

Conflict of interest policy – board of trustees

1.0 SCOPE

This policy identifies potential conflicts of interests for trustees and sets out procedures for avoiding conflicts of interest.

2.0 RESPONSIBILITIES OF TRUSTEES

2.1 A member of a management committee is a charity trustee and as such has a duty to act in the best interests of the charity. A trustee who does not follow this duty may be in breach of trust.

2.2 Trustees are the employer of the staff of that scheme.

2.3 All trustees should be asked to sign a declaration which states that they will declare any personal interest which might conflict with, or be seen by others to affect, their ability to perform their duties fairly and impartially.

3.0 POTENTIAL CONFLICTS OF INTEREST FOR TRUSTEES

3.1 Trustees may have a large range of interests in private, professional and public life which might cause conflicts of interest at times. These include:

- being related to or having a relationship with a member of AVOW's staff
- being a member of another organisation that may be a Licensee in Ty AVOW, or
- being a member of another organisation that may benefit from a Grant being distributed by AVOW

3.2 Any conflicts of interest which may arise should be minuted at meetings of trustees.

4.0 UNDERSTANDING AND DEALING WITH CONFLICT OF INTEREST

- All known and potential conflicts of interest coming to the attention of a trustee should be declared.
- Details must be recorded.
- Minutes should be kept of any meeting where a particular conflict of interest has been declared.
- The procedures identified below should be followed if potential conflicts of interest have been declared.

5.0 RELATIONSHIPS BETWEEN TRUSTEES AND STAFF

5.1 It is strongly advised that trustees do not enter into personal relationships with a member of staff. To do so could render suspect any decisions that are taken or at the very least be perceived by other members of staff as affecting how decisions are made.

5.2 If the above does occur, the individual concerned should inform the chair of the committee; if the person concerned is the chair, the vice-chair should be informed.

5.3 A trustee who is related to or has a relationship with a member of staff employed by AVOW must not be part of any quorum at any meeting where discussions take place on terms and conditions of employment or working conditions of staff, or where the member of staff directly benefits from the decision.

5.4 Bank mandates should not include the names of individuals who are related, or are having a relationship, as signatories.

5.5 Arrangements should be made for supervision and appraisals to be undertaken by someone other than the person who is related to or having a relationship with the individual.

6.0 BEING A MEMBER OF ANOTHER ORGANISATION WITH SIMILAR OBJECTIVES TO AVOW OR WHICH IS A LICENCEE IN TY AVOW

6.1 A trustee must act in the best interests of AVOW (whilst attending AVOW meetings or meetings where attending as an AVOW representative) even if there is a conflict of interest with the other statutory or voluntary organisation of which he or she is a member or a member of staff. Any trustee who does not follow this duty may be in breach of trust.

6.2 A trustee must act in accordance with the code of conduct and declare any personal interest which might conflict with, or be seen by others to affect, their ability to perform their duties fairly and impartially.

6.3 A trustee shall withdraw from a meeting of trustees or of a sub-committee of the trustees where any resolution is to be made concerning a matter in which he or she has, directly or indirectly, an interest or duty which is material and which conflicts or may conflict with the interests of AVOW.

6.4 A trustee who is a member of another organisation which has the potential for conflict of interest must not be part of the quorum in relation to a resolution at any meeting where discussions take place on matters of funding or any other matter which could result in the gaining of information which could be prejudicial to AVOW.

6.5 Where the committee feels the individual trustee could unduly influence the outcome of a decision they may ask the said trustee to withdraw.

7.0 MANAGEMENT COMMITTEES / BOARDS OF DIRECTORS – CHAIRS OF SCHEMES

7.1 A trustee who is elected chair at any meeting has a second or casting vote, so she or he is in a particularly vulnerable situation if there is a potential conflict of interest. In addition to the procedures listed above the following procedure must apply.

7.2 A chair should not chair the part of the meeting where discussions take place on matters which concern his / her potential conflict of interest. In such a case the chair should withdraw from the meeting.

7.3 The vice-chair, or if she / he is not available or has a potential conflict of interest, the secretary, or if she / he is not available or has a potential conflict of interest, the treasurer, or if she / he is not available or has a potential conflict of interest, a member of the committee should chair that part of the meeting.

7.4 The acting chair has the second casting vote.

8.0 MEMBERS OF STAFF BECOMING TRUSTEES AND TRUSTEES BECOMING MEMBERS OF STAFF

8.1 A current employee of AVOW cannot be nominated or elected to be a trustee of AVOW.

8.2 A period of one year should elapse before an ex-employee is eligible for nomination and election as a trustee

8.3 A trustee of AVOW may not accept paid employment with the organisation for which they are a trustee.

For further information contact

Interlink



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