

[Church name] CONFLICT OF INTEREST POLICY

This policy applies to all Trustees at [church name].

Why we have a policy

The trustees have a legal obligation (sometimes called a “fiduciary duty”) to act in the best interests of [church name] and in accordance with its governing document.

Trustees must make decisions based only on what’s best for [church name]. Conflicts may arise where a trustee’s personal or family interests or employment and/or loyalties to some other individual or group conflict with those of [church name].

Such conflicts may create problems. They can:

- inhibit free discussion
- result in decisions or actions that are not in the interests of [church name].
- risk the impression that [church name] has acted improperly.

The purpose of this policy is to protect both [church name] and its Trustees from these things.

Types of Interest which May Give Rise to Conflict

Financial Benefits or Interests

Direct financial benefits or interests include, for example, decisions around employment of Trustees as staff, consultant or advisor, or a situation where a company of which a Trustee is a director or shareholder, may be considered for a contract by the Church.

Other matters of financial interest include the sale of land, the use of a Trustee’s property by the church, or granting of loans by the Trustees to the church. Conflicts of interest in such cases are particularly serious and any financial benefit requires authorisation, usually by the Commission.

Indirect financial interests may arise where such potential financial benefits accrue to a close member of the Trustee’s family, or even a friend, business partner or colleague.

Not all benefits enjoyed by Trustees need to be authorised by the governing document, the Commission or the Courts. It is perfectly acceptable to repay reasonable out of pocket expenses to Trustees. Any costs that are necessary to allow a Trustee to carry out his or her duties as a Trustee can be classed as expenses and recovered from the charity or met directly by the charity. Benefits that are available to all, or that are of inconsequential or little measurable value, will not normally need to be authorised.

Conflicts of Loyalties

This is when another appointment or employment or association (of the Trustee or of a close relative or friend) may potentially influence the decisions of the Trustee in directions which may not be in the best interest of [church name]. It is expected that other charity roles, particularly as Trustee or employee, should be declared.

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Ultimately, it is not possible to define all the circumstances which may lead to a potential conflict of interest. It is the responsibility of each individual Trustee to declare any matters which he or she feels may present actual or potential conflicts, or the perception of such conflicts. If in doubt, it is better to make a declaration so that any potential conflict can be managed appropriately.

Disclosing ongoing conflicts of interest

Each year every Trustee will make a full, written disclosure of interests (see appendix 1), such as relationships, and posts held, that could potentially result in a conflict of interest. This written disclosure will be kept on file.

Handling conflicts of interests

The declaration of conflicts of interest will be a standing item on the agenda of Trustees meetings, encouraging Trustees to consider whether any items on the agenda where there may be a conflict between the organisations' best interests and the Trustee's best interests or a conflict between the best interests of two organisations that the Trustee is involved with.

All conflicts of interest, whether actual or potential, should be declared promptly at the earliest possible opportunity:

- Any Trustee who has a financial interest in a matter under discussion must declare the nature of their interest and withdraw from the discussion.
- If a Trustee has any interest in the matter under discussion, which creates a real danger of bias, that is, the interest affects the organisation which they represent, or a member of their household, more than the generality affected by the decision, they should declare the nature of the interest and withdraw from the discussion.
- If a Trustee 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, they should declare the nature of the interest, but may, if this is acceptable to the chair of the meeting, remain in the room, participate in the discussion, and vote if they wish.

If in doubt, the potential conflict must be declared anyway and clarification sought. Records will be kept of all such discussions.

All matters related to the employment of staff, some of whom are also Trustees, will be dealt with by the Trustees employment committee. The committee will not include any staff or connected persons. Trustees who are staff, or who are closely related to staff, must not seek to influence discussions of the employment committee in any way.

Data Protection

The information provided will be processed in accordance with data protection principles as set out in the General Data Protection Regulations. Data will be processed only to ensure that Trustees act in the best interests of **[church name]**. The information provided will not be used for any other purpose.

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APPENDIX 1

Declaration of Interests Form : [church name]. xxxx Financial Year

Please complete this form. Please include any qualifying interests on this form for yourself or any person connected to you (in broad terms this means family, relatives or business partners of a trustee, as well as businesses in which a trustee has an interest through ownership or influence). These returns will be filed as evidence of our register of interests and be declared as required. (continue overleaf if there is insufficient space). This form is designed to cover the requirements for disclosure of both the Charity Commission and the Inland Revenue.

Name :	Position: Employee/ Elder/Deacon/ Trustee (Select all those applicable)
Trusteeships and Directorships: Please list all trusteeships or directorships of any other organisation that you hold.	<i>e.g. trustee of Tear Fund, wife is a trustee of Scripture Union Camps</i>
Membership of other committees or organisations: Please list all relevant committee memberships that you hold or organisations that you belong to that are related to your work or trusteeship of [church name].	<i>eg Member of Midlands Gospel Partnership church administrators forum. Governor of Little Smalley Primary School</i>
Benefits (Employees Only) All payments or payments in kind or expenses received from other organisations whilst working for [church name]). If the payment was paid to [church name] in lieu of a tax declaration please state this. Expenses claimed from [church name] in connection with work with an external organisation should be listed here.	<i>e.g. £250 from Little Smalley Baptist Church for Sunday services paid to xx church. £100 from Devon Free Church for expenses.</i>
Gifts : Any gifts received from individuals or organisations in connection with your work or trusteeship of [church name].	<i>e.g. Gift from Alice Jones of £200 towards holiday</i>
Any other matter that might be relevant:	<i>eg If in doubt include it!</i>

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Signed :

Name:

Date: