



Policy & Procedure

Conflict of Interest ~ Trustees / Directors

1. Conflict of Interest Policy

This policy applies to the Trustees/Directors of UK Deaf Sport Ltd

2. Rationale

Trustees/Directors have a legal obligation to act in the best interests of the organisation, and in accordance with their governing document (Memorandum and Articles), and to avoid situations where there may be a potential conflict of interest.

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

- ❖ Inhibit free discussion
- ❖ Result in decisions of actions that are not in the interests of the organisation; and
- ❖ Risk the impression that the organisation has acted improperly.

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety

This policy has been formulated with reference to guidance from the Charity Commission and the Institute Chartered Secretaries and Administrators (ICSA).

3. Declaration of Interests

Trustees/Directors and staff are asked to declare their interests, and any gifts or hospitality received in connection with their role in the organisation. A declaration of interests form will be provided for this purpose, listing the types of interest you should declare. This declaration needs to be completed annually.

Interests will be recorded on the organisation's register of interests, which will be maintained by the Chair or Chief Executive. The register will be accessible on request by the Trustees/Directors, Chief Executive, Companies House and Charity Commission as required. Inspectorates relevant to the organisation's functioning may also be granted sight of the register.

4. Data Protection

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that trustees act in the best interests of the organisation. The information provided will not be used for any other purpose.

5. Discussions relating to a conflict of interest

If you are a user of the organisation's services, or related to someone who uses them, you should not be involved in decisions that directly affect the service that you, or the person you are related to, receive(s). You should declare your interest at the earliest opportunity and



withdraw from any subsequent discussion. The same applies if you face a conflict for any other reason.

You may, however, participate in discussions from which you may indirectly benefit, for example where the benefits are universal to all users, or where your benefit is minimal.

If you fail to declare an interest that is known to Chair or Chief Executive, they will declare that interest.

6. Decisions taken where a Trustee/Director has an Interest

In the event of the Board having to decide upon a question in which a Trustee/Director 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. Board members may not vote on matters related to their own interests and/or affecting their own interests.

Any Trustee/Director who has a financial interest in a matter under discussion, should declare the nature of his/her interest and withdraw from the room, unless he/she has dispensation to speak.

If a Trustee/Director has any interest in the matter under discussion which creates a real danger of bias, that is, the interest affects him/her, or a member of his/her household, more than the generality affected by the decision: he/she should declare the nature of the interest and withdraw from the room, unless he/she has dispensation to speak.

All decisions under a conflict of interest will be recorded by the 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.

If a Trustee/Director has any other interest which does not create a real danger of bias, but which might reasonably cause others to think it could influence their decision, he/she should declare the nature of the interest, but may remain in the room, participate in the discussion, and vote if he/she wishes.

7. Reporting Trustee/Director benefits

Where a Trustee/Director benefits from a decision made relating to their conflict of interest, this will be reported in the annual report and accounts in accordance with the current Charities SORP.

All payments or benefits in kind to Trustee/Director will be reported in the organisation's accounts and annual report, with amounts for each Trustee/Director listed for the year in question.

Where a member of the organisation's staff are connected to a party involved in the supply of a service or product to the charity, this information will also be fully disclosed in the annual report and accounts.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.



8. Managing Contracts

If a Trustee/Director has a conflict of interest, he/she must not be involved in managing or monitoring a contract in which he/she has 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.

9. Payment of Trustees/Directors

Whilst trusteeship is normally a voluntary role, there are exceptions which allow the organisations to make payment to Trustees/Directors where in line with the governing documents. Replicated below is the relevant passage from UK Deaf Sport document:

9.1.1. Memorandum of Association of UK Deaf Sport

Section 5

“The income and property of the Charity shall be applied solely towards the promotion of the Objects and no part shall be paid or transferred, directly or indirectly, by way of dividend, bonus or otherwise by way of profit, so members of the charity, and no trustee shall be appointed to any office of the Charity paid by salary or fees or receive any remuneration or other benefit in money or money’s worth from the Charity: Provided that nothing in this document shall prevent any payment in good faith by the Charity:

(1) of the usual professional charges for business done by any trustee who is a solicitor, accountant or other person engaged in a profession, or by any partner of his or hers, when instructed by the Charity to act in a professional capacity on its behalf under this provision and that a trustee shall withdraw from any meeting at which his or her appointment or remuneration, or that of his or her partners, is under discussion:”

9.2. UK Deaf Sport Limited

Payments may be paid to Trustees/Directors for up to a total of £1,000 during the financial year. If total payments to trustees exceed £1,000 in the financial year, we must make a declaration to the Charity Commission for their authorisation.

10. Payments

Any payments made to Trustees/Directors for services to the organisation will be proportionate to the charity’s turnover and in line with current market values. The trustees will ensure that the amount paid to individual Trustees/Directors is not disproportionate to the charities’ requirements and therefore does not cast aspersions on either the individual or the organisation’s integrity.

Any further questions, queries or clarifications should be directed to the Chair or Chief Executive for further information.