



CONFLICT OF INTERESTS

River of Life Metropolitan Community Church Dorchester



**ADOPTED BY THE
BOARD OF TRUSTEES 30th SEPTEMBER 2008**

1. INTRODUCTION AND RATIONALE

There is no right or wrong approach to handling potential conflicts of interest. Ultimately, the issue is about the application of common sense. The key principles to any effective policy are as follows:

- Define a conflict of interest in relation to your organisation: Would there have to be some personal financial interest for a Board member/employee for a conflict of interest to be considered, or would historical connection to the beneficiary of a decision be sufficient to trigger the procedures?
- Consider the future likelihood of such conflicts: Is the conflict of interest likely to be exceptional in which case the person's membership of the decision-making body is unproblematic, or would it be so frequent that it might be best to consider alternative membership of the Board of Trustees?
- Agree the method of declaring an interest: This may be a written declaration completed annually. Alternatively, it may be a declaration at or before the meeting at which the decision in question will be considered.
- Agree the method of addressing the conflict: Again, there are numerous ways of addressing a conflict of interest. The person in question might absent themselves completely from all consideration, or they may participate in the discussion but not the decision.

2. WHY HAVE A POLICY?

Trustees have an obligation to act in the best interests of River of Life MCC and in accordance with River of Life MCC's governing documents [Staff and volunteers have similar obligations]. Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of River of Life MCC.

Such conflicts may create problems; they can:

- Inhibit free discussion;
- Result in decisions or actions that are not in the interests of River of Life MCC and
- Risk the impression that River of Life MCC has acted improperly.

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

3. THE DECLARATION OF INTERESTS

Accordingly, River of Life MCC are asking Trustees, staff and volunteers to declare their interests and any gifts or hospitality received in connection with their role in River of Life MCC. A declaration of interests form is available 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 a member of the Board of Trustees of River of Life MCC for confidential guidance. Interests will be recorded on the governing body's register of interests, which will be maintained by River of Life MCC Secretary. The register will be accessible by appropriate Government Departments and the Board of Trustees of River of Life MCC.

4. 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 all staff and volunteers of River of Life MCC act in the best interests of River of Life MCC. The information provided will not be used for any other purpose.

5. WHAT TO DO IF YOU FACE A CONFLICT OF INTEREST AND WHO ARE NOT A TRUSTEE OR STAFF MEMBER

Members of River of Life MCC may not vote on matters affecting their own interests. They may participate in the discussion but not the decision-making process.

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.

If you fail to declare an interest that is known to River of Life MCC Board of Trustees, the Chair of a member of the Board of Trustees of River of Life MCC will declare that interest.

6. Decisions taken where a Trustee or member of staff has an interest

Any Trustee who has a financial interest in a matter under discussion, should declare the nature of their interest and withdraw from the room, unless they have a dispensation to speak.

In the event of the Board of Trustees having to decide upon a question in which a Board Member or member of staff has an interest, all decisions will be made by vote, with a two thirds 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 Trustees may not vote on matters affecting their own interests. They may participate in the discussion but not the decision-making process.

All decisions under a conflict of interest will be recorded by River of Life MCC Minute Taker 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.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures or through an EGM or AGM.

7. 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.

Conflicts of Interest Form - Trustee

Name:

Address:

Position of the Board of Trustees:

As a trustee, you are required to act in the best interests of River of Life MCC.

However, inevitably, trustees have a wide range of interests in private, public and professional life and these interests might, on occasions, conflict (for example: Director of supplier or consultant to charity).

We are obliged to review any possible conflicts when preparing our annual report so ask you to supply the following details:

- Has River of Life MCC charity made any loans to you?

- Have you, or people connected with you through family, business or another charity, an interest in a contract or transaction with River of Life MCC?

- Have you or any person connected with you derived any pecuniary benefit or gain from River of Life MCC?

Signed: _____

Date: _____

Conflicts of Interest Form - Member

Name:

Address:

As a member, you are required to act in the best interests of River of Life MCC.

However, inevitably, members have a wide range of interests in private, public and professional life and these interests might, on occasions, conflict (for example: Director of supplier or consultant to charity).

We are obliged to review any possible conflicts when preparing our annual report so ask you to supply the following details:

- Has River of Life MCC charity made any loans to you?

- Have you, or people connected with you through family, business or another charity, an interest in a contract or transaction with River of Life MCC?

- Have you or any person connected with you derived any pecuniary benefit or gain from River of Life MCC?

Signed: _____

Date: _____