

Adopted: 25th April 2017

CONFLICT OF INTERESTS – POLICY AND PROCEDURES

1.0 INTRODUCTION

The contribution, skills, experience and conduct of Trustees, Staff and Volunteers, is central to the effectiveness and work of Age UK Cambridgeshire & Peterborough (AUKCAP).

This policy explains the expectations we have of people who represent the charity. Their integrity, loyalty and sense of responsibility are key to the messages we convey about our organisation.

The term “employees” will be used throughout this document to refer to trustees, staff and volunteers.

This policy has been drawn up to give guidance on activities where a conflict of interests may arise and what to do when this is likely to occur or may be perceived by others as likely to occur.

AUKCAP supports the principle of open governance. By being open, acknowledging conflicts arise, and recording potential conflicts, these situations can be explained, monitored and managed.

2.0 SCOPE

2.1 *The topics covered include:*

- ◆ Personal benefit from association with AUKCAP
- ◆ Perceived influence over decision making
- ◆ Enquiries about other AUKCAP services
- ◆ Access to confidential information
- ◆ Private work and competing business interests
- ◆ Involvement with more than one party
- ◆ The procedure when an unacceptable conflict of interest is suspected

3.0 **PERSONAL BENEFIT FROM ASSOCIATION WITH AUKCAP**

3.1

Older people trust AUK, it is a name they have heard of and which has a reputation they believe they can trust in for honesty, fairness and sensitivity. We each benefit from this organisational reputation and should not put ourselves in a position where there could be any reasonable suspicion of our making personal gain from our association with this charity or that we risk bringing the charity into disrepute.

3.2

AUKCAP employees must not take valuable equipment or supplies home unless this is required for the effective carrying out of their tasks and is authorised by their manager.

Under no circumstances should valuable AUKCAP materials or equipment be used for purposes that are not the business of AUKCAP, unless permission in advance has been obtained from your Manager. Valuable equipment includes equipment that contributes directly to undertaking AUKCAP activities, has monetary value above £20.00 or may be required by another representative of AUKCAP. **For major items of equipment (valued at over £100.00 or essential for AUKCAP activities) this permission must be given by your Manager in writing.**

3.3

Gratuities, to include gifts, tips, loans and bequests can only be accepted in accordance with AUKCAP policy (*see separate policy document*)

3.4

Buying and selling of goods privately or receiving commission from AUKCAP clients is strictly forbidden.

AUKCAP employees, their friends or family will be eligible for AUKCAP services when they meet the criteria laid down by the charity. Under no circumstances will a service be offered as a result of a personal connection to an employee of AUKCAP, when that person does not meet AUKCAP's criteria.

3.5

Under no circumstances will special treatment be available to people solely on the basis of their personal connections to an employee of AUKCAP. Special treatment may be available in exceptional cases when people are below retirement age or experiencing exceptional hardship and where this is approved by the appropriate Manager.

3.6

4.0 **PERCEIVED INFLUENCE OVER DECISION MAKING**

4.1

AUKCAP's Board of Trustees has a particular duty to ensure, while they are acting as members of the Board, that they put the interests of AUKCAP before any other interests.

All Trustees are required to register their interests on appointment and "should not let their personal views or prejudices affect their conduct as Trustees" (CC3)

- 4.2 Board members should declare, at the outset of Board Meetings, any specific agenda items which may imply a potential conflict of interest. If the individual Trustee or Board considers that such a conflict may exist, the individual concerned will remain silent or absent themselves during this item, whichever is deemed appropriate at the time.
- 4.3 Any potential conflict of interest that may arise for an employee of AUKCAP in the evaluation of a proposed new initiative, negotiation and award of a contract (or other agreement), purchase of goods or equipment, sponsorship and recruitment or selection of new AUKCAP employees, must be reported to the appropriate Manager or the Chief Executive or in the case of the Chief Executive the Board of Trustees.

5.0 ENQUIRIES ABOUT OTHER AUK SERVICES

- 5.1 AUKCAP offers a number of services to older people throughout Cambridgeshire and Peterborough, including some trading activities. Employees from AUKCAP Information & Advice (I&A) service must be independent and impartial and must be seen to be so.
- 5.2 AUKCAP I&A employees, if asked about a trading product (such as Insurance,) must inform the client that AUKCAP sells the product and thus cannot give independent advice about what product is best for the client.
- 5.3 AUKCAP I&A employees should refer enquiries regarding AUKCAP products to a colleague who is authorised to give detailed information on trading products available from AUKCAP.
- 5.4 AUKCAP I&A and Trading employees must inform the client that they may be able to get similar products from other sources.

