

# Hartlepool & District u3a

## CONFLICT OF INTERESTS POLICY

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## 1. INTRODUCTION

Hartlepool and District u3a, hereafter "the u3a", recognises and acknowledges the legal requirement upon Trustees to declare any conflict of interest immediately upon awareness of any possibility that personal or wider interests outside the u3a could influence their decision making.

Although a conflict of interest may be quite rare in the day to day business of the u3a, it is essential for the protection of the membership, the reputation of the u3a overall, and compliance with UK Laws as applicable to the Charity Commission, that the u3a Executive Committee manages and records conflicts of interest in the appropriate manner.

### **What is a conflict of interest?**

As a trustee (ie. an Executive Committee member) you would have a conflict of interest if the u3a Executive Committee were proposing to make a decision that would mean:

- you could benefit financially or otherwise from the u3a
- your Executive Committee duty competes with a duty or loyalty you have to another organisation or person

### **What you must do if you believe a conflict of interest may arise.**

It is a legal requirement that you declare a conflict of interest immediately you are aware of any possibility that your personal or wider interests could influence your decision making.

## 2. IDENTIFICATION OF POTENTIAL CONFLICTS

The u3a Trustees will maintain a register of all potential conflicts of interest that Trustees might have. This may be available to members on request.

The Committee of the u3a will encourage trustees to declare at meetings, anything they feel could fall within this remit. Committee members commit to maintaining confidentiality about any matters deemed not to constitute a potential conflict of interest.

Potential conflicts of interest may arise when a Trustee's personal or family interests and / or loyalties conflict with those of the u3a and can:

- Inhibit free discussion
- Result in decisions or actions that are not in the interests of the u3a
- Risk the impression that the u3a has acted improperly.

Potential conflicts of interest may arise from:

- Financial interest in resources used by the u3a
- Voluntary or employment involvement in any groups, bodies, companies, or organisations which are utilised by, or have links to, the u3a
- Membership of groups, bodies, companies or organisations which utilise resources that are used by the u3a for other purposes
- Close personal friends or family members are involved, such as decisions about employment, discipline or dismissal, service allocation or awarding of contracts

### **3. MANAGEMENT AND RECORDING OF CONFLICTS**

The first item on the Agenda of any meeting should be any declarations of conflicts of interest

- Any declaration, if judged as a genuine or potential conflict of interest by the Executive Committee, shall be recorded in the meeting minutes
- The individual concerned will then be asked to leave the meeting when the agenda item creating the conflict of interest comes up for consideration. Thus, the member having declared the conflict of interest, will have no part in the discussion and voting on that topic.
- Should a trustee realise during the meeting that a conflict of interest may arise, that trustee must immediately draw the matter to the attention of the Chair, before further debate or voting takes place, the conflict of interest will be recorded, and the member will leave the meeting until the next item of business.

If subsequent to a meeting, a conflict of interest becomes apparent, either by the trustee affected or by another trustee, the Executive Committee will have to consider whether the trustee played an effective part in the decision making, and what remedial action be taken (e.g. did the trustee in question influence the meeting by debate, or did that trustee's vote create the majority).

Should a conflict of interest arise during any meeting, this will be recorded as follows:

- The nature of the conflict and the Trustee(s) affected
- Whether this conflict has been declared in advance of being identified at this meeting
- An outline of the discussion
- Whether any trustee(s) withdrew from the discussion
- Prohibit members from voting on any matter in which they are in conflict
- How the remaining Trustees made the decision in the best interests of the u3a

### **4. REVIEW**

This policy will be reviewed every 2 years. Next review due February, 2025

### **5. FURTHER INFORMATION**

If there is any doubt about possible conflicts of interest or how to prevent or manage them which is not explicitly covered in this document, then reference should be made to the guidance on the Government website which can be found using the following link  
<https://www.gov.uk/guidance/managing-conflicts-of-interest-in-a-charity>

### **6. HISTORY**

24<sup>th</sup> February, 2023, Initial version