



Conflicts of interest policy

Introduction

Trustees, members of the Trust's Medical Advisory Committee and staff have personal and professional connections which bring benefits to the work of the Trust. However, they can also give rise to conflicts of interest. This policy sets out how any potential conflicts of interest will be managed to ensure that decisions are taken in the interests of the Trust, and that the reputations of the Trust and the individuals who contribute to its work are protected.

The existence of a conflict of interest does not reflect on the integrity of the individual concerned, as long as it is properly addressed.

Scope

This policy applies to all Trustees, members of the Medical Advisory Committee and Trust staff.

Why we have a policy

Trustees and staff have a legal obligation to act only in the best interests of the Trust. They must not put themselves in any position where their duties as Trustees or staff may conflict with any personal interest they may have. While there is not the same legal duty on members of the Medical Advisory Committee (MAC), the Committee has a key role in the Trust's decision-making and therefore should also act in accordance with this policy.

The policy is intended to ensure that:

- decisions are taken only in the best interests of the Trust
- all interests are declared and managed appropriately, to protect the Trust and individuals from any allegation of impropriety

- the Trust can demonstrate that it complies with its Trust Deed, the Charity Governance Code, and other relevant regulations and good practice.¹

What we mean by a conflict of interest

A conflict of interest is any situation in which the personal interests or loyalties of a Trustee, member of staff or Committee member could - or could be seen to - prevent them from making a decision only in the best interests of the charity.

Conflicts of interest may arise where either:

- there is a potential financial or measurable benefit to a Trustee, staff or Committee member. This benefit may be direct to the individual or indirect through a connected person. For the purposes of this policy a connected person is a member of the individual's immediate family, a business partner or any business or organization in which the individual or a member of their immediate family has a significant interest
- an individual's duty to the charity may compete with a duty or loyalty they owe to another organisation or person.

Financial benefit

Trustees may claim reasonable out of pocket expenses (such as the cost of travel to Trustee meetings) but do not receive any other payment. No other payments will be made to a Trustee or to any connected person without explicit authorization from the Chairman and other Trustees.

Members of the MAC receive a small honorarium, and are similarly entitled to claim reasonable out of pocket expenses.

How we manage conflicts of interest

The Trust maintains a Register of Interests, which is updated annually. This records all of the interests declared by Trustees, MAC members and staff, in accordance with the definition set out above.

Declaration of Interests appears as the first item on agendas for all meetings of the Trustees and MAC. Individuals are required to declare any interest relevant to the items covered on the

¹ This includes, for example, [Conflicts of interest: a guide for charity trustees](#) (2022), published by the Charity Commission for England and Wales.

agenda, including those listed in the Register and any potential interests that have arisen since the most recent update of the Register.

If an individual is uncertain whether a personal or professional connection constitutes a conflict of interest, he or she should err on the side of openness, declare the issue and discuss it with the other Trustees/members. This will:

- ensure that actions are taken only in the best interests of the Trust
- protect the individual from any subsequent allegation that they have acted improperly
- enable the other Trustees or members of the MAC to decide whether the connection constitutes a conflict, and therefore how it should be managed
- avoid any risk that free discussion could be inhibited by an undisclosed interest
- ensure that conflicts of interests are appropriately recorded in the Register and/or minutes of meetings.

Where a conflict of interest is identified, the Trustees, staff and Committee members will take appropriate action to ensure decisions are taken only in the best interests of the Trust. The appropriate action will be considered on a case-by-case basis, depending on the nature of the interest and the significance of the matter under consideration. In deciding the appropriate action, the following principles will apply.

Individuals must not be involved in discussions or decisions where they stand to gain; either directly or indirectly through a connected person. Nor should individuals be involved in discussions or decisions where they have – or could be seen to have – a significant conflict of loyalty.

This may include for example:

- consideration of grant applications in which they are a co-applicant, or which seek funding for work involving a close colleague or immediate family member
- consideration of any matter that carries a significant level of risk for the Trust (including reputational risk) and the individual's other interest could, or could be seen to, significantly affect the Trustees' decision.

In these circumstances, the individual must withdraw from the meeting when the matter is discussed, and take no part in the decision-making process.

The Trustees and MAC can, before their discussion, ask the individual who is withdrawing to provide any information necessary to help make a decision in the best interests of the charity.

For avoidance of doubt, members of Trust staff must not be involved in any Trustee discussion or decisions about their own terms and conditions or the remuneration they receive, and must withdraw from the meeting when the matter is discussed.

In accordance with Charity Commission guidance, the Trustees and MAC may allow individuals to remain in a meeting where the existence of his or her other interest poses a low risk to decision making in the charity's interests, or is likely to have only an insignificant bearing on his or her approach to an issue.

This may include for example:

- consideration of grant applications from another department within the members' employing institution from which neither they nor any connected person stand to benefit
- consideration of matters that do not carry a significant level of risk for the Trust
- consideration of matters where the individual's other interest is unlikely to affect, or be seen to affect, their decision.

In these circumstances the Trustees or the MAC may decide that the individual can:

- participate in the meeting where the decision is discussed and made, or
- stay in the meeting where the decision is discussed and made but not participate.

In agreeing the appropriate course of action, Trustees, staff and Committee members should assess the significance of the declared interest and of the matter under consideration. They should also consider the degree to which the presence of a conflicted individual might affect trust between Trustees or members, inhibit free discussion or influence decision-making.

In all cases, a record must be kept of the declared interest, and any related discussion and decision.

Confidentiality

Trustees, staff and Committee members must not use confidential information obtained from the Trust for their own benefit or that of another organization. This confidential information will, *inter alia*, include:

- papers, correspondence and discussion relating to Trustee or Committee meetings
- papers, correspondence and discussion relating to grant applications
- papers, correspondence and discussion relating to the Trust's funding policy, beyond the information which is already publicly available through its web-site
- the identity of reviewers or referees.

Trustees and Committee members must not discuss submitted applications outside the Trust. Nor should they discuss the reasons for funding decisions or the decision-making process with

applicants. Trust staff will notify applicants of the Trust's decisions, and provide feedback where appropriate, in accordance with the Trust's current practice.

Review

This policy will be reviewed by the Trustees every two years.

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