


# CONFLICT OF INTEREST

<b>VERSION No</b>	2	
<b>REVIEWED BY</b>	Registered Manager (MP)	
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## Policy Statement

*This company conflict of interest policy applies to all prospective or current employees of the company, as well as independent contractors and persons acting on behalf of the company.*

*Conflict of interest may occur whenever an employee's interest in a particular subject may lead them to actions, activities or relationships that undermine the company and may place it to disadvantage.*




## Principles.

The key principles to any effective policy are as follows:

- ✓ **Define a conflict of interest in relation to your organisation:** Would there have to be some personal or financial interest for a employee for a conflict of interest to be considered, or would historical connection to the beneficiary of a decision be sufficient to trigger the procedures.
- ✓ **Consider the future likelihood of such conflicts:** Is the conflict of interest likely to be exceptional in which case the person's membership of the decision-making body is unproblematic, or would it be so frequent that it might be best to consider alternative membership of the council.
- ✓ **Agree the method of declaring an interest:** This may be a written declaration completed annually. Alternatively, it may be a declaration at or before the meeting at which the decision in question will be considered.
- ✓ **Agree the method of addressing the conflict:** Again, there are numerous ways of addressing a conflict of interest. The person in question might absent themselves completely from all consideration, or they may participate in the discussion but not the decision.

## The Policy.

Manager and Director have an obligation to act in the best interests of the company and in accordance with Kindcare (UK) Ltd governing document. Staff and volunteers have similar obligations. Conflicts of interests may arise where an individual's personal or family interests and / or loyalties conflict with those of the company. Such conflicts may create problems which can:

-  Inhibit free discussion;
-  Result in decisions or actions that are not in the interests of the company and
-  Risk the impression that Manager and / director have acted improperly.

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

## The declaration of interests

Accordingly, we are asking all staff to declare their interests, and any gifts or hospitality received in connection with their role.

If staff are not sure what to declare, or whether / when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the Manager for confidential guidance. Interests will be recorded.

## 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 all members of staff act in the best interests of the company. The information provided will not be used for any other purpose.

### **What to do if you face a conflict of interest**

If you are a user of the company's services, you should not be involved in decisions that directly affect the service. 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.

### **Decisions taken where a board member or member of staff has an interest**

In the event of the Manager having to decide upon a question in which member of staff has an interest, all decisions will be made by Manager.

All decisions under a conflict of interest will be recorded and reported in the minutes of a meeting. The report will record:



The nature and extent of the conflict;



An outline of the discussion;



The actions taken to manage the conflict.

### **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.

#### ***Related Policies.***

*Bribery*

*Data Protection*

*Duty of Candour*

*Fit and Proper Persons - Directors*

*Position of Trust*