



1. Preliminary

- 1.1 All of the directors of the Charity under this policy refers to each of the directors of the Charity and applies to all Trustees of the Charity.
- 1.2 All Trustees [and staff of the Charity] must make every effort to avoid any conflict of interest between the interests of the Charity on the one hand, and personal or business interests on the other. This includes avoiding any appearance of a conflict of interest.
- 1.3 The purpose of this policy is to ensure the integrity of the Charity's decision-making process, to ensure the Charity has confidence in the integrity, and to protect the reputation of the Trustees and the Charity [and its staff].

the Charity's charity trustees. 'Trustee' in this policy refers to each of the charity trustees of the Charity. This policy applies to all Trustees of the Charity.

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The purpose of this policy is to ensure the integrity of the Charity's decision-making process, to ensure the Charity has confidence in the integrity, and to protect the reputation of the Trustees and the Charity [and its staff].

2. Legal Obligations

- 2.1 A Trustee has a personal duty to act in the best interests of the Charity, and in accordance with the Charity's constitution, and to avoid any conflict of interest. [Staff and volunteers also have a duty to act in the best interests of the Charity.]
- 2.2 **Note: If the Charity's Articles of Association do not contain provisions dealing with conflicts of interest, then the following extracts from those Articles of Association should be included. If the Charity is a charity limited by guarantee but its Articles of Association do not contain provisions dealing with conflicts of interest, then the following extracts from the Charity's Articles of Association should be included.**

to act in the best interests of the Charity, and in accordance with the Charity's Articles of Association (its constitution), and to avoid any conflict of interest. [Staff and volunteers also have a duty to act in the best interests of the Charity.]

Note: If the Charity's Articles of Association do not contain provisions dealing with conflicts of interest, then the following extracts from those Articles of Association should be included. If the Charity is a charity limited by guarantee but its Articles of Association do not contain provisions dealing with conflicts of interest, then the following extracts from the Charity's Articles of Association should be included.

[The Charity's Articles of Association should contain the following provisions:

Declaration of directors

- 16. A director must declare any interest which he has in any transaction or arrangement with the charity or in any transaction or arrangement into by the charity which has not previously been approved by the charity. He must absent himself from any discussions of the charity in which it is possible that a conflict will arise between his duties to the charity and any personal or business interest (including his own financial interest).

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Conflict of interests and duties

- 17(1) If a conflict of interest arises between a director's duties to another organisation and his duties to the charity, then the director must disclose the conflict to the charity. If the charity is satisfied that there is no conflict of interest, then the director may continue to act in the best interests of the charity.

or because of a duty of loyalty owed to another organisation, a conflict is not authorised by virtue of the provisions of the Articles of Association. Unconflicted directors may authorise a conflict of interest if the following conditions apply:

- (a) the conflict is disclosed to the charity at the meeting from the part of the meeting at which the conflict of interest arises or transaction affecting that

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(b) the co...
be cou...
at the

(c) the un...
author...

17(2) In this article a...
another organ...
involve a direc...
person.]

ote on any such matter and is not to...
ther a quorum of directors is present

r it is in the interests of the charity to...
n the circumstances applying;
because of a duty of loyalty owed to...
s to such a conflict which does not...
ature to a director or to a connected

3. Conflicts of Interest

3.1 A conflict of interests...
interests (or those of...
owe to another organ...
affect the Trustee's d

a Trustee's business or personal...
b" a Trustee), or loyalty that they...
(or may appear to) influence or

3.2 A person "connected...
grandparent, brothe...
person living with the...
Trustee, or an ins...
connected with the T

relative (child, parent, grandchild,...
partner of the Trustee or any...
ner, or a business partner of the...
ther the Trustee or a person

3.3 Examples of conflicts

ase of a Trustee who:

3.3.1 is also a be...
considers w...
beneficiaries)

y and a Trustee board meeting...
ce users of the Charity (i.e.

3.3.2 is related to...
meeting cons

arity's staff and a Trustee board...
nditions.

