

CONFLICT OF INTEREST POLICY

This policy applies to all Directors of the Dornoch and District Community Association (DADCA).

Why we have a Policy

Trustees have a legal obligation to act in the best interests of DADCA, and in accordance with DADCA's constitution, 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 DADCA. Such conflicts may create problems; they can:

- Inhibit free discussion
- Result in decisions or actions that are not in the interests of DADCA; and
- Risk the impression that DADCA 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 ask Directors to declare their interests, and any gifts or hospitality received in connection with their role in DADCA. A declaration of interests form is provided for this purpose, listing the types of interest you should declare.

To be effective, the declaration of interests needs to be updated at least annually, and 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 DADCA's Secretary or Chair for confidential guidance. This register of interests shall also be used to record all gifts of a value over £25 received by Directors.

Interests and gifts will be recorded on the charity's register of interests, which is maintained by the Secretary on the DADCA website.

Data Protection

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that Directors act in the best interests of DADCA. 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 DADCA's services, or the carer of someone who uses DADCA's services, you should not be involved in decisions that directly affect the service that you, or the person you care for, receive(s). 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 DADCA's Secretary and/or Chair, the Secretary or Chair will declare that interest.

Decisions taken where a Trustee or Member of Staff has an Interest

In the event of the board having to decide upon a question in which a Director 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; the potentially interested Director will not be counted when deciding whether the meeting is quorate, may not vote on matters affecting his/her own interests and must leave the room when such matters are discussed.

All decisions under a conflict of interest will be recorded by the 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.

Where a Director benefits from the decision, this will be reported in the annual report and accounts in accordance with the current Charities SORP.

All payments or benefits in kind to trustees will be reported in the charity's accounts and annual report, 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.

Managing Contracts

If you have a conflict of interest, 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.