decisions affecting the charity must be transparent and recorded to show that they have been made in the best interests of the charity.

Conflicts are likely to arise if:

- there is a potential financial or measurable benefit directly to a trustee or the Clerk, or indirectly through a connected person;
- a trustee's or the Clerk's duty to the charity may conflict with a duty or loyalty they owe to another organisation or person.

A trustee's or the Clerk's loyalty to the charity could conflict with his or her loyalty to:

- the body that appointed them to the charity
- the membership or section of the charity that appointed them to trusteeship or the Clerk role
- another organisation, such as their employer
- another charity of which they are a trustee
- a member of their family
- another connected person or organisation
- their religious, political or personal views.

### **3. Declaration of Conflicts of Interest**

3.1 The trustees and the Clerk of Amersham United Charities will declare their interests and any gifts or hospitality offered and received in connection with their role in the Charity. This will be recorded in the minutes of the Board meeting as a register.

3.2 The declaration of interests will be updated annually, as well as when any material changes occur.

3.3 Trustees and the Clerk will err on the side of caution when deciding whether to declare an interest.

### **4. Data Protection**

The information provided will be processed in accordance with the data protection principles as set out in the General Data Protection Regulations 2018. Data will be processed only to ensure that connected individuals act in the best interest of the Charity.

## **5. Actions on Conflict of Interest**

- 5.1 If a trustee or the Clerk believes they have a conflict of interest they will:
  - declare the interest at the earliest opportunity
  - withdraw from discussions and decisions on matters relating to the conflict
- 5.2 The Clerk and Chair will take care to ensure that minutes or other documents relating to the item presenting a conflict are removed for the person facing the conflict.
- 5.3 If the Board has to make a decision as to whether a trustee or the Clerk has a conflict of interest, the affected trustee or the Clerk will be excluded from the discussion. Remaining Board members will consider the issue and make an appropriate decision.
- 5.4 All decisions about a conflict of interest will be recorded by the Clerk 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
- 5.5 Details of any benefits or payments to trustees, the Clerk, and connected persons, including the reasons for them, will be disclosed in the Charity's annual accounts.

## **6. Interests that may need to be declared**

- 6.1 Current employment and previous employment in which a trustee or the Clerk continues to have a financial interest.
- 6.2 Appointments (voluntary or otherwise) e.g. trusteeships, directorships, local authority memberships, tribunals, etc.
- 6.3 Membership of any professional bodies, special interest groups or mutual support organisations.
- 6.4 Gifts or hospitality offered to a trustee or the Clerk by external bodies.
- 6.5 Any contractual relationships with the Charity.

## **7. Review**

The Board will review the contents of, and compliance with, this Conflict of Interest Policy on an annual basis.

## **8. Approval**

This Conflict of Interest Policy has been approved by the Board of Amersham United Charities.

### **Charity Commission useful links:**

<https://www.gov.uk/guidance/manage-a-conflict-of-interest-in-your-charity>

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

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