6.0 ACCESS TO INFORMATION HELD BY AUKCAP

- 6.1 AUKCAP employees are expected to keep personal information confidential and restricted to those people who need to know. (*Refer to AUKCAPs Confidentiality policy for further information*).
- 6.2 Confidential information can give rise to conflict of interests. The view of the data subject and the interests of AUKCAP must always take precedence over other personal interests of AUKCAP representatives.
- 6.3 AUKCAP activities may be scrutinised by our collaborators, funders, competitors and purchasers. In order to safeguard our activities, AUKCAP must ensure that communications with independent organisations, their representatives, or the media are made through agreed channels.
- 6.4 AUKCAP must ensure its impartiality and independence is not compromised by ensuring all its information and communications are balanced, non-party political and independent of funders, sponsors or other interests.

7.0 PRIVATE WORK

7.1 There needs to be clarity about the scope of the service AUKCAP is providing, both for the client and for the employee involved in the service. This is essential to enable the service to be effectively managed, to train, support and develop the people involved in the service and to meet our obligations as the responsible organisation.

AUKCAP values the activities of all its employees. However, guidance, policies and the requirements of employees will depend on whether they are paid staff or volunteers.

7.2 Employees:

AUKCAP's employees, within their contract of employment, are required "not to undertake any activity whether paid or unpaid that may compete or conflict with AUKCAP's operations".

AUKCAP employees should not provide a private service in the Cambridgeshire and/or Peterborough area that is paid for to any person who becomes known to AUKCAP as a result of making use of any of the charity's services, either at the present time or in the previous 2 years.

Any unpaid services must not conflict or compete with the charity. All employees are encouraged to openly declare their involvement with any client of AUKCAP to protect the interests of all parties.

All employees are required under the terms and conditions of employment to obtain written permission from the Chief Executive, or in the case of the Chief Executive the Board of Trustees, if they intend to take any other employment or engage in outside business interests. This does not include activities that support family members or close friends, provided that the friendship was established before any relationship with AUKCAP.

7.3 Volunteers

AUKCAP volunteers should notify their Manager if they are proposing to engage in outside interest that may be perceived by AUKCAP or the public as conflicting or competing with the charity.

Volunteers should consider very carefully plans to provide a private service to any person who becomes known to AUKCAP as a result of making use of any of the charity's services, either at the present time or in the previous two years.

Preferably, an older person should be assisted to obtain a service from within AUKCAP or from an independently approved contractor. Only if these options are not available should a volunteer consider offering to provide assistance privately.

In such a case, the volunteer should give their AUKCAP Manager details of any private arrangement that is proposed. It is also important that the older person is clearly advised that the arrangement is a private one.

7.4 AUKCAP can give advice to people who are looking for assistance that we cannot directly provide or source via statutory or voluntary agencies. However, such advice must not imply that AUKCAP is recommending any provider. Lists of providers or details of external organisations that maintain registers of approved contractors can be used to assist people.

7.5 Enquiries for advice and help received from older people must be handled carefully and referred on to the AUKCAP employee's manager or AUKCAP's advice service, where they are clearly outside the scope of the employee's role within the charity.

AUKCAP will aim to offer information to older people about service providers and guidance on key questions that should be asked before accepting a service from an independent service provider.

8.0 INVOLVEMENT WITH MORE THAN ONE PARTY

8.1 AUKCAP acknowledges that conflicts of interest can arise when the charity has involvement with more than one person in a situation. This can happen for example, when we are involved with an older person, their relatives or when a retired person is supporting an older relative.

8.2 AUKCAP employees must ensure that the interest and views of older people are fully considered and taken into account. When there is a need to support the interests of more than one older person in any situation, AUKCAP must identify separate employees to ensure the interests of the parties are managed separately. Alternatively, a referral may be made to another appropriate organisation.

8.3 So far as possible, older people should be supported to make their own decisions and this may often require referral to another appropriate organisation.

9.0 WHEN AN UNACCEPTABLE CONFLICT OF INTEREST IS SUSPECTED

9.1 If an unacceptable conflict of interest is suspected, the situation should be reported to your line manager, and the circumstances investigated.

In the case of a Trustee, the matter should be reported to the Chief Executive or Chairman.

9.2 The complaints policy and/or the disciplinary policy may apply depending on the circumstances.

9.3 A serious breach of this policy may amount to gross misconduct and could give grounds for dismissal from the charity.

10.0 **REVIEW**

10.1 This policy will be reviewed within 36 months of adoption.