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**Cerebral Palsy Sport**  
**Conflict of Interest Policy and**  
**Declaration**  
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**Version 5**  
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**Purpose:**

Cerebral Palsy Sport believes that sound governance policies will significantly benefit the overall efficiency of the organisation, and this policy seeks to ensure the accurate declaration of interest and conflict of interests.

1. **STATEMENT OF POLICY** – This policy and procedure defines the principles and methods to be followed in the declaration of conflicts of interest by members of the organisation’s Board.
2. **Preliminary Note:**
  - a. Guidance on the law and practice relating to conflicts of interest for charity trustees can be found in the Charity Commission’s guidance document at:  
<http://www.charitycommission.gov.uk/supportingcharities/conflicts.asp>
3. **The principles**
  - a. Trustees have both a legal and a moral obligation to act in the best interests of their charity and its beneficiaries (present and future) and in accordance with the relevant Code of Conduct.
  - b. Trustees need therefore to be sensitive to the possibility that their activities outside their charity (including holding office or being otherwise employed by or involved in organisations, companies or political parties) could be perceived as having a bearing on – or coming into conflict with – the objects and integrity of the organisation.
  - c. Conflicts of interest may arise where an individual trustee’s personal or family interests and/or loyalties conflict with those of the charity. Such conflicts may create problems; they can:
    - i. inhibit free discussions;
    - ii. result in decisions or actions that are not in the interests of the charity; and
    - iii. risk the impression that charity or the trustee has acted improperly.
  - d. The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety.
  - e. Trustees have a duty in law to avoid conflicts of interest and must not take part in any discussion or decision in which there is such a conflict.

#### **4. When a conflict of interest arises**

- a. Where a trustee or *person connected with her/him (see 2.8 below)* has a material interest in or stands to gain financially from any decision of the charity or,
- b. Where the trustee has an interest or position outside the charity which is or may be in actual or potential conflict with their position as a trustee even though there is no possibility of financial gain.
- c. An example of a potential conflict of interest is where a Trustee (or an organisation in which he/she has an interest)) may be tendering/or considering to tender for a contract where it known that VOLORG is also tendering for the same contract. In such circumstances, a conflict of interest should be declared and the trustee should follow procedures described at point 3.
- d. At the start of each trustee Board meeting, members should declare whether any agenda items raise a potential conflict of interest. This will be recorded and minuted. From that point onwards, if a matter arises where a trustee has declared an interest, then the procedure under 3 below must be followed.
- e. Where it is decided at a meeting to enable a trustee to obtain a personal benefit from the charity (and thereby put that trustee in a position of a potential conflict of interest), then the procedure under 3.2 below must be followed.
- f. *\* a person connected with a trustee is:*
  - i. a child, parent, grandchild, grandparent, brother, sister or spouse of the Trustee or any person living with the Trustee as his or her partner.
  - ii. a business partner or co-owner of a business of which the Trustee is an owner

#### **5. Procedure in dealing with trustee benefits and conflicts of interest**

- a. Any Trustee (or any firm or company of which a Trustee is a member or employee) may enter into a contract with the Charity to supply goods or services in return for a payment or other material benefit but only if
  - i. the goods or services are actually required by the Charity
  - ii. the nature and level of the remuneration is no more than is reasonable in relation to the value of the goods or services and is set in accordance with the procedure in paragraph 3.2
  - iii. no more than one half of the Trustees are subject to such a contract in any financial year.
- b. Whenever a Trustee has a personal interest in a matter to be discussed at a meeting of the Trustees or a sub-committee the Trustee concerned must:
  - i. declare an interest at or before discussion begins on the matter
  - ii. withdraw from the meeting for that item unless expressly invited to remain in order to provide information

- iii. not be counted in the quorum for that part of the meeting
    - iv. withdraw during the vote and have no vote on the matter.
  - c. If a trustee has any interest in the matter under discussion which creates a real danger of bias: that is, the interest affects her/him, or a member of her / his household, more than the generality affected by the decision, s/he should declare the nature of the interest and withdraw from the room, unless he / she has a dispensation to speak.
  - d. If a trustee has any other interest which does not create a real danger of bias, but which might reasonably cause others to think it could influence their decision, s/he should declare the nature of the interest, but may remain in the room, participate in the discussion, and vote if s/he wishes.
  - e. If in any doubt about the application of these rules s/he should consult with the chair.
  - f. All decisions under a conflict of interest will be recorded in the minutes of the meeting. The report will record:
    - i. The nature and extent of the conflict;
    - ii. An outline of the discussion;
    - iii. The actions taken to manage the conflict.
  - g. Whenever possible, there should be competitive tendering for contracts or work for which a trustee might be suited (and taking up references from other clients or customers).
- 6. Cerebral Palsy Sport's register of trustees' interests is located in the Trustee Manual.

## 7. Conflicts of Interest Statement and Agreement

As a trustee, you are required to act in the best interests of Cerebral Palsy Sport. 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 tails:

Has Cerebral Palsy Sport made any loans to you? Yes                  No

Have you, or people connected with you through family, business or another charity, an interest in a contract or transaction with Cerebral Palsy Sport? Yes                  No

Have you or any person connected with you derived any pecuniary benefit or gain from Cerebral Palsy Sport? Yes                  No

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

Review date: 07/02/20

**Document Control:**

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