Ryedale Environment Group

Ryedale Environment Group – Charity no 1202762

REG statement on conflict of interests

Following from REG's code of conduct Trustees will be aware of the possibility of conflicts of interest within the board of trustees and how these must be fully disclosed to comply with the code of conduct.

Conflicts of interest (COI) should be recorded both if they are actual or if they are 'potential'.

The Secretary of REG holds the register of interests in which interests must be declared and recorded. A standard format for notification may be devised

The Charity Commission (CC) has full guidance in relation to such conflicts on their website. All trustees must read this guidance.

REG is a Charitable Incorporated Organisation (CIO) and in the link above to the CC guidance trustees (of a CIO) attention is drawn specifically to annex 2. This states amongst other things the following

'*In addition to setting out statutory duties for CIO trustees, the Charities Act says that a CIO trustee cannot benefit from an arrangement or transaction entered into by the CIO, if before the arrangement or transaction was entered into, the trustee did not disclose their interest to all of the other trustees.*

As with other types of charity, there must be a proper authority for any benefit affecting a CIO trustee. Disclosure by a trustee of a conflict of interest does not authorise a trustee to benefit.'

The board reserve the right to set up a sub-committee to review COI with the lead of the sub-committee reporting directly to the board of trustees

Definition

'A conflict of interest occurs where a decision maker **has** a conflict between their private and personal interests and the official responsibilities of their role as a trustee (or officer, or employee) of REG.'

This could mean (or potentially mean) that they would not be able to make a decision in the best interests of the charitable objectives of REG as their private interests may influence them to make a different decision as to one they would make without having such private interests.

All trustees must make an annual declaration in relation to conflicts of interest to be held in the register of interests by the secretary. A nil declaration should be made if applicable.

A list (not exhaustive) of likely COI of any benefit or potential benefit to a trustee could include business and personal interests and those of their spouse, partner, family and close relatives.

REGs statement on COI will be reviewed from time to time. This review could be by sub-committee with recommendations made to the board of trustees.

Responsibility to declare

In accordance with REGs governing document (section 7. (i) and (ii)) trustees have a personal responsibility to declare COI if they are to fulfil their legal duty to act only in the best interests of the charity.

Annual declarations are made

Interests should be declared at the beginning of each meeting before the agenda business proceeds.

After declaring a COI it must be recoded in the register of trustee interests by the secretary.

The trustee concerned will be removed by the chair of the meeting from the specific decision-making process relating to the COI.

The board of trustees should review any conflicts in a timely fashion to ensure those conflicts declared (or potential conflicts) are discussed and acted upon.