



Harmonie Concert Band

CONFLICT OF INTEREST POLICY

Introduction

This policy sets out the requirements in relation to conflicts of interest which may arise from matters related to the leadership and management of Harmonie Concert Band.

Scope

This Policy applies to those involved in the management and leadership of the Band, namely the Trustees, Members of the Committee, and the Musical Director.

Definition

A conflict of interest is any situation in which personal interests, or interests owed to another body, and those of the band arise simultaneously or appear to clash.

Guiding principles

- It is inevitable that conflicts of interest may occur. The issue is not the integrity of the person concerned, but the management of any potential to profit from a person's position, or for a person to be influenced by conflicting loyalties.
- In the context of charities, 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.
- 'Benefit' includes any property, goods or services that have a monetary value, as well as money. This legal authority will come from the Charities Commission. It is the potential, rather than the actual, benefit from which the conflict of interest arises that requires authority.
- Not all benefits enjoyed by Trustees need to be authorised by the Commission. For example, it is perfectly acceptable to repay reasonable out of pocket expenses to Trustees. Any costs that are necessary to allow Trustees to carry out his or her duties as a Trustee can be classed as expenses and recovered from the charity. Benefits that are available to all, or that are of little measurable value, will not normally need to be authorised.
- We extend these principles to include not only Trustees, but also members of the Committee and the Musical Director.

Areas of possible conflict - examples

1. Direct financial gain or benefit, such as:
 - Payments for services provided
 - Award of contracts to outside bodies in which a trustee has an interest
 - Employment of a trustee in a position in the charity
2. Indirect financial gain, such as the employment of a spouse, partner or child, where the finances are interdependent.

3. Non-financial gain when the user of the charity's services is also a Trustee, Committee member or the MD
4. Conflict of loyalties when a Trustee, Committee member or the MD has a role with another organisation, whose objectives or activities might be in conflict or tension with our own.

Identifying conflicts of interest

- The Charity Commission expects people to be able to identify conflicts of interest and to ensure that the benefit is authorised. The Commission will provide authority where there is a clear advantage to the charity.
- If there is no material benefit to a person, no authority will be required, but the Trustees will need to ensure that the conflict of interest is managed properly.

Management of Conflicts of interest

- Trustees, Committee members or the MD must advise of any actual or potential conflicts of interest of which they are aware, as soon as they arise. The Trustees will prepare and