3.3.3 is also a trus...
another organ...
Charity.

of the management committee of...
ing for the same funding as the

3.3.4 has shares in...
provide servic...
such a busin...
such a busin...
business.

awarded a contract to do work or...
a director, partner or employee of...
neone who has either shares in...
partner or employee of such a

4. Declaring Conflicts of Inte

4.1 A Trustee has a pers...
to fulfil his/her legal...
Trustee should be m...
of interest affecting h...
nature and extent of

clare conflicts of interest if s/he is...
best interests of the Charity. A...
g any actual or potential conflict...
d parties, and should declare the...
ect or indirect.

4.2 Upon appointment,...
interests, such as bu...
property interests th...
written disclosure wi...
file and will be updat

ake a full, written disclosure of...
onships, posts held, or financial or...
sult in a conflict of interest. This...
referred to below and] be kept on...
when any material changes occur.

4.3 Each Trustee must a...
connection with their...
of interest.

hospitality offered and received in...
could potentially result in a conflict

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4.4 A declaration of interest to each Trustee for the a Trustee should declare

[the Trustees] [Charity Secretary] it will list each type of interest that

4.5 At the beginning and must declare any interest conflict between the a conflict between the the Trustee is involved anyway and clarification

any meeting of Trustees, a Trustee or decision where there may be a and the Trustee's best interests or charity and another organisation that potential conflict must be declared

4.6 If a Trustee has any be declared, s/he should Trustees].

s/he has an interest which should on that question to [the Chair of Trustees].

5. Dealing with Conflicts of Interest

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5.1 If a Trustee believes appear that s/he has earliest opportunity relating to the matter counted as part of the matter.

conflict of interest or that it might e should declare the interest at the discussions or decisions or votes he has a conflict. S/he will not be the meeting which deals with that

5.2 Where a conflict of loyalty to another or virtue of [any provision the Articles of Association authorise such a conflict

Trustee because s/he owes a duty of d the conflict is not authorised by or Articles] [the above Article 17 of , the unconflicted Trustees may e following conditions apply:

5.2.1 The Trustees benefit for a Charity's Articles from the Commission

the Charity Commission's before a hat is not either authorised in the s not already authorised in writing

5.2.2 the Trustee v part of the m transaction at

conflict of interest withdraws from the discussion of any arrangement or ation or person;

5.2.3 the Trustee v matter and is Trustees is present

interest does not vote on any such considering whether a quorum of

5.2.4 the other Trust it is in the int the circumstances

ct of interest in this matter consider authorise the conflict of interest in

5.2.5 Any such discussions and decisions

s and the subsequent discussions, ed in the minutes.

5.3 For all other potential Commission to advise Trustees will record it

the Trustees will ask the Charity be recorded in the minutes. The o implement that advice.

6. Benefits

It is essential that a Trustee the Charity is a party unless

benefit from any transaction to which obtained beforehand explicit legal

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authority to do so. [Example] payment by the Charity to a Trustee by the Charity at be clause in the Articles of Ass the court.

charity to a Trustee of a salary, services, or sale of property to a legal authority may come from a ision, the Charity Commission or

7. Data Protection

The information provided in with the Data Protection Trustees act in the best int used for any other purpose.

s will be processed in accordance e processed only to ensure that e information provided will not be

The "Data Protection Legisl time in the United Kingdom limited to the retained EU la 2016/679) (the "UK GDPR Scotland, and Northern I (Withdrawal) Act 2018; t thereunder); and the Privat amended.

ple legislation in force from time to ction and privacy including, but not l Data Protection Regulation ((EU the law of England and Wales, ction 3 of the European Union ct 2018 (and regulations made unications Regulations 2003, as

8. General

8.1 This policy is mea volunteers should re

d judgment. Trustees, staff and its wording.

8.2 [The Trustees will ta staff [when they are should in turn take a [other staff and] volu

policy to the attention of all [senior] n an annual basis.] [[Senior] staff g this policy to the attention of all

The Trustee board will, as from time to time.

d enforce this policy, and revise it

[Adopted][Revised] on [<<D

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