

Henry, Duke of Cleveland Charity
Registered charity No. 221407
Member of the Almshouse Association (No. 1360)

Trustees Conflict of Interest Policy and Procedures

1. Introduction

The trustees of The Henry, Duke of Cleveland Charity have a legal duty to act in the best interests of the charity. This includes managing potential conflicts of interest to ensure that all decisions are made transparently and solely for the benefit of the charity and its residents.

A conflict of interest arises when a trustee's personal interests or loyalties could, or could be perceived to, interfere with their ability to make decisions in the charity's best interests. Trustees must be vigilant in identifying and managing conflicts to protect the reputation of The Henry, Duke of Cleveland Charity and ensure that all actions align with the charity's objectives.

2. Definition of Conflicts of Interest

Conflicts of interest may arise in situations where:

- A trustee stands to gain a direct or indirect financial benefit from a decision made by the charity.
- A trustee's personal interests, professional duties, or relationships with other organisations or individuals conflict with their role at the charity.

Potential conflicts may include, but are not limited to:

- Personal financial interests in contracts or services provided by the charity.
- Relationships with organisations or individuals that could influence decision-making.
- Loyalty to another organisation, such as another charity or an employer, that may affect a trustee's impartiality.

3. Policy Application

This policy applies to all trustees, staff, and volunteers.

4. Declaration of Interests

4.1. Annual Declaration: All trustees are required to declare their interests, including any gifts or hospitality received in connection with the Charity. A declaration of interests form will be completed annually and updated as necessary.

4.2. Ongoing Disclosure: Trustees must update their declarations promptly if any new conflicts or interests arise during the year.

4.3. Gifts and Hospitality: Trustees must declare any gifts or hospitality valued over £25. These will be recorded in a register maintained by the Clerk.

5. Managing Conflicts of Interest

5.1. Identification: Trustees must declare any conflict of interest as soon as it arises, whether in a meeting or during discussions.

5.2. Withdrawal from Decision-Making: If a conflict is identified, the trustee must withdraw from discussions and decision-making related to the issue in question. This ensures that decisions are made objectively and solely in the charity's best interests.

5.3. Trustees Body Review: If the nature of the conflict requires a decision from the body of trustees, the trustee with the conflict will be excluded from any discussions. The remaining trustees will assess the situation and decide on appropriate actions.

5.4. Documentation: All decisions involving a conflict of interest will be recorded in the meeting minutes, including:

- The nature of the conflict.
- The actions taken to manage it.
- Any decisions made as a result.

5.5. Trustee Payments or Benefits: Any payments or benefits given to trustees or connected persons will be declared in the charity's annual accounts in accordance with Charity Commission regulations.

6. Retention and Storage of Data

All personal data collected as part of this policy, including declarations of interest, will be stored securely and handled in accordance with The Lambourn Almshouses' data protection policy and the UK General Data Protection Regulation (GDPR).

7. Consequences of Non-Compliance

Failure to declare a conflict of interest or act in accordance with this policy may result in disciplinary action, up to and including removal from the board of trustees, in accordance with the charity's governing documents.

8. Approval

This policy has been approved by the Body of Trustees of The Henry, Duke of Cleveland Charity.

Signature:

Position:

Date:

Review date: