

Bishop Hannington Memorial Church PCC

Policy Statement: Conflict of Interest Policy

Trustees, staff and volunteers have a legal obligation to act in the best interests of the Bishop Hannington Memorial Church and in accordance with the PCC's governing document (the Church Representation Rules), and to avoid situations where there may be a potential conflict of interest.

Therefore all trustees (members of the PCC), staff and volunteers of Bishop Hannington Memorial Church will strive to avoid any conflict of interest between the interests of the organisation on the one hand, and personal, professional, and business interests on the other. This includes avoiding actual conflicts of interest as well as the perception of conflicts of interest.

The purpose of this policy is to protect the integrity of the organisation's decision-making process, to enable stakeholders to have confidence in the organisation's integrity, and to protect the integrity and reputation of volunteers, staff and trustees.

Examples of conflicts of interest include:

- 1 A trustee who is also a user may be faced with a decision regarding whether fees for users should be increased.
- 2 A trustee who is related (see note 1) to a staff member or volunteer or someone who might be appointed as a staff member or volunteer and there is decision to be taken on staff pay and/or conditions or volunteer management.
- 3 A trustee who is also on the committee of another organisation that is competing for the same funding.
- 4 A trustee who has shares in, or is a director, partner or employee or related to someone who is, by a business that may be awarded a contract to do work or provide services for the organisation.

Upon appointment each trustee will be issued with this policy and will make a full, written disclosure of interests, such as relationships, and posts held, that could potentially result in a conflict of interest. This written disclosure will be kept on file and will be updated by all trustees at least annually.

In the course of meetings or activities, trustees will disclose any interests in a transaction or decision where there may be a conflict between the organisations' best interests and the trustee's best interests or a conflict between the best interests of two organisations that the trustee is involved with. If in doubt the potential conflict must be declared anyway and clarification sought.

In the case of a conflict of interests arising for a trustee because of a duty of loyalty owed to another organisation or person and the conflict is not authorised by virtue of any other provision in the organisation's governing document the unconflicted trustees may authorise such a conflict of interests where the following conditions apply:

- 1) The Charity Commission's permission is sought before a benefit for a trustee may be authorised that isn't otherwise authorised in the organisation's governing document (see note 2 below) or already authorised in writing from the Commission.
- 2) the trustee who has declared the conflict of interest withdraws from the part of the meeting at which there is discussion of any arrangement or transaction affecting that other organisation or person;
- 3) the trustee who has the conflict of interest does not vote on any such matter and is not to be counted when considering whether a quorum is present at the meeting;

- 4) the other trustees who have no conflict of interest in this matter consider it is in the interests of the charity to authorise the conflict of interest in the circumstances applying.
- 5) Any such disclosure and the subsequent actions taken will be noted in the minutes.

For all other potential conflicts of interest the advice of the Charity Commission will be sought and the advice recorded in the minutes. All steps taken to follow the advice will be recorded.

This policy is meant to supplement good judgment, and staff, volunteers and trustees should respect its spirit as well as its wording.

This policy will be reviewed at least every two years and more frequently if required.

Notes:

- 1 A relative, known as a connected person, may be a child, parent, grandchild, grandparent, brother, sister, spouse or civil partner of the trustee or any person living with the trustee as his or her partner.
- 2) The payment of benefits to trustees (and connected persons) by the parish is governed by Section 5 (Amendment of Parochial Church Councils (Powers) Measure 1956) of the Church of England (Miscellaneous Provisions) Measure 2014. This permits a Parochial Church Council to enter into a paid contract of employment or other contract with one or more members of the council or one or more connected persons to provide services to or on behalf of the Council subject to various conditions. The Charity Commission takes the view that in essence these require the PCC to follow their guidance set out in Charity Commission paper CC29. This guidance also provides a fuller description of what might be covered by the term "conflicts of interest".

Adopted by the PCC on 19 May 2020, replacing version adopted on 27 March 2018 and 21 July 2015.