



Conflict of Interest Policy

Sudden Sam



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“Providing support in the aftermath of sudden death – you are not alone.”

Our Vision

Our vision is that Sudden Sam becomes a beacon of support for those enduring the pain and confusion of sudden loss, ensuring that no one faces the challenges of sudden death alone, thereby promoting healing, unity, and resilience within our community.

Our Mission

Our mission is to ensure that, through support from Sudden Sam, families of loved ones who have died suddenly feel supported, both emotionally and financially and that the community, through public awareness, develop a greater understanding and empathy of their suffering.

Our Aims

The Conflict-of-Interest Policy of Sudden Sam Charity aims to:

1. **Promote Transparency and Integrity:** Ensure that all decisions and actions taken by the charity’s trustees, staff, and volunteers are made with transparency, integrity, and in the best interests of Sudden Sam Charity and its beneficiaries.



2. **Identify and Manage Conflicts:** Provide clear guidelines for identifying potential conflicts of interest and outline procedures for managing these conflicts effectively to prevent any actual or perceived undue influence on the charity's operations and decision-making processes.
3. **Maintain Public Trust and Confidence:** Uphold the trust and confidence of donors, beneficiaries, partners, and the general public by demonstrating a strong commitment to ethical governance and the highest standards of conduct.
4. **Protect the Charity's Reputation and Assets:** Safeguard the reputation and assets of Sudden Sam Charity by minimising the risk of decisions that could be influenced by personal interests, thereby ensuring that all resources are used solely for the charity's mission and objectives.
5. **Encourage Accountability and Responsibility:** Foster a culture of accountability and responsibility among all members of the charity by requiring full disclosure of any potential conflicts and taking appropriate action to address them.

By adhering to this policy, Sudden Sam Charity seeks to ensure that its operations are conducted ethically, transparently, and in alignment with its mission to serve the community effectively.

Legislation and Guidance

Our Trustee Policy has been created in conjunction and consideration of the following legislation and statutory guidance:

- Charity Commission Rules and Guidance
- Code of Conduct
- Safer Recruitment
- Financial Management
- Trustee Policy

What is a Conflict of Interest?

A conflict of interest occurs when someone's personal interests' conflict with their responsibility to act in the best interests of the charity. Personal interests include direct interests as well as those of family, friends, or other organisations a person may be involved with or have an interest in (for example, as an employee). It also includes a conflict between a board member's duty to the organisation and another duty that the board member has elsewhere.

Conflicts of interest may be ongoing, for example a trustee who is related to a service user or who is also a trustee for another local organisation or grant-maker; or they may be one-off for example a kitchen needing fitting and a trustee is a plumber.

Conflicts of interest can be common; they just need to be managed well to prevent anything interfering with an ability to make a decision in the best interest of the charity.

The Board will make decisions based only on what's best for the Charity. We do not allow personal interests, or the interests of people or organisations connected to board members, to influence these decisions.



There are generally two common types of conflict of interest:

- **Financial conflicts** - when a trustee, or person or organisation connected to them, could get money or something else of value from a trustee decision. This does not include the payment of expenses.
- **Loyalty conflicts** - other reasons, a board member might not be able to make decisions that are best for the charity.

Generally, a potential conflict of interest will occur when a board member has a connection to another organisation or person that we have a financial, or other working arrangement with, either as:

- Family – his or her partner, child etc or:
- Organisation – as a trustee, board member, member of staff or similar.

The Conflict-of-Interest Procedure

Sudden Sam is committed to ensuring its decisions and decision-making processes are, and are seen to be, free from personal bias and do not unfairly favour any individual connected with the charity.

It is the policy of Sudden Sam to:

- Ensure every trustee/director/member of the management committee understands what constitutes a conflict of interest and that they have a responsibility to recognise and declare any conflicts that might arise for them.
- Have a register of interests for any trustee/director/member of the management committee and this is to be reviewed annually.
- Document the conflict and the action(s) taken to ensure that the conflict does not affect the decision making of the organisation

Procedure

When a trustee/director/member of the management committee identifies that they have a potential conflict of interest they must:

- Declare it as soon as they become aware of it;
- Ensure it is entered in the conflict-of-interest register (ongoing conflicts), and/or documented in board minutes;
- Not take part in any discussions relating to the matter;
- Not take part in any decision making related to the matter;
- Not be counted in the quorum for decision making related to the matter.

In the interests of open discussion, a trustee/director/member of the management committee affected by a conflict of interest must leave the room while related discussion / decision making is taking place, unless there is good reason for them to stay.

The minutes should state:

- The declared conflict;
- Whether the trustee/director/member of the management committee left the room, or the reason they were asked to stay;



- That the trustee/director/member of the management committee took no part in discussion or decision making on the matter;
- That the meeting was quorate (not counting the affected trustee/director/member of the management committee);
- Any other actions taken to manage the conflict

If a trustee is unsure what to declare, they should err on the side of caution and discuss the matter with the chair for confidential guidance.

Meetings

Conflicts of Interest is a standing item on all board and committee agendas; the chairman will remind directors at the start of each meeting that any interests must be declared.

A record of any professional or personal interest that may make it difficult for a director to fulfil their duties impartially, or may create an appearance of impropriety, with any item on the agenda for that day's meeting is to be noted in the minutes of the meeting. Specifically:

Record Conflicts of Interest

- Keep a written record of the decision
- The Commission expects the charity's written records to document any conflicts of interest and how the trustees have dealt with them. The usual way to record the trustees' decisions is in the minutes of their meetings.
- Where there is a conflict of interest, the trustees should ensure that the written record of the decision shows: the nature of the conflict; which trustee or trustees were affected; whether any conflicts of interest were declared in advance; an outline of the discussion; whether anyone withdrew from the discussion; how the trustees took the decision in the best interests of the charity

Recording decisions in this way helps trustees to show that they have acted properly and complied with their duties.

Q1. If a trustee has identified that a conflict of interest exists, has the trustee body considered whether the conflict is so serious that it should be removed or they should seek authority for it (see part 4 of this guide). If the trustees have decided against removing the conflict of interest or seeking authority for it, go to Q2.

Q2. Has the conflict of interest come up because the trustee concerned, will receive a benefit as a result of the decision? (Details of what a trustee benefit is, and which benefits need to be authorised, can be found in part 3 and Annex A of this guide). If yes, go to Q3. If not, go to Q4.

Q3. Is the benefit authorised:

- by the charity's governing document?
- by a statutory provision such as section 185 of the Charities Act?
- specifically, by the Charity Commission? (see Annex A of this guide)

If no, the trustees must apply to the Commission for authority for the benefit (see part 3 and Annex A of this guide). Go to Q5.

If yes, have the charity's trustees complied strictly with the terms of the authority? Go to Q5.

Q4. Even though there is no trustee benefit, are there procedures in place to ensure that the decision can be made only in the best interests of the charity? (see part 4 of this guide).

If no, the charity's trustees should take advice on their decision, and for the future, ensure that suitable conflicts of interest procedures are put in place and followed.

If yes, go to Q6.

Q5. Have the charity's trustees checked whether they are required to disclose the trustee benefit in the annual report and accounts (see part 4 of the guide) Go to Q6.

Q6. Have the charity's trustees made a record of the conflict, their approach to dealing with it, and their decision? (see part 4 of the guide).



Links with Other Policies

This policy has been written with the following policies in mind:

- Safeguarding
- Data Protection
- Health and Safety
- Children and Young People
- Conflict of Interest