

Conflict of Interest Policy

This document is relevant to:	
Trustees	✓
Staff	✓

This policy applies to both Trustees and staff and should be read in conjunction with the register and declaration of interests' form.

Purpose

Trustees have a legal obligation to act in the best interests of Dorset Mind, and in accordance with charitable law and Dorset Mind's Memorandum and Articles of Association.

Staff have a contractual obligation to act in the best interests of Dorset Mind.

Conflicts of interests may arise where an individual's personal, professional or family interests and/or loyalties conflict with those of Dorset Mind. Such conflicts may create problems.

They can:

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

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

Policy

The declaration of interests

Accordingly, we are asking Trustees and staff to declare their interests, and any gifts or hospitality received in connection with their role in Dorset Mind. 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 also when any changes occur. The Treasurer will request updated declaration forms for the year to 31 March at the time of preparing the annual financial statements.

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 Chair of Trustees for confidential guidance.

Interests will be recorded on the charity's register of interests, which will be maintained by the General Manager's office. The register will be accessible by staff in the General Manager's office and made available, if requested, to the Charity Commission.

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 trustees and others involved in Dorset Mind's governance structures act in the best interests of Dorset Mind. The information provided will not be used for any other purpose.

What to do if you face a conflict of interest

You should not be involved in decisions, or discussions, where you have a financial interest (actual or potential), which directly affect a service that you, or a person you care for, receive(s) or which creates a danger of bias, ie where the interest may affect you or a member of your family more than in general. You should declare the nature of your interest and withdraw from the room, unless you are given a dispensation to speak. The same applies if you face a conflict for any other reason.

If you have any other interest which does not create a real danger of bias, but which might reasonably cause others to think it could influence your decision, you should declare the nature of the interest, but may remain in the room, participate in the discussion, and vote. If any Trustee or staff member is concerned whether such an interest constitutes a real danger of bias or not, then a vote will be taken to decide the matter.

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.

If in any doubt about the application of these rules you should consult with the Chair of Trustees. If you fail to declare an interest that is known to the Chair of Trustees or the General Manager, the Chair of Trustees or General Manager will declare that interest.

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

In the event of a Committee having to decide upon a question in which a Trustee or staff member 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 or staff members may not vote on matters affecting their own interests.

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.

Where a Trustee benefits from the decision, this will be reported in the annual report and accounts in accordance with SORP 2000.

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.

Responsibilities

The Chair of Trustees is responsible for managing this policy and overseeing its implementation. Every Trustee and member of staff should take personal responsibility for conforming to it.

Associated Policies and Procedures

- Governance Policy
- Trustee Code of Conduct

Measurable Indicators for Implementation

All Trustees and staff appropriately declare conflicts of interest. Conflicts of Interest are appropriately managed.

The equality impact of this policy has been considered and Dorset Mind believes that it complies with its commitment to equality as stated in its Equality Policy

Policy Ownership

Policy Name	Version	Doc ref
Conflict of Interest Policy	1.1	Conflict of Interest Policy

Policy Owner	Chair of Trustees
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Approval Status

Date adopted by Trustees	October 2015		
Date published	November 2015	Date for next review	October 2017

Consult the Dorset Mind website for the latest version of this policy.

Document Control

Reviewers

Name	Position
Chris Price	Chair of Trustees

Change History

Issue	Date	Author	Reason
1.0	Oct 15	Chris Price	
1.1	Nov 15	Chris Price	Format change