



TRUSTEE CONFLICTS OF INTEREST POLICY

1. Definition and Trustees' Responsibilities

Trustees have a duty to act in the best interests of Shoreham & Southwick u3a. If there is a decision to be made where a trustee has a personal or other interest, this is a conflict of interest.

Trustees must not put themselves in any position where their duties as trustees may conflict with any personal interest they have.

2. Extract from Shoreham and Southwick u3a Constitution: Conflicts of Interests and Conflicts of Loyalties

A trustee must declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with the charity or in any transaction or arrangement entered into by the charity which has not been previously declared.

A trustee must absent himself or herself from any discussions of the charity trustees in which it is possible that a conflict will arise between his or her duty to act solely in the interests of the charity and any personal interest (including but not limited to any personal financial interest).

Any charity trustee absents 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 charity trustees on the matter.

3. Trustee benefits

A 'trustee benefit' means any instance where money, or other property, goods or services, which have a monetary value, are received by a trustee from the charity. The law says that trustees cannot receive a benefit from their charity, whether directly or indirectly, unless they have an adequate legal authority to do so. The potential for a trustee to benefit from the charity also creates a conflict of interest which the trustees need to address effectively. The term trustee benefit does not include any payments to trustees which are for their proper out of pocket expenses.

4. Procedure

4.1 Register of interests

Where a trustee has declared an interest, this will be recorded in the Shoreham and Southwick u3a's Register of Interests.

4.2 Committee meetings

A trustee who has a conflict of interests must declare that conflict at the beginning of a meeting where the item giving rise to the conflict is to be discussed. Where a trustee has declared an interest in an item being discussed at a committee meeting, they will not take part in the discussions about that item or in any vote on it. The minutes will record that the trustee absented themselves as well as the outcome of the discussion or vote.

4.3 Serious conflicts of interest

If there is a serious conflict of interests, the committee will decide on the most appropriate course of action. This may include not pursuing a course of action, proceeding with the issue in a different way so that the conflict does not arise or not appointing a particular trustee or securing a trustee resignation. If they decide not to remove the conflict of interest, the trustees must prevent it affecting their decision in a different way. This may involve seeking the authority of the Charity Commission to act.

4.4 Monitoring and enforcement of this policy

The trustees of Shoreham and Southwick u3a are responsible for monitoring and enforcing this policy. The policy will be reviewed annually by the committee of trustees.

Version	Description of changes	Date of change
1.0	Original document	14 November 2023