

# Conflict of Interest

## Introduction

A conflict of interest is any situation in which a trustee'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 must be prepared to respond appropriately to any suggested conflict of interest, whether accurate or not, 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 indirectly through a connected person
- a trustee's duty to the charity may conflict with a duty of loyalty they owe to another organisation or person.

## Responsibilities of Trustees

The trustees have a legal obligation to act in the best interests of the charity and in accordance with its governing documents.

A trustee'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
- 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.

## Declaration of interests

The Trustees will declare their interests and any gifts or hospitality offered and received in connection with their role in our charity. A form is provided in the Appendix.

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

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

The Register of Interests shall be used to record all gifts of a value over £20 and hospitality over £20.

The Clerk will be responsible for maintaining the Register of Interests.



## Declaration of conflict of interest

If a trustee believes they have a conflict of interest they will:

- Declare the interest at the earliest opportunity
- Withdraw from discussions and decisions

The Clerk will take care to ensure that minutes or other documents relating to the item presenting a conflict are removed from the person facing the conflict.

If the Board of Trustees has to decide as to whether a trustee has a conflict of interest the affected trustee will be excluded from the discussion. The remaining board members will consider the issue and make an appropriate decision.

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

Details of any benefits or payments to trustees and connected persons, including the reasons for them, will be disclosed in the charity's annual accounts.

## Personal Data

All personal data collected as a result of this policy will be stored securely at all times according to the Data Protection Policy.

**Review** This policy will be reviewed annually.

## Resources, further help and information

The links that follow are up to date and functioning at the time of publication of this pack.

<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>

This policy has been approved for issue by the board of trustees of Millington's Charity

Signature.....*Daphne Capps*.....

Name.....*DAPHNE CAPPS*.....

Date.....*24<sup>th</sup> AUGUST 2023*.....



**Appendix**

**Charity trustee declaration of interests form**

..... (trustee) of Millingtons Charity have set out below my interests in accordance with the organisation's conflicts of interest policy.

<b>Category</b>	<b>Please give details of the interest and whether it applies to you or, where appropriate, a member of your immediate family, connected persons 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, local authority membership, tribunals etc.	
Membership of any professional bodies, special interest groups or mutual support organisations	
Gifts or hospitality offered to you by external bodies in the last 12 months	
Any contractual relationship with the charity or its subsidiary.	
Any conflicts not covered by above	

**Signature:**.....

**Name:**.....

**Date:**.....