



FOLIO Sutton Coldfield Trustees' Conflict of interest Policy

This policy applies to trustees and staff.

Why we have a policy

Trustees have a legal obligation to act in the best interests of FOLIO Sutton Coldfield, and in accordance with FOLIO Sutton Coldfield's governing document, 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 FOLIO Sutton Coldfield. Such conflicts may create problems; they can:

- inhibit free discussion
- result in decisions or actions that are not in the interests of FOLIO Sutton Coldfield
- risk the impression that FOLIO Sutton Coldfield has acted improperly.

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

We ask trustees to declare their interests, and any gifts or hospitality offered and received in connection with their role in FOLIO Sutton Coldfield. A declaration of interests form is provided for this purpose, listing the types of interest you should declare. To be effective, the declaration of interests needs to be updated at least annually, and when any material changes occur.

If you 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 charity secretary for confidential guidance. This register of interests shall be used to record all gifts of a value over £20 and hospitality over £40 received by the trustees and staff.

Interests and gifts will be recorded on the charity's register of interests, which will be maintained by the charity secretary.

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 FOLIO Sutton Coldfield. The information provided will not be used for any other purpose.

What to do if you face a conflict of interest

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 charity secretary, or other person nominated to take and provide minutes, 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.

You should declare your interest at the earliest opportunity and withdraw from any subsequent discussion, unless expressly invited to remain in order to provide information. In this case you may not participate in, or influence, the decision or any vote on the matter. You will not be counted in the quorum for that part of the meeting and must withdraw from the meeting during any vote on the conflicted item. There are situations where you may participate in discussions from which you could indirectly benefit, for example where the benefits are universal to all users, or where your benefit is minimal. This action will be agreed by the chair and minuted accordingly.

If you fail to declare an interest that is known to the charity secretary and/or the chair of the board, the charity secretary or chair will declare that interest.

Decisions taken where a trustee or member of staff has an interest

In the event of the board having to decide upon a question in which a trustee or member of staff 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 charity 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 in accordance with the current Charities SORP. All payments or benefits in kind to trustees will be reported in the charity's accounts and annual report, with amounts for each trustee listed for the year in question.

Where a member of FOLIO Sutton Coldfield's staff are 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. The Charities SORP 2005 requires the full disclosure of all 'related party' transactions with any third party that may inhibit the charity being able to pursue its separate interests. The Charity Commission strongly recommends that all trustee payments should be disclosed in an appropriate manner, see CC11 Trustee payments and expenses Specimen conflict of interest policy, declaration form and register of interests for charity trustees

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.

Last updated: July 2019

FOLIO Sutton Coldfield Register of Interests

Ias trustee of FOLIO Sutton Coldfield have set out below my interests in accordance with the organisation's conflicts of interest policy.

Category	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.	
Investments in unlisted companies, partnerships and other forms of business, major shareholdings and beneficial interests.	
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 charity?	
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: