

Shillington Village Hall Management Committee

Registered Charity no: 300066

Conflict of Interest Policy

Introduction

The Village Hall Foundation was originally established as the Hanscombe Memorial Hall in January 1921. In December 1969, an Administration and Title for the Foundation and its endowment was established as a charity under the title of Shillington Village Hall (the Charity).

The object of the Foundation is the provision and maintenance of a Village Hall for the use of the inhabitants of Shillington and the neighbourhood without distinction of political, religious or other opinions, including use for meetings, lectures and classes and for other forms of recreation and leisure-time occupation with the object of improving the conditions of life for the said inhabitants.

The Committee of Management (the Committee) are responsible for; the application of income, investment of any surplus cash, making and altering rules (within the limits prescribed in the Scheme), conducting meetings and holding an Annual General Meeting, vesting of property and acceptance of donations.

Conflict of Interest – Requirement for a Policy

Paragraph 11 of the Scheme of December 1969 states that: 'Except in special circumstances with the approval in writing of the Secretary of State for Education and Science, no Member of the Committee shall take or hold any interest in any property belonging to the Foundation, otherwise than as a trustee for the purposes thereof, or receive any remuneration, or be interested in the supply of work or goods, at the cost of the Foundation.

What is a Conflict of Interest?

Trustees and management committees have a duty under common law to act in the best interests of the charities they serve. Trustees and management committees, generally, should not benefit from the Charity and should not be influenced by their wider interests when making decisions affecting the Charity. A conflict of interest can be defined as:

“...any situation in which a trustee’s personal interests or responsibilities they owe to another body, may, or may appear to influence the trustee’s decision making.”

Conflicts of interest arise when the interests of trustees, or “connected persons” (i.e. members of the Village Hall Committee), are incompatible or in competition with the interests of the Charity. Such situations present a risk that trustees/committee members will make decisions based on these external influences, rather than the best interests of the Charity.

It is, therefore, essential that all trustees/committee members are fully aware of their duties and responsibilities and that when acting as a trustee they must act in the best interests of the Charity alone. The interests of the beneficiaries and those of the Charity will - for the most part - be consistent or complementary, but on the occasions where a conflict does arise, the responsibility of all the trustees is to the Charity. This includes any access that all trustees/committee members may gain to confidential or privileged information by virtue of their trusteeship/committee membership. All trustees/committee members should remain alert to the fact that whatever information they acquire in their role should remain confidential and not be used to the advantage of themselves, an external individual, or entity. Occasionally there may be cases where an apparent conflict is actually in the organisation’s best interests. While the trustees/committee members may well act with integrity, the mere appearance of a conflict can be damaging to both the Charity and the trustees/committee members, so conflicts need to be managed effectively. Where a Charity operates a code of conduct for trustees/committee members, it is essential that the document is consistent with and supports the conflicts of interest policy and vice versa.

Aim of the Policy

Conflicts of interests may arise where an individual’s personal or family interests and/or loyalties conflict with those of the Charity. Such conflicts may create problems; they can:

- 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 Charity and the individuals involved from any appearance of impropriety.

The Declaration of Interests

Accordingly, we are asking trustees and Committee members 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, 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 Secretary or Chair for confidential guidance.

This register of interests shall be used to record all gifts of a value over £10 and hospitality over £15 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 secretary. The register will be accessible by the Committee, noting any statutory requirements applicable.

Data Protection

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that trustees 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 perceived or real conflict of interest you should:

- Declare the interest at the earliest opportunity
- Withdraw from discussions and decisions relating to the conflict.

The Charity Committee 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 secretary and/or the chair, the secretary or chair will declare that interest.

Decisions Taken Where a Trustee/Committee Member Has an Interest

In the event of the Committee having to decide upon a question in which a trustee/committee member has an interest, all decisions will be made by vote, with a simple majority required. A quorum must be present 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 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/committee member benefits from the decision, this will be reported in the annual report and accounts. All payments or benefits in kind to trustees/committee members will be reported in the Charity's accounts and annual report, with amounts for each trustee listed for the year in question.

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.

Charity Trustee/Committee Member Declaration of Interests Form

I as trustee/committee member of The Shillington Village Hall Charity have set out below my interests in accordance with the organisation’s conflicts of interest policy.

Category	Please give details of the interest and whether it applies to yourself or, where appropriate, a member of your immediate family, connected persons or some other close personal connection
Current employment and any previous employment in which you continue to have a financial interest.	
Membership of any professional bodies, special interest groups or mutual support organisations.	
Appointments (voluntary or otherwise) e.g. trusteeships, directorships, local authority membership, tribunals etc.	
Investments in unlisted companies, partnerships and other forms of business, major shareholdings (more than 5% 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.	
Do you use, or care for a user of the organisation’s services?	
Any contractual relationship with the Charity or its subsidiary.	
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 conflicts of interest policy and for no other purpose.

Signed:

Position:

Date: