



Making holidays accessible

## Conflicts of Interest Policy

### Why have a Policy.

Trustees have a legal obligation to act in the best interests of Lyneal Trust, and in accordance with the Trust's Declaration of Trust and to avoid situations where there may be a potential conflict of interest.

Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of the Trust. Such conflicts may create problems; they can:

- inhibit free discussion
- result in decisions or actions that are not in the interests of the Trust.
- risk the impression that the Trust 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, Trustees are asked to declare their interests, and any gifts or hospitality offered and received in connection with their role in the Trust. A Declaration of Interests Form is provided for this purpose, listing the types of interest which should be declared.

To be effective, the Declaration of Interests needs to be updated at least annually, and when any material changes occur.

If a Trustee is unsure what to declare, or whether/when their declaration needs to be updated, Trustees should err on the side of caution. If a Trustee would like to discuss this issue, please contact the Trust's Secretary for confidential guidance.

The Trust will maintain a Register of Interests to record all gifts of a value over £25 and hospitality over £100 received by Trustees.

### Data Protection

The information provided will be processed in accordance with data protection principles as set out in the General Data Protection Regulation. Data will be processed only to ensure that Trustees act in the best interests of the Trust. The information provided will not be used for any other purpose.

### What to do if a Trustee faces a conflict of interest

If a Trustee believes they have a perceived or real conflict of interest, they should declare their interest at the earliest opportunity and withdraw from any subsequent discussion, unless expressly invited to remain in order to provide information. In this case the Trustee may not participate in, or influence, the decision or any vote on the matter. The Trustee will not be counted in the quorum for that part of the meeting and must withdraw from the meeting during any vote on the conflicted item.

There are situations where a Trustee may participate in discussions from which they could indirectly benefit, for example where the benefits are universal to all users, or where their benefit is minimal. This action will be agreed by the Chair and minuted accordingly.

If a Trustee fails to declare an interest that is known to the Trust's Secretary and/or the Trust's Chair the Trust's Secretary or the Trust's Chair will declare that interest. .

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Where a Trustee benefits from the decision, this will be reported in the Annual Report and Accounts in accordance with the current Charities Statement of Recommended Practice.

All payments or benefits in kind to Trustees will be reported in the Annual Report and Accounts, with amounts for each Trustee listed for the year in question.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures. The Trust's Secretary should take special care to ensure that minutes or other documents relating to the item presenting a conflict are appropriately redacted. A balance needs to be made to ensure that the Trustee still receives sufficient information about the activities of the Trust generally without disclosing such sensitive information that could place the individual in an untenable position.

### **Managing Contracts**

If a Trustee has a conflict of interest, they must not be involved in managing or monitoring a contract in which they 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