

Corporate Policy 016

Declaration of Interests Policy

Great Britain Wheelchair Rugby



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CORPORATE POLICY 016: DECLARATION OF INTERESTS POLICY

1. INTRODUCTION

- 1.1 Trustees have a legal obligation to act at all times in the best interests of Great Britain Wheelchair Rugby Limited (GBWR) and in accordance with the Articles of Association. GBWR employees and volunteers have similar obligations. Conflicts of interest may arise where an individual's personal, professional or family interests could potentially conflict with those of GBWR.
- 1.2 Such conflicts may create problems as they can:
 - (a) Inhibit free discussion
 - (b) Result in decisions or actions that are not solely in the interests of GBWR
 - (c) Risk the impression that GBWR has acted improperly
- 1.3 The aim of this policy is to protect both GBWR and the individuals involved from any appearance of impropriety.

2. THE DECLARATION OF INTERESTS

- 2.1 Accordingly, we ask Trustees and all employees to declare their interests. A declaration of interests form is provided for this purpose listing the types of interest you should declare. See the GBWR Anti-Bribery and Corruption policy for further details on disclosing gifts or hospitality.
- 2.2 To be effective, the declaration of interests is updated annually and also when any 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 CEO of GBWR for confidential guidance. Interests will be recorded on the GBWR Register of Interests, which will be maintained by the GBWR Corporate Secretary. The register will be accessible by the Chairman of Trustees and CEO, with all instances of access to be recorded.

3. DATA PROTECTION

- 3.1 The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that Trustees and employees act in the best interests of GBWR. The information provided will not be used for any other purpose.



4. WHAT TO DO IF YOU FACE A CONFLICT OF INTEREST

- 4.1 If you are a Trustee, senior employee or volunteer with GBWR you should not be involved in decisions that directly affect the service that you, or the person you care for, receive. You should declare your interest at the earliest opportunity and withdraw from any subsequent discussion. The same applies if you face a conflict for any other reason. You may, however, participate in discussions from which you may indirectly benefit, for example, where the benefits are universal to all users, or where your benefit is minimal. Nevertheless you should declare your interest before such discussion commences.
- 4.2 If you fail to declare an interest that is known to the Chair of the GBWR Trustees and or the CEO, one of them will make that interest known on your behalf.

5. DECISIONS TAKEN WHERE A TRUSTEE OR EMPLOYEE HAS AN INTEREST

- 5.1 In the event of the Board of Trustees having to decide upon a question in which a trustee or an employee 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 and they must absent themselves from the discussion.
- 5.2 All decisions under a conflict of interest will be recorded by Secretary and reported in the minutes of the meeting. The report will record:
- (a) The nature and extent of the conflict;
 - (b) An outline of the discussion;
 - (c) The actions taken to manage the conflict.
- 5.3 Where a Trustee benefits from the decision, this will be reported in the Annual Report and Accounts in accordance with the current Charities SORP.
- 5.4 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.
- 5.5 Where a GBWR employee is connected to a party involved in the supply of a service or product to the charity, this information will also be fully disclosed in the Annual Report and Accounts.
- 5.6 Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

6. MANAGING CONTRACTS

- 6.1 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.
- 6.2 For further information see:

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- (a) The Charity Commission's publication CC11: Payment of Charity Trustees and CC3: the Essential Trustee; What You Need to Know; also the Operational Guidance Note A Guide to Conflicts of Interest for Charity Trustees;
- (b) ICSA's Best Practice Guide Managing Conflicts of Interest in the Not-for-Profit Sector (Revised 2007);
- (c) See also the Charity Commission's Operational Guidance Data Protection 1998 – The Provisions of the Data Protection Act 1998, OG 58 A3 February 2002 for further information.