Wimbledon Society

working for the future, protecting the past

Policy document	
Title	**THE WIMBLEDON SOCIETY ('the Charity')** **CONFLICT OF INTEREST POLICY**
Approved by	Board of the charity
Date approved	2024
Review date	

What is a conflict of interest and what issues does it raise?

Volunteers and trustees should all put the interests of the Charity first. A conflict of interests may arise where the objective of the organisation and the interests and loyalties of trustees or volunteers do not coincide or appear to clash. A code of conduct makes the Charity's intentions clear and provides guidance on what standards of behaviour are expected. It should be reviewed annually or as the need arises.

Volunteers, trustees or their friends and family should not be favoured especially in terms of service, or funding.

Trustees staff and volunteers have a legal obligation to act in the best interests of the Charity, and in accordance with its governing document.

Such conflicts may create problems; they can:

- inhibit free discussion;
- result in decisions or actions that are not in the interests of the Charity; and
- risk the impression that the Charity has acted improperly.

Even the appearance of a conflict of interest can damage the Charity's reputation, so conflicts need to be managed carefully and with transparency. The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety.

What does the law say about conflicts of interest regarding trustees?

The law states that trustees cannot receive any benefit from their charity in return for any service they provide to the charity unless they have express legal authority to do so. This legal authority will come either from a clause in the charity's governing document or, where there is no adequate clause in the governing document, from the Charity Commission or the Court.

It is acceptable to repay reasonable out of pocket expenses to trustees. Any costs that are necessary to allow a trustee to carry out his or her duties as a trustee can be classed as expenses and recovered from the Charity or met directly by the Charity. This may include travel costs.

Conflicts of interest may come in a number of different forms:

- Direct financial gain or benefit to the trustee, such as payment to a trustee for services provided to the charity or the award of a contract to another organisation in which a trustee has an interest and from which a trustee will receive a financial benefit; or the employment of a trustee in a separate post within the charity, even when the trustee has resigned in order to take up the employment.
- Indirect financial gain, such as employment by the charity of a relation or friend of a trustee or external funding for personal interests or loyalties
- Non-financial gain, such as when a user of the charity's services is also a trustee

The declaration of interests

Trustees should declare their interests in connection with their role in the Charity. A declaration of interests form is provided for this purpose, listing the types of interest you should declare. Failure to declare an interest could justify disciplinary action. This should be updated at least annually and also 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 the Charity trustees for confidential guidance.

Interests will be recorded on the Charity's register of interests, which will be maintained at the registered office of The Wimbledon Society. The register will be accessible by all trustees, members and employees until further notice.

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 trustee or member of staff or volunteer has an interest, all decisions will be made by vote, with a simple majority as per Article 41(4) of the Charity's Articles of Association. A quorum must be present for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate. Interested Board members may not vote on matters affecting their own interests.

All decisions under a conflict of interest will be recorded 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 trustee benefits from the decision, this will be reported in the annual report and accounts, as appropriate.

Managing contracts/applying for funding

Any trustee who has a financial interest in a matter under discussion, should declare the nature of their interest and withdraw from the room, unless they have a dispensation to speak.

If a trustee has any interest in the matter under discussion, which creates a real danger of bias, that is, the interest affects their, or a member of their family or household, more than the generality affected by the decision, should declare the nature of the interest and withdraw from the room, unless they have a dispensation to speak.

If a trustee has any other interest which does not create a real danger of bias, but which might reasonably cause others to think it could influence their decision, they should declare the nature of the interest, but may remain in the room, participate in the discussion, and vote if they wish.

If in any doubt about the application of these rules they should consult with the Chair. It is recommended that trustees' interests are listed in a Register.

Any member of staff or volunteer who also has such conflicts of interest when applying for funding or contracts should also declare interest and the matter be discussed as above with the Board.