

**Broughton Community & Sports Association**

 **Conflict of Interest Policy**

**Date Adopted: May 2020**

**Aim:**

The purpose of this policy is to protect the integrity of the Charity’s decision-making process, to enable the community to have confidence in the organisation’s aims, and to protect the integrity and reputation of volunteers, trustees and committee members.

**What is a Conflict of Interest?**

A conflict of interest is any situation in which a trustee’s personal interests or loyalties could, or could be seen to, prevent them from making a decision only in the best interests of the charity.

Types of conflict of interest include, but are not limited to:

* Direct financial gain or benefit e.g. payment to a trustee for services provided to the charity;
* Indirect financial gain e.g. employment by the charity of a spouse or partner of a trustee;
* Conflict of loyalties e.g. where a trustee has links with one of the charity’s funders.

Conflicts may create problems, and can:

* inhibit free discussion;
* result in decisions or actions that are not in the interests of the charity;
* and risk the impression that the charity has acted improperly.

**Trustees & Committee Members:**

Trustees have a legal obligation to act in the best interests of the charity, and in accordance with the governing documents. Subsequently (on appointment or as soon as is practicable) all trustees should declare any interests including (not limited to) business and personal interests and those of their spouse, partner, family and close relatives. (See Appendix A) This will be done annually every year at the AGM. Failure to declare an interest is a breach of the trustees legal responsibilities.

The charity body will consider conflicts of interest as a pre-appointment issue. Where prospective trustees are likely to be subject to serious or frequent conflicts of interest, the trustees will seriously consider whether that trustee should be appointed.

Although committee members do not have a legal responsibility, it is expected that they will also act in the best interests of the charity. In the interests of transparency and openness, Committee members are also required to declare their interests annually. (Appendix A. )

Any new committee member (elected prior to the AGM) must complete the Declaration of Interest form before the trustees elect whether to allow the individual onto the committee. Again this is to ensure the integrity of the charity, prevent adverse publicity and prevent misappropriation of funds.

If any new conflict of interest arises before the form is annually reviewed, it is the responsibility of the committee member or trustee to notify the Chair of Trustees immediately.

**If a Trustee/Committee member has declared an interest:**

A trustee/committee member should declare any interest in which he or she has at the earliest possible opportunity and certainly before any discussion of the item itself. If a trustee is uncertain whether or not he or she is conflicted, he or she should err on the side of openness, declaring the issue and discussing it with the other trustees.

Having identified a conflict of interest, trustees must act only in the best interests of the charity. In the event of having to decide upon a question in which a Trustee has an interest, all decisions will be made by vote, with a simple majority required.

Prior to any discussion a conflict of interest must be noted and recorded in the minutes. All decisions under a conflict of interest will be recorded by the BCSA 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 conflicts cannot be resolved through the usual procedures, the Chair of Trustees will contact the Charity Commission for advice and guidance. If the conflict of interest is with the Chair of Trustees then the Vice Chair of Trustees will seek advice from the Charity Commission. If there is no Vice Chair of Trustees then the Secretary will be responsible for contacting the Charity Commission.

If a trustee/ committee member is aware of an undeclared conflict of interest affecting another trustee, they should notify the other trustees or the Chair.

**Data Protection:**

Data will be processed only to ensure that Trustees and committee members act in the best interest of the charity. The information provided will not be used for any other purpose.

Appendix A: Each trustee or committee member must complete.

**Broughton Community & Sports Association (BCSA)**

**Declaration of Interest.**

Trustees have a legal duty to act only in the best interests of their charity. You must not put yourself in any position where your duties as a trustee may conflict with any personal interest that you may have. In the interests of transparency and openness, all elected trustees and committee members for BCSA will be expected to complete this form.

|  |  |
| --- | --- |
| **Person or organization** | **Nature of relationship and/or nature of conflict of interest** |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |

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 conflicts of interest policy and for no other purpose.

Name………………………………………. Position …………………………………….

Signed ………………………….. …………..Date …………………………………………