

**Reviewed 1<sup>st</sup> March 2023**

## **CONFLICTS OF INTEREST**

This policy is subject to the provisions of the Families Fighting for Justice constitution. Articles 13 and 14 will apply. Any amendment to articles 13/14 of the constitution will require amendment to this policy.

The relevant provisions of the constitution are repeated here for information and will apply where relevant.

### **Benefits to Members and Trustees**

1) The property and funds of the charity must be used only for promoting the objects and do not belong to the members but:

- Members may enter contracts with the charity and receive reasonable payment for goods or services supplied.
- Members (including Trustees) may be paid interest at a reasonable rate or money lent to the charity.
- Members (including Trustees) may be paid a reasonable rent or hiring fee for property or equipment let or hired to the charity and;
- Members (including Trustees) who are also beneficiaries may receive charitable benefits, but **only** in that capacity.

2) A Trustee must not receive any payment of money or other material benefit (whether directly or indirectly) from the charity except:

As mentioned in clauses 13.1b) (interest), 13.1 c) (rent), 13.1d) (charitable benefits) or 13.3 (salaries and contractual payments); reimbursements of reasonable out of pocket expenses (including hotel and travel costs) actually incurred in the administration of the Group; an indemnity in respect of any liabilities properly incurred in running the Group (including the costs of a successful defence to criminal proceedings)

### **Examples of good practice**

When Trustees become aware of a new actual or potential conflict of interest, they should give notice of it to the secretary to enable him/her to update the conflicts register.

The secretary should include in their report for each trustees' meeting details of any contracts/agreements to be entered into prior to the next meeting of the trustees and any potential conflicts identified from a check of the Register.

Competitive tendering for contracts or work for which a trustee might be suited (and taking up references from other clients or customers)

3) A trustee may be an employee of the charity and may enter a contract with the group to supply good or services in return for a payment or other material benefit, but only if:

a) The goods or services are required by the charity.

b) The nature and level of the benefit is no more reasonable in relation to the value of the goods or services and is set a meeting of the Management Committee in accordance with the procedure in clause 14 and

c) No more than one third of the Trustees are contracted by the group at any one time.

#### **Disclosure on Interests**

Any trustee, member, or any person upon any of the Committee having or expectation to have any personal financial interest in any matter for consideration, shall declare that interest shall take no part in any debate upon that matter unless providing information upon request and not vote or count towards the quorum for that part of the meeting. The declaration of that interest and of the member's abstention shall be recorded.

#### **Further Policy statements**

If a trustee has any other interest in a matter under discussion which creates a real danger of bias, that is, the interest affects they are or a member of their household more than the generality affected by the decision they should declare the nature of the interest, withdraw the vote and not count towards the quorum. They shall not remain in the room unless they have a dispensation to speak to provide information.

If a trustee has any other interest which does not create a real danger of bias, but which might reasonably cause other to think it could influence their decision they should declare the nature of the interest but 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 their chair.

It is recommended that a trustee's interest is listed in a register.

## Conflicts of Interest Declaration Form

As a trustee you are required to act in the best interest of Families Fighting for Justice. However inevitably trustees have a wide range of interests in private, public and profession life and these interests might on occasions conflict (for example Director of supplier or Consultant to Charity)

We are obliged to review any possible conflicts when preparing our annual report to ask you to supply the following details.

- Has Families Fighting for Justice made any loans to you?
- Have you, or people connected with you through family, business or another charity an interest in a contract or transaction with Families Fighting for Justice.
- Have you or any person connected with you derived any pecuniary benefit or gain from Families Fighting for Justice?

Signed-----

Date-----

Name-----