



## Conflicts of Interest Policy

This Policy has been developed with regard to the Institute of Chartered Secretaries & Administrators (ICSA) Guidance Note which covers charities registered in England and Wales, and consolidates the principles highlighted in *The Code of Governance for the Voluntary and Community Sector*.

This Policy applies to all trustees and staff of The David Mather Foundation (the "Trust").

### **Why do we have a Policy?**

Trustees, volunteers and staff have a legal obligation to act in the best interests of the Trust and in accordance with the Trust Deed, and to avoid situations where there may be a potential conflict of interest.

Conflicts of interests may arise where an individual's personal, family, professional, business or other interests and/or loyalties conflict with those of the Trust. Such conflicts may create problems and can:

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

The aim of this policy is to protect both the Trust and the individuals involved from any appearance of impropriety.

### **The Declaration of Interests**

Accordingly, we are asking the trustees and staff to declare their interests, and any gifts or hospitality received in connection with their role in the Trust. 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 also when any 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 Treasurer for confidential guidance.

This register of interests shall also 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 Treasurer. The register will be accessible to anyone who requests it.

### **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 the trustees and staff act in the best interests of The David Mather Foundation. The information provided will not be used for any other purpose.



### **What to do if you face a Conflict of Interest**

If you are a user of Trust's services, or the carer of someone who uses Trust's services, you should not be involved in decisions that directly affect the service that you, or the person you care for, receive(s). You should declare your interest at the earliest opportunity and withdraw from any subsequent discussion. The same applies if you face a conflict for any other reason.

You may, however, participate in discussions from which you may indirectly benefit, for example, where the benefits are universal to all users, or where your benefit is minimal or immaterial.

If you fail to declare an interest that is known to the trustees, the trustees will declare that interest.

### **Decisions taken where a Trustee or Member of Staff has an Interest**

In the event of the board 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 present for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate. Interested board members may not vote on matters affecting their own interests.



## Declaration of Interests Form

I, ....., as employee/trustee\* (*\*delete as appropriate*) of The David Mather Foundation have set out below my interests in accordance with the Trust's 'Conflicts of Interest Policy'.

*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.*

Category	Interest
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.	
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 Trust's services?	
Any contractual relationship with the Charity.	
Any other interests that are not covered by the above and which might be relevant or material.	

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: