



Arts and Heritage Alliance Milton Keynes

Declaration of Conflict of Interest Policy Approved by Trustees, 30 June 2021

This policy applies to trustees and members of staff.

Why we have a policy?

Trustees and staff have an obligation to act in the best interests of AHA-MK, and in accordance with AHA-MK's governing document, and to avoid situations where there may be a potential conflict of interest. Staff have similar obligations.

Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of AHA-MK.

Such conflicts may create problems that:

- Inhibit free discussion;
- Result in decisions or actions that are not in the interests of AHA-MK; and
- Risk the impression that AHA-MK has acted improperly.

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

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 AHA-MK. 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 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 chair or the governance trustee for confidential guidance.

This register of interests shall be used to record all gifts of a value over £50 and hospitality over £50 received by the trustees and staff. Interests and gifts will be recorded on the charity's register of interests, which will be maintained by company secretary. The register will be accessible by all trustees and placed on the charity's website and submitted to the Charity Commission as appropriate.

Data Protection

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 2018. Data will be processed only to ensure that trustees and staff act in the best interests of AHA-MK. 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 real or perceived conflict of interest, you should:

- Declare the interest at the earliest opportunity; and
- Withdraw from discussions and decisions relating to the conflict.

Special care will be taken to ensure that the 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.

If you are a user of AHA-MK's professional services, or involved in an organisation that benefits from AHA-MK's work, you should not be involved in decisions that directly affect the work in which you are involved. 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 to all members or 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 chair or to the trustee with responsibility for governance, they will declare that interest.

Decisions taken where a board member 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 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 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 staff is 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.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

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.

Rob Gifford
June 2021