



## **1 Overview**

This document applies to all Trustees and Heads of Department [as defined by the Board of Trustees].

Trustees have a legal obligation to act in the best interests of The Catholic Association, and in accordance with The Catholic Association's governing document, to avoid situations where there may be a potential conflict of interest. Heads of Department are expected to act in the best interests of the Catholic Association.

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

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

The aim of this document is to protect both The Catholic Association and the individuals involved from any appearance of impropriety.

## **2 Declaration of interests**

Trustees and Heads of Department are required to declare their interests, and any gifts or hospitality offered and received in connection with their role in The Catholic Association. A "Declaration of Interests Form" is provided for this purpose, listing the types of interest that should be declared. Once the form has been completed each Trustee will be required to verbally declare at Board meetings that the contents of the declaration remain accurate. Similarly, Heads of Department must make such a declaration at relevant committee meetings.

Any uncertainty around what to declare, or whether/when a declaration needs to be updated, should be referred to the Chair or the Chief Executive for confidential guidance. If in doubt always err on the side of caution. The register of interests shall be used to record all gifts and hospitality of a value over £50 received by the trustees and Heads of Department. The register of interests will be maintained by the Chief Executive/Company Secretary and will be accessible to all trustees.

## **3 Data Protection**



The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998.

#### **4 What to do if a conflict of interest situation arises**

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

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

The Company Secretary should take special care to ensure that minutes or other documents relating to the item presenting a conflict are appropriately redacted for the person facing the conflict. A balance needs to be made to ensure that the person still receives sufficient information about the activities of the charity generally without disclosing such sensitive information that could place the individual in an untenable position.

If a trustee or a member of the management committees is a user of The Catholic Association's services, or the carer of someone who uses The Catholic Association's services, they should declare their interest at the earliest opportunity.

#### **5 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 vote, with a simple majority required. A quorum must be present for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate.

Interested board members may not vote on matters affecting their own interests. All decisions under a conflict of interest will be recorded by the meeting minute secretary and reported in the minutes of the meeting. The report will record:

- 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 report and accounts in accordance with the current Charities SORP.

All payments or benefits in kind to trustees will be reported to the Catholic Association's accountants who will recommend the detail to be reported in the annual report and accounts.



Where a Trustee is connected to a party involved in the supply of a service or product to the charity, this information will be fully disclosed in the annual report and accounts.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures. The Catholic Association solicitors may be approached.

## **6 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.



Declaration of Interests Form

I ..... as Trustee/Head of Department of The Catholic Association have set out below my interests in accordance with The Catholic Association's Conflicts of Interest policy.

Please give details of the interest and whether it applies to yourself or, where appropriate, a member of your immediate family, connected persons or some other close personal connection.

Current employment and any previous employment in which you continue to have a financial interest:

Appointments (voluntary or otherwise) e.g. trusteeships, directorships, local authority membership, tribunals etc:

Membership of any professional bodies, special interest groups or mutual support organisations:

Gifts or hospitality offered to you by external bodies and whether this was declined or accepted in the last twelve months:

Do you have any contractual relationship with The Catholic Association?

List any other conflicts that are not covered by the above:

To the best of my knowledge, the above information is complete and correct. I undertake to update as necessary the information provided, and to review the accuracy of the information on an annual basis. I give my consent for it to be used for the purposes described in the conflicts of interest policy and for no other purpose.

Signed:

Position:

Date: