

Conflict of Interest's Policy

1. Application of the Policy

This Policy applies to all Southern Counties Baptist Association (SCBA) Trustees and Staff and sets out the minimum requirements that must be met. On any occasions where Trustees or Staff are concerned that a particular circumstance or event, whilst complying with this Policy, may still lead to a potential or actual Conflict of Interest (whether real or perceived), they should consult with the Company Secretary of SCBA to seek further advice.

2. Conflicts of Interest

A Conflict of Interest exists where a Trustee or a Staff Member personal /professional interests or loyalties could, or could be seen to, prevent them making a decision which is in the best interest of the SCBA.

A Conflict of Interest will occur when there is a divergence between an individual's private interests or loyalties (or those of any Connected Parties) and the interests of the SCBA such that an independent observer might reasonably question whether the individual's actions or decisions are determined by considerations of personal /professional gain, whether financial or otherwise.

A Conflict of Interest is a set of circumstances that creates a risk that an individual's ability to discharge their duty to act in the best interests of the SCBA is compromised because their judgement could be impaired or influenced by a secondary interest.

Conflicts might occur due to the possibility of individuals or Connected Parties having:-

- direct or indirect financial interests;
- non-financial or personal/professional interests;
- conflicts of loyalty where decision makers may have competing loyalties between the SCBA and the other person or entity.

3. Declaration of Interests

This policy sets out the requirements which Trustees and Staff Members must comply with in respect to making appropriate Declaration of Interests where those interests could potentially conflict with the interests of the SCBA. Trustees and Staff have a duty to make a Declaration of Interest in accordance with this Policy.

All Trustees and Staff Members are required to make an annual Declaration of Interests. Any changes during the course of the year must be notified in a new Declaration of Interest, within twenty eight (28) days of the interest being known.

The annual declaration should be made at their first meeting of the year and revisited at each subsequent meeting to ensure changes are declared.

Annual and updated Declarations should be made on the Declaration of Interests form at Appendix 1. Other declarations should be made during the course of the day to day business of the SCBA, for example during Council meetings and meetings of its sub- committees.

Individual Declaration of Interests will be collated to form a Register of Interests. The Register will be managed by the Company Secretary of the SCBA.

The Register of Interests will be used to identify any potential, actual or perceived Conflicts of Interest in order to enable the SCBA to avoid or appropriately manage them.

If a Trustee or Staff Member believes that there is a potential Conflict of Interest which is inappropriate to be shown on the Register for personal reasons, he/she must set out a case to the Regional Minister: Team Leaders (RMTLs) and Moderator of the SCBA who will decide whether that interest should not be included on the Register.

There will be a presumption that all declarations are shared unless there are circumstances that apply which would make this inappropriate and if the redaction from the Register cannot lead to a potential Conflict of Interest occurring or would prevent it from being managed appropriately. It should be noted that it would be a disciplinary offence for any member of staff who legitimately has access to the Register to disclose the contents of it except where this is necessary for them to properly discharge their duties.

Trustees and Staff should have a standard agenda item at the beginning of each meeting to declare any actual or potential Conflict of Interests which he/she has in an item to be discussed on the agenda, before the item is discussed.

If a Trustee or Staff Member is uncertain if he/she is conflicted then he/she should declare the issue and discuss it with the other Trustees or staff members.

If a Trustee or Staff Member is aware of an undeclared Conflict of Interest affecting another Trustee or Staff Member or a Connected Party he/she should declare this to the other Trustees.

Where there is a declared Conflict of Interest the relevant Trustee or Staff Member should withdraw from the meeting, discussion, decision making or voting that takes place concerning that Conflict of Interest or a Connected Party's interest(s). Where there is a Conflict of Interest for all the members of the Regional Team, further advice / accountability should be sought from the appropriate line manager.

4. Pecuniary and Non-Pecuniary Interests

There are a variety of potential interests that Trustees may have that could potentially conflict with their duty to always act in the best interests of the SCBA. Those listed below must be declared by if they have such an interest or if any Connected Party has such an interest. However, there may be other potential interests or conflicts that exist not listed below which should also be declared.

4.1 Pecuniary Interest

Pecuniary (monetary/financial/business) interests include, but are not restricted to:

- a financial interest in a company or organisation if he/she or any nominee of his/hers is the beneficial owner of more than 1% of the issued capital (e.g. shares, bonds etc.);

4.2 Non-Pecuniary Interests

Non-pecuniary (non-monetary/financial) interests include, but are not restricted to:

- Trustees being the partner or relative of other members of staff or Trustees
- pursuit of a business interest/opportunity which is in potential conflict with the best interests of the SCBA
- where any Trustee's partner or relative would have a pecuniary interest, as set out in 5.1 above, if they were a member of staff;
- pursuit of a business interest/opportunity which is in potential conflict with the best interests of the SCBA;
- a professional or legal responsibility to someone else or some other body which is in potential conflict with the best interests of the SCBA
- membership of a society or other organisation, including Trusteeships and whether there is a grant relationship with the SCBA,
- close personal relationships with people or organisations that may, or do, undertake business with the SCBA

- a potential benefit in the future, such as the offer of employment or other benefits, from an organisation that undertakes or could undertake work on behalf of the SCBA

5. Connected Parties

For the purposes of this policy, a Connected Party is defined as any individual or organisation connected to a Trustee or Staff Member. For these purposes the following persons are connected to a: Trustee or Staff Member:-

- a relative of the Trustee or Staff Member. A relative is defined as a close member of the family, or member of the same household, who may be expected to influence, or be influenced by, the person. This includes, but may not be limited to, a child, step-child, parent, step-parent, spouse or civil partner;
- a company in which a member or the relative of a Trustee or Staff Member (taken separately or together) holds more than 20% of the share capital or is entitled to exercise more than 20% of the voting power at any general meeting of that company;
- any individual or organisation that is given the right under the SCBA's articles of association to appoint a Trustee or Staff Member; or anybody related to such an individual or organisation;

6. Personal Relationships and Family Members

Trustee or Staff Member should declare if they are related to or have a partner who is a member of staff or another Trustee or Staff Member.

Trustee or Staff Member who have declared a partner or family member who is a member of staff must not be involved in the recruitment, selection, appraisal, promotion or other processes involving the member of staff or where conflict of interest may exist.

Applicants for jobs within the SCBA will be asked to declare whether they are related to, or are closely acquainted with, any members of the SCBA Council.

7. How Information will be Processed

All information supplied by Trustee or Staff Member will be held centrally and the details collated and recorded on a Register of Interests. This will remain confidential subject to the provisions of the Data Protection Act, the Freedom of Information Act .

9. Decision Making

Where there is a Conflict of Interest, the applicable Trustee or Staff Member must follow the procedure set out in the SCBA's Articles of Association for absenting themselves from the decision making process.

10. Failure to Follow this Policy

Trustee or Staff Member who do not follow this policy may be in breach of their duties and may be subject to internal action within the SCBA, including being removed from their post.