Policy 11: Conflict of Interest

Last updated by: SH,RS

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1. **Introduction**

a) Decision-making by Age UK York (AUKY) is undertaken on a constant basis by the Chief Officer (CO) and staff;

b) The Board of Trustees of AUKY (the Trustees) have overall responsibility for decisions made on behalf of AUKY but have devolved day to day responsibility on the Chief Officer;

c) All AUKY workers, including Trustees, have an obligation to work in the best interests of AUKY and its service users;

d) The Trustees seek to:
   - Ensure transparency in any decision-making in order to protect the reputation and standing of AUKY and prevent doubts arising as to the transparency of any decision;
   - Ensure that all workers recognise and disclose any potential conflict of interest and take steps to avoid and manage them;

e) This policy does not imply any lack of trust in, or the loyalty of, workers, but is a mechanism for protecting AUKY and each worker against criticism or compromise.

2. **Scope**

This policy applies to all employees and volunteers of AUKY, including Trustees.

3. **Related policies**

This Policy should be read in association, in particular, with Policy 80, the Trustee Responsibility Policy and Conflict of Interest Form and with Policy 7, the Purchasing and Procurement Policy. In any case of doubt the Trustees may take advice from Age UK.

4. **Definition of conflict of interest**

a) A conflict of interest arises where any individual in a position to influence a decision has an interest in the actual or potential benefit for him/herself, a relative or person associated with them, which would be at the expense of an organisation;

b) Examples of conflict of interest include, but are not restricted to:
   - Where a matter under discussion involves using a company with which an individual has a connection;
   - A service user wants to complain to a worker about an individual where that individual is a member of the worker's family;
   - A company tendering for a contract is connected with a worker who is deciding or helping to decide the contract award;
   - A worker is the carer or relative of somebody who uses the organisation's services, and decisions are being considered on what level of service they will receive;
   - A worker is given information by an individual that the worker knows or finds out is false, where that information is being used or intended to be used to obtain some benefit;
   - A worker, including a Trustee, becomes aware that a funder or potential funder may have a conflict of interest that affects any aspect of AUKY;
   - Where Age UK products and services are concerned, there may be a conflict of interest with the provision of services by AUKY. In any such instance, the CEO
and Trustees of AUKY will discuss the situation with Age UK and take appropriate remedial action.

5. Responsibilities

a) It follows that all AUKY workers, including staff, volunteers and Trustees are placed in a position of trust whenever they are associated with any decision;

b) All workers will always bear in mind that AUKY's long-standing reputation can be damaged where there is any doubt or lack of transparency about the correctness of any decision;

c) Workers will also bear in mind that where finance is concerned, if donations or contract awards are made and there is doubt as to the transparency of the handling of such finance, there may be legal and criminal implications;

d) It is an offence knowingly to help somebody to claim any financial advantage based on false information. Any worker who is aware of such a false claim must immediately advise that person that AUKY cannot assist them;

e) Workers found in obvious breach of this policy could render themselves liable to disciplinary action being taken, up to and including dismissal.

6. The Conflict of Interest Form

a) Trustees sign a Conflict of Interest form (shown at the end of this Policy) following each AGM;

b) Each staff member is given a blank Conflict of Interest form (example at the end of this Policy) on appointment and following each AGM which they must complete, sign, and return to the Chief Officer. If any staff member becomes aware of, acquires a position, or has a close relative or associate where a conflict of interest might arise between each AGM, they must request a new Conflict of Interest form, complete and sign it and hand it to the Chief Officer;

c) Trustees are invited, at each Trustee Board meeting, to declare any interests that arise during discussions at that Board meeting. 'Conflict of Interest' is a standing item on each agenda. Trustees might become aware that they have a conflict of interest at any point during a Board meeting. They will immediately declare this interest and the Chair will take such action as seems fit. This may include excluding the Trustee from the meeting room during discussion of that item, or not permitting them to vote on that item;

d) Volunteers will not automatically receive a Conflict of Interest form for practical reasons. However, an explanation of Conflict of Interest will be covered at Induction and at this point, or at any future point where a volunteer is aware that Conflict of Interest could arise, they must request a Conflict of Interest form, complete and sign it and hand it to the Chief Officer.

7. Action to be taken in the event of possible conflict of interest

a) The over-riding principle is: If in doubt, disclose a possible conflict;

b) In any case of doubt, a worker must make a disclosure, on the form as indicated above, of possible conflict to their manager or supervisor who will advise them how the issue should be handled. This disclosure should be made at the earliest indication of a possible conflict, including at any point at which a decision is under discussion or likely to be made;

c) Where decisions are to be made by vote, which would normally be at a Board of Trustees meeting, a Trustee, having declared an interest, may take part in the discussion but must not vote. The Chair of any such meeting will take into account the existence of a quorum for voting and may take an additional deciding vote to her/himself. The Minutes
of that meeting will specifically record this action and the Chair may decide that the names of those voting and the decisions of those votes should also be recorded;

d) Where a worker has declared a conflict of interest, s/he will have no further involvement in any work in that connection. This may require that work that that worker would normally undertake is carried out by a colleague. The appropriate line manager or supervisor will make suitable arrangements.
### Conflict of Interest Form for the Board of Trustees 2019

<table>
<thead>
<tr>
<th>Name</th>
<th>Interest/potential conflict</th>
<th>Does it relate to you or a connected person: spouse or close family member</th>
</tr>
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<tbody>
<tr>
<td>Derek Bottomley</td>
<td>Have no interests of conflict to register which will affect role as Chair</td>
<td>N/a</td>
</tr>
<tr>
<td>Helen Vos</td>
<td>Have no interests of conflict to register</td>
<td>N/a</td>
</tr>
<tr>
<td>Hilary Henderson</td>
<td>Have no interests of conflict to register</td>
<td>N/a</td>
</tr>
<tr>
<td>Gareth Wigdahl</td>
<td>Financial Adviser Will Writer</td>
<td>Self</td>
</tr>
<tr>
<td>Rosemary Suttill</td>
<td>Volunteer adviser, York CAB</td>
<td>Self</td>
</tr>
<tr>
<td>Howard Widdall</td>
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<td></td>
</tr>
</tbody>
</table>
Conflict of Interest Form for staff and volunteers

Your name

Date

Signature

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<tr>
<th>Interest/potential conflict</th>
<th>Does it relate to you or a connected person: spouse or close family member</th>
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All staff will receive a blank copy of this form on appointment and following each AGM. The form must be signed, dated and returned to the Chief Officer even if there are no potential conflicts of interest. In any case of doubt, staff must discuss the situation with their own line manager or supervisor or the Chief Officer.

Volunteers will be given an explanation about Conflicts of Interest at their Induction. They can request a blank Conflict of Interest form at that time or at any time when they believe there may be a Conflict of Interest. Volunteers will be reminded to declare any Conflict of Interest at their supervision sessions. Completed forms must be signed and dated and given to the Chief Officer.

Completed forms will be kept on workers' personal files, which are confidential and kept in secure, locked cabinets. Blank forms (i.e. where no conflict is declared) will be destroyed once seen by the Chief Officer. Where there is no longer a conflict of interest or where new conflicts are recorded on a new form, the older form will be destroyed.