

## **Conflict of Interest Policy**

### **For Trustees, Committee Members and all staff**

#### **Introduction**

Committee members and trustees have an obligation to act in the best interests of Dyslexia Cornwall, and in accordance with Dyslexia Cornwall's governing document.

Staff have similar obligations.

Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of Dyslexia Cornwall.

Such conflicts may create problems; they can:

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

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety.

#### **The declaration of interests**

Accordingly, we are asking Committee Members and Trustees and staff to declare their interests, and any gifts or hospitality received in connection with their role in the Dyslexia Cornwall. This includes any benefit received by a relative or Dyslexia Cornwall person closely associated with the individual. A 'Declaration of Interests' form is provided for this purpose, and this asks a number of questions to do with the type of conflict of interest and also asks for a statement of the action taken to avoid a conflict of interest.

To be effective, the declaration of interests needs to be updated at least 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 Chairperson or Secretary for confidential guidance. Interests will be recorded on the management committee's register of interests, which will be maintained by the Chairperson or Secretary. The register will be accessible by request to the Chairperson or Secretary subject to any required restrictions under the data protection act.

## **Data Protection**

The information provided will be processed in accordance with data protection principles as set out in the General Data Protection Regulations 2018 (GDPR). Data will be processed only to ensure that Committee Members and Trustees and staff act in the best interests of the Dyslexia Cornwall. The information provided will not be used for any other purpose.

## **What to do if you face a conflict of interest**

If you are a user of Dyslexia Cornwall's services or a relative of a user you should not be involved in decisions that directly affect the service in a way that would benefit you or a relative personally, particularly if this is financial. 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.

If you fail to declare an interest that is known to the Chairperson or Secretary, he/she will declare that interest.

## **Decisions taken where a committee member, trustee or member of staff has an interest**

In the event of the management committee having to decide upon a question in which a Committee Member or Trustee or member of staff 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 Committee Members or Trustees may not vote on matters affecting their own interests. They may participate in the discussion but not the decision-making process.

All decisions under a conflict of interest will be recorded by the Chairperson or Secretary and reported in the minutes of the meeting. The report will record:

- The nature and extent of the conflict;
- An outline of the discussion;
- The actions taken to manage the conflict.

A 'de minimis' exemption applies to contracts less than £100 in value. Random checks against the register of interest will be made on the award of contracts below this value. If the cumulative value of a series of small contracts exceeds £200, the management committee Member will operate the policy used for individual contracts over that sum.

The 'de minimis' exemption does not apply to contracts of employment with the Dyslexia Cornwall.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures through an independent arbitration service.

### **Managing contracts**

It is unlikely that contracts will be awarded to members of the DYSLEXIA CORNWALL committee, trustees or staff, however if this should occur, 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.

### **Monitoring and review**

The Board of Trustees, will regularly review the operation of this policy.

**This policy has been approved and authorised by the Trustees of Dyslexia Cornwall.**

Signed:



Name: Barbara Hewett-Silk

Position: Chairperson

Date: 4<sup>th</sup> May 2018

Next review due: May 2019