

# The Grantown Society

## Conflict of Interest Policy

### Version Control:

Date approved by Trustees	Comments

# Conflict of Interest Policy

*Conflicts of interest are inevitable and should not be a problem if correctly and sensitively handled. However undeclared or improperly handled, they can cause problems within a charity and can result in the probity of the charity being questioned.*

## Background

This Policy applies to Trustees. Trustees have a legal obligation to act in the best interests of The Grantown Society SCIO (TGS), and in accordance with the charity's governing documents and to avoid situations where there may be a potential conflict of interest.

Conflicts of interests may arise where an individual's work, personal or family interests and/or loyalties conflict with those of TGS. Such conflicts may create problems; they can:

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

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

## The Declaration of Interests

Accordingly, each Trustee should declare any interest using the Declaration of Interests form provided for this purpose and keep such declaration up to date. The Form lists the types of interest you should declare for yourself, a family member or other close personal connection.

To be effective the declaration of interests needs to be updated at least annually, and when any material or specific 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 TGS Chair for confidential guidance.

Interests will be recorded in the charity's Register of Interests, which will be maintained by the Secretary. The Register will only be accessible by Trustees.

## **Data Protection**

The information provided will be processed in accordance with the data protection principles as set out in the General Data Protection Regulation (Regulation (EU) 2016/679) ("GDPR"). Data will be processed only to ensure that Trustees act in the best interests of TGS. The information provided will not be used for any other purpose.

## **What to do if you face a conflict of interest**

If you believe you have a perceived or real conflict of interest you should:

- declare the interest at the earliest opportunity
- withdraw from any discussions and decisions relating to the conflict.

If you fail to declare an interest that is known, another TGS Trustee should declare that interest.

A balance needs to be made to ensure that the conflicted Trustee still receives sufficient information about the activities of the charity generally without disclosing sensitive information that could place the individual in an untenable position.

## **Decisions taken where a Trustee has an interest**

In the event of the Board having to decide upon a question in which a Trustee has an interest, all decisions will be made by a vote, with a simple majority. A quorum must be present for the discussion and decision: the conflicted Trustee(s) will not be counted when deciding whether the meeting is quorate. The conflicted Trustee(s) may not vote on matters affecting their own interests (and may be required to leave the room for the discussion).

All decisions under a conflict of interest will be recorded by the Secretary and reported in the minutes of the meeting. The report will include:

- the nature and extent of the conflict
- an outline of the discussion
- the actions taken to manage the conflict.

Where a Trustee benefits from the decision, this will be reported in the Annual Accounts in accordance with the applicable accounting Regulation.

## **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.

### **The Grantown Society (SCIO)**

Registered with the Office of the Scottish Charity Regulator SC050104  
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