

CoMA Conflict of Interest Policy

Owner: Mick Kahn (Company Secretary)

Approved by Board: 17 July 2021

Version 1.0

1 Definition

A conflict of interest arises when the best interests of an individual trustee are, or could be, different from the best interests of the charity itself. This may be something that affects the trustee directly, or indirectly, through a family member, friend, or business partner. Trustees have a legal duty to act in the charity's best interests and declare any conflicts.

Conflicts of interest usually arise where either:

- a) there is a potential financial or measurable benefit directly to a trustee, or indirectly through a connected person.
- b) a trustee's duty to the charity may compete with a duty or loyalty they owe to another organisation or person.

2 Statement of intent

CoMA is committed to ensuring its decisions and decision-making processes are, and are seen to be, free from personal bias and do not unfairly favour any individual connected with the charity.

3 Policy

It is the policy of CoMA to:

- a) draw trustees' attention to the Charity Commission guidelines on conflict of interest to ensure they are aware of their responsibility to recognise and declare any conflicts that might arise for them
- b) document any such conflict and any action taken to ensure that the conflict does not affect the decision-making of the organisation.

4 Procedure

4.1 Identification and declaration

On appointment, each Director must complete a declaration of interests form (appendix A). Directors must update the form annually.

At the start of each meeting of Directors, Directors will be asked to declare any potential conflict of interest in any items on the agenda.

Where a Director is unsure whether there is a conflict of interests it should be declared anyway.

4.2 Managing

Where a conflict of interests is identified, the Director's meeting should decide whether the Director concerned:

- a) having registered and fully declared the interest, can otherwise participate in the decision
- b) can stay in the meetings where the decision is discussed and made but not participate in making the decision
- c) should withdraw from the decision-making process.

In the case of a serious conflict of interest the Directors will need to consider:

- a) not pursuing the course of action
- b) proceeding with the issue in a different way so that a conflict of interest does not occur
- c) securing the resignation of the Director affected by a conflict of interests
- d) not making trustee appointments which will introduce a conflict of interests.

4.3 Recording

The initial and annual declaration of interest forms will be kept by the Company Secretary and will form a Register of Conflicts of Interests.

At each meeting of Directors, the following will be included in the minutes:

- a) Any Conflicts of Interest declared by Directors
- b) Whether the conflicted Director participated in the discussion and decision on the issue
- c) If they participated, the reasons for them doing so
- d) That the meeting remained quorate to make the decision
- e) Any other action taken to manage the conflict.

4.4 Trustee benefits

Trustees can only benefit from CoMA where there is an explicit authority in place before any decision conferring trustee benefit is made. An example of benefit is the provision of services to CoMA.

Any agreement for providing trustee benefit must be approved by the Board with the trustee who would obtain the benefit excluded from voting.

Annex A: CoMA Declaration of Interests of Directors

I as Director of **CoMA** have set out below my interests in accordance with CoMA’s conflicts of interest policy.

Category	Please give details of the interest and whether it applies to yourself, a member of your family or some other close personal connection.
Current employment and whether this may bring me into conflict with my role as Director of CoMA.	
Appointments (voluntary or otherwise) e.g. trusteeships, directorships, local authority membership etc.	
Gifts or hospitality offered to you in association with your work for CoMA over the value of £50 in the last 12 months.	
Any contractual relationship with CoMA.	
Any other conflicts that are not covered by the above.	

To the best of my knowledge, the above information is complete and correct. I undertake to update as necessary the information provided, and to review the accuracy of the information on an annual basis. I give my consent for it to be used for the purposes described in the conflicts of interest policy and for no other purpose.

Signature

Date