



SPPA
Social Pedagogy
Professional Association

Conflict of Interest Policy 2017-2018

1. Purpose

This Policy sets out the requirements of Social Pedagogy Professional Association ('SPPA') with regard to the obligations under both the Companies Act 2006 and the provisions of the Charity Commission guidelines.

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

2. Why we have a policy

Trustees have a legal obligation to act in the best interests of SPPA, and in accordance with the charity's governing document and Articles of Association, and to avoid situations where there may be a potential conflict of interest. Staff and volunteers have similar obligations.

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

they can:

- inhibit free discussion
- result in decisions or actions that are not in the interests of SPPA
- risk the impression that [the charity] has acted improperly.

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety.

3. The declaration of interests

Accordingly, all trustees, staff and volunteers will declare their interests, and any gifts or hospitality offered and received in connection with their role in SPPA. A Declaration of Interests form is provided for this purpose, listing the types of interest to be declared.

To be effective, the declaration of interests needs to be updated at least annually, and when any material changes occur. Trustees will be required to declare any interests at the beginning of all meetings, where there have been any material changes to the original Declaration of Interest form.

This register of interests shall be used to record all gifts of a value and hospitality received by the trustees, volunteers and staff. Interests and gifts will be recorded on the charity's register of interests, which will be maintained by the charity secretary. The register will be accessible by Trustees, noting any statutory requirements applicable.

4. 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 trustees and all staff and volunteers act in the best interests of SPPA. The information provided will not be used for any other purpose.

5. Conflict of Interest Identification

Individuals who believe they have a perceived or real conflict of interest should:

- declare the interest at the earliest opportunity
- withdraw from discussions and decisions relating to the conflict.

The charity secretary will take special care to ensure that minutes or other documents relating to the item presenting a conflict are appropriately redacted for the person facing the conflict. A balance needs to be made to ensure that the person still receives sufficient information about the activities of the charity generally without disclosing such sensitive information that could place the individual in an untenable position.

Individuals will 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 they may not participate in, or influence, the decision or have any vote on the matter. They 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 individuals may participate in discussions from which they could indirectly benefit, for example where the benefits are universal to all users, or where their individual benefit is minimal. This action will be agreed by the Chair and minuted accordingly.

If an individual fails to declare an interest that is known or becomes known to the charity secretary and/or the Chair of the board, a Trustee or Member, the charity secretary or chair will declare that interest.

6. 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 required. 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 by the charity 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 Trustee 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.

Where a member of SPPA's staff are connected to a party involved in the supply of a service or product to the charity, this information will be fully disclosed in the annual report and accounts.

The Charities SORP 2005 requires the full disclosure of all 'related party' transactions with any third party that may inhibit the charity being able to pursue its separate interests. The Charity Commission strongly recommends that all trustee payments should be disclosed in an appropriate manner (CC11 Trustee payments and expenses) and SPAA will make such disclosure in their annual report and accounts.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

7. Managing contracts

If Trustees, staff or volunteers have a conflict of interest, they must not be involved in managing or monitoring a contract in which they have that 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 or deemed to be compromised

8. Review

This policy will be reviewed at intervals of 2 years to ensure it remains up to date and compliant with the law. The first review date will be September 2018.

9. Declaration

I confirm I have read and understood SPPA's Data Protection Policy and will act in accordance with it.

I am connected with this organisation in my capacity as a

- Member of staff
- Volunteer
- Trustee/ management committee member

Signature:

Print name:

Date:

Please return this form to the Secretary.



Trustee declaration of interests form (England & Wales)

I as employee/trustee* [*delete as appropriate] of Social Pedagogy Professional Association ('SPPA') have set out below my interests in accordance with the organisation's conflicts of interest policy.

Category	Please give details of the interest and whether it applies to yourself or, where appropriate, a member of your immediate family, connected persons or some other close personal connection
Current employment and any previous employment in which you continue to have a financial interest.	
Appointments (voluntary or otherwise) e.g. trusteeships, directorships, local authority membership, tribunals etc.	
Membership of any professional bodies, special interest groups or mutual support organisations.	
Investments in unlisted companies, partnerships and other forms of business, major shareholdings (more than 5% of issued capital) and beneficial interests.	
Gifts or hospitality offered to you by external bodies and whether this was declined or accepted in the last twelve months.	
Do you use, or care for a user of the organisation's services?	
Any contractual relationship with the charity or its subsidiary.	
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.

Signed:

Position:

Date: