

Register of Interests Policy

Also see: Register of Interests form

Statement

Trustees have a legal obligation to act in the best interests of the Social Workers' Benevolent Trust, and in accordance with the Trust's Governance Document, and to identify and avoid situations where there may be a potential conflict of interest.

The purposes of this policy is to protect the integrity of the Trust's decision-making process, to enable our stakeholders to have confidence in our integrity, and to protect the integrity and reputation of the Trustees.

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

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

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

This policy is meant to supplement good judgment, and Trustees should respect its spirit as well as its wording.

Nevertheless, the Trust needs to find a balance between accountability and unwarranted intrusion into the affairs of the Trustees. Therefore, this policy identifies how conflicts are identified and managed. The most likely areas of conflict relate to the payment of Trustees and conflict of loyalties.

Policy

Trustees are required to declare their interests, and record any gifts or hospitality offered and received in connection with their role in the charity. A **Declaration of Interests** form is provided for this purpose, listing the types of interest that should be declared.

September 2021

Upon appointment each Trustee will make a full, written disclosure of interests, such as relationships, and posts held, that could potentially result in a conflict of interest using the **Register of Interests form**. This written disclosure will be kept on file along with their **Personal Declaration Form** and **Application Form** which is held by the Chair.

The Declaration of Interests will be completed annually.

In the course of meetings or activities, Trustees will disclose any interests in a transaction or decision where there may be a conflict between the Trust's best interests and that of the Trustee.

If a Trustee is not sure what to declare, or whether/when their declaration needs to be updated, they should err on the side of caution. A Trustee who wishes to, should contact the Chair for confidential guidance.

This declaration of interests shall be used to record all gifts of a value over £20 and hospitality over £20 received by the Trustees, and recorded in the minutes.

Data protection

The information provided will be processed in accordance with data protection principles as set out in Data Protection regulations. Data will be processed only to ensure that Trustees act in the best interests of Social Workers' Benevolent Trust. The information provided will not be used for any other purpose.

What Trustees must do if there is a conflict of interest

If a Trustee believes they have a perceived or real conflict of interest they must:

- declare the interest at the earliest opportunity
- withdraw from discussions and decisions relating to the conflict.

There are situations where a Trustee may participate in discussions from which they could indirectly benefit, for example where the benefits are universal to all users, or where their benefit is minimal. This action will be agreed by the Chair and minuted accordingly.

If a Trustee fails to declare an interest that is known to the Trustees and/or Chair, the Trustees or the Chair will declare that interest.

September 2021

Decisions taken where a Trustee has an interest

After disclosure, Trustees understand that he/she will be asked to leave the room for the discussion and will not be able to take part in the decision. Any such disclosure and the subsequent actions taken will be noted in the minutes.

In the event of the Trustees having to decide upon a question in which a Trustee 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 Trustees will not be counted when deciding whether the meeting is quorate. Interested Trustees may not vote on matters affecting their own interests. The Secretary 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 Trust generally without disclosing such sensitive information that could place the individual in an untenable position.

All decisions under a conflict of interest will be recorded by the Secretary and reported in the minutes of the meeting and this will be reported in the annual report and accounts in accordance with the current Charities SORP. The report will record:

- the nature and extent of the conflict
- an outline of the discussion
- the actions taken to manage the conflict.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures. The advice of the Charity Commission will be sought and the advice recorded in the Minutes. All steps to follow that advice will be recorded.

Managing conflicts

All Trustees of the Trust will strive to avoid any conflict of interest between the interests of the Trust on the one hand, and personal, professional, and business interests on the other. This includes avoiding actual conflicts of interest as well as the perception of conflicts of interest.

Examples of conflicts of interest

These can include:

1. An applicant who is related* to a Trustee and there is decision to be taken on whether to give a grant.
2. An applicant who is known personally or professionally to a Trustee either in the present or in the past.
3. A Trustee who is also on the Board of Trustees of another charity that is competing for the same funding or where the other charity has formally supported an applicant's application.

*A relative may be a child, parent, grandchild, grandparent, brother, sister, spouse or civil partner of the Trustee.