



Council Members Conflict of Interest Policy

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This policy reflects legislation and official guidance at the time it was last reviewed. Any changes in legislation will take precedence over anything printed in this policy. Where other policies are referred to they can be viewed on the Policy Library

Council Members Conflict of Interest

Links with other school policies and practices

This policy links with the following other RSN policies and practices:

- Trustee Code of Conduct
- Charity Commission guidance
<https://www.gov.uk/guidance/managing-conflicts-of-interest-in-a-charity>

1. Introduction

1.1 This document sets out the RSN's policy on Council Members conflict of interest and explains how we identify and manage any conflicts of interest that may arise. The aim of this policy is to protect both the RSN and the individuals involved from any appearance of impropriety.

1.2 Council members have a duty under common law to act in the best interests of the charity they serve. They should not benefit from the charity and should not be influenced by their wider interests when making decisions affecting the charity.

2. Scope

2.1 The Policy and Procedure set out in this document applies to all Council members (Trustees).

3. What is a conflict of interest?

3.1 A conflict of interest arises when an individual's own personal interest (financial, social, political or otherwise), activity or relationship influences (or has the potential to influence) the interests of the RSN. Such situations present a risk that Council members will make decisions based on these external influences, rather than the best interests of the charity.

4. Policy

4.1 All Council members are required to complete an annual declaration of interests form including both their own interests and those of close family members. The form is usually completed at the end of each financial year. To be effective, in addition to the annual update, the form must also be updated when any material changes occur.

4.2 Information from the declaration of interest forms is held in a register of interests which is maintained by the Finance Director. The register is accessible by the Finance Director and Chief Executive and is also reviewed by the RSN's auditors. The information provided will be processed in accordance with data protection

principles as set out in the Data Protection Act 2018. Data will only be processed to ensure that Council members act in the best interests of the RSN. The information provided will not be used for any other purpose.

4.3 At the start of Council and Finance and Investment Committee meetings the Chair will request the declaration of any interests in relation to any items covered on the meeting agenda, ensuring that appropriate action can be taken and formal records made. If a Council member believes they have a real or perceived conflict of interest they should declare the interest at the earliest opportunity and withdraw from discussions and decisions relating to the conflict.

4.4 The Chief Executive 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 received sufficient information about the activities of the charity generally without disclosing sensitive information.

4.5 In the event of the Council having to decide upon a question in which a Council member has an interest, all decisions will be made by vote, with a simple majority require. A quorum must be attained for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate. Interested Council members may not vote on matters affecting their own interests.

4.6 All decisions under a conflict of interest will be recorded and reported in the minutes of the meeting. The report will record the nature and extent of the conflict, an outline of the discussion and the actions taken to manage the conflict.

Procedure - Reflected in the Policy

Scheduled - Not required