

Our Chartist Heritage Conflicts of Interest Policy

The purpose of this policy

Conflicts of interest can damage the reputations of an individual trustee or a particular charity and even reduce public trust and confidence in charities generally. This policy is designed to prevent such harmful effects by requiring individual trustees to identify conflicts of interest and thus enabling the Board of Trustees to prevent such conflicts affecting their decision-making.

Responsibility of Trustees

Trustees have a personal responsibility to declare conflicts of interest in order to fulfil their legal duty to act only in the best interests of the charity. They are expected to familiarise themselves with this policy, Sections 6 and 7 of the OCH Constitution 2019 and guidance provided by The Charity Commission on which this policy is predicated (<https://www.gov.uk/guidance/managing-conflicts-of-interest-in-a-charity>).

Definition of terms

- A conflict of interest refers to circumstances in which a trustee's personal interests or loyalties could, or could be perceived to, prevent a trustee from making a decision only in the best interest of the charity.
- Conflicts of interest most commonly arise where:
 - a trustee stands to benefit directly or indirectly from a potential or measurable benefit through a connected person or
 - a trustee's duty to the charity may be in competition with a duty or loyalty owed to another organisation or person.
- This policy is concerned with all such conflicts of interest whether they be real, potential or perceived.
- Trustee benefit means any instance where money, or other property, goods or services that have a monetary value are received by the trustee from the charity. The law states that trustees cannot receive any benefit from their charity, including in return for any service they provide to it, unless they have the legal authority to do so. Trustee benefit does not include reimbursement of out-of-pocket expenses.
- A connected person means family, relatives or business partners of a trustee, as well as businesses in which a trustee has an interest through ownership or influence

Relevant sections of the OCH Constitution 2019

Section 7 of the OCH Constitution 2019 deals with conflicts of interest and conflicts of loyalty, stating that each OCH Trustee must:

- 1) declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with OCH or in any transaction or arrangement entered into by OCH which has not previously been declared and
- 2) absent himself or herself from any discussions of the OCH Board of Trustees in which it is possible that a conflict of interest will arise between his or her duty to act solely in the interests of OCH and any personal interest (including but not limited to any financial interest).

Any OCH trustee absenting himself or herself from any discussions in accordance with this clause must not vote or be counted as part of the quorum in any decision of the OCH Board of Trustees on the matter.

Section 6 of the OCH Constitution 2019 deals with benefits and payments to OCH trustees and connected persons. It first sets out some general provisions as follow:

No OCH Trustee or connected person may:

- a) buy or receive any goods or services from OCH on terms preferential to those applicable to members of the public
- b) sell goods, services or any interest in land to OCH
- c) be employed by, or receive any remuneration from, OCH
- d) receive any other financial benefit from OCH; unless the payment or benefit is permitted by sub-clause (2) of this clause or authorised by the court or the Charity Commission. In this clause a 'financial benefit' means a benefit, direct or indirect, which is either money or has a monetary value.

Further details are provided in relation to scope and powers permitting trustees or connected persons benefits and the criteria to be used to control payment for the supply of goods.

Procedures for dealing with conflicts of interest and conflicts of loyalty

- a) conflicts of interest and conflicts of loyalty will be explored with all prospective trustees
- b) on appointment trustees will be required to declare all the conflicts of interest and loyalty of which they are aware including business and personal interests and those of their spouse, partner, family and close relatives
- c) trustee interests will be recorded in the OCH's register of interests
- d) trustees will be asked to declare any conflicts of interest and conflicts of loyalty at the beginning of each meeting of the Board of Trustees
- e) a conflicted trustee will be removed from the decision-making process
- f) details of the discussions and the decisions made about dealing with the conflict will be recorded

Transparency

- the register of trustee interests will be provided to all trustees
- the Conflict of Interests Policy will be made available to OCH management committee members, volunteers, employees, consultants and the general public via the OCH website

Review of the policy

The policy will be overseen by Chair of the Board of Trustees and reviewed and approved annually at the AGM

Reviewed and approved 25 April 2023.

**Our Chartist Heritage
Declaration of Trustee's Conflicts of Interest**

Category	Please give details of the interest and whether it applies to you or, where appropriate, to a member of your immediate family, connected persons or some other close personal connection
Current employment and any previous employment in which you have a financial interest	
Appointments (voluntary or otherwise) eg trusteeships, directorships, professional chairs, local authority membership, etc	
Membership of any professional bodies, special interest groups, or mutual support organisations. (It is not necessary to declare an interest if your interest in another charity is only as a subscription paying member)	
Investments in unlisted companies, partnerships and other forms of business, significant shareholdings and beneficial interests in listed companies. (significant for this purpose means holding, together with your family, more than 5% of the issued voting shares of the company).	

Gifts or hospitality offered to you by external bodies whilst acting in your position as a trustee of ACIE and whether this was declined or accepted in the last 12 months	
Do you or your immediate family use, or care for a user of, the charity's services?	
Any contractual relationship with the charity	
Any other conflicts of interest not covered by the above	

To the best of my knowledge the above information is correct and complete. I undertake to advise the Secretary of Our Chartist Heritage Board of Trustees if any of the above information should change or if I become interested in any way that creates a potential conflict of interest with my position as a Trustee of Our Chartist Heritage.

I agree to review and update this declaration annually. I give my consent for this information to be used for the purposes described in the charity's conflicts of interest policy and for no other purpose.

Signed _____(Trustee)

Date _____

Full name (please print in block capitals) _____