



POLICIES AND PROCEDURES

Conflict of Interest Policy

Introduction

This policy applies to the Trustees of Shakiry Charity for Social Solidarity (Shakiry Charity).

All Trustees of Shakiry Charity have a duty to act in the best interests of Shakiry Charity when making decisions for Shakiry Charity.

If there is a decision to be made where a Trustee has a personal or other interest, this is a conflict of interest and they will not be able to comply with their duty unless certain procedures are followed.

Trustees have a legal obligation to act:

1. in the best interests of Shakiry Charity.
2. in accordance with Shakiry Charity's governing documents, and
3. to avoid situations where there may be a potential conflict of interest

This policy describes situations in which conflicts of interest may arise and the procedures to follow.

About Conflicts of Interest

A conflict of interest arises, for example, when a Trustee is making a decision about the charity that would result in a financial benefit either directly or through someone who is connected to the Trustee.

Charity Trustees have a legal duty to avoid conflicts of interest.

Managing Conflicts of Interest

Conflicts of interest may be inevitable. Therefore, it is necessary to act to prevent them from interfering with the ability to make a decision in the best interests of the charity.

The Charity Commission recommends following a three-step approach so that Trustees are able to comply with their duty.

:

- Identify
- Prevent
- Record.

1. Identify conflicts of interest.

Shakiry Charity Trustees are required to declare their interests, and any gifts or hospitality received in connection with their role.

To this effect the following needs to be implemented:

- Any newly-appointed Trustee should complete and sign a Declaration of Interests form (see attached) within one calendar month of being appointed and thereafter when any changes occur.
- In addition, a new Declaration of Interests form must be completed as soon as any declaration is over three years' old.
- Shakiry Charity should maintain an updated document containing a registry of conflicts of interest. Any such conflicts of interest should be minuted at the earliest opportunity within the Minutes of a Trustee Meeting.

The above information will be processed in accordance with data protection principles as set out in the most recent Data Protection Act. Data will be processed only to ensure that Trustees of Shakiry Charity act in the best interests of Shakiry Charity. The information provided will not be used for any other purpose.

In the course of meetings or activities Trustees will disclose any interests in a transaction or decision where there may be a conflict between their interests and Shakiry Charity's best interests, or a conflict between two organizations that the Trustee is involved with. If in doubt, the conflict must be declared anyway and clarification sought.

2. Prevent the conflict of interest.

Once a conflict of interest is identified, prevent it from affecting the decision-making by:

- finding an alternative way forward which doesn't involve the conflict of interest (particularly if the issue is serious).
- taking appropriate steps to manage the conflict (if it's less serious), which will usually mean that the person affected doesn't take part in discussions about the issue.

In the event of a conflict of interest which could affect the aims and objectives of Shakiry Charity, the person(s) involved may not participate in any decision on matters affecting that interest.

3. Record a conflict of interest.

Keep a written record of the conflict of interest and how it is dealt with in the Minutes of the Meetings. Explain:

- what sort of conflict of interest it was
- which Trustee(s) or employee(s) was affected
- if any conflicts of interest were declared in advance

- an outline of the discussion
- if anyone withdrew from the discussion
- how the decision is made in Shakiry Charity's best interest

All decisions under a conflict of interest will be recorded in the Minutes of the Meeting. The Minutes will record the nature and extent of the conflict and the actions taken to manage the conflict.

Where a Trustee benefits from the decision, this will be reported in the annual report and accounts produced.

Charity Commission Guidance

The Charity Commission publishes comprehensive guidance on conflicts of interest which charity trustees need to be aware of.

In particular you should refer to: Conflicts of interest: a guide for charity trustees:

<https://www.gov.uk/government/publications/conflictsof-interest-a-guide-for-charity-trustees-cc29/conflicts-of-interest-a-guide-for-charity-trustees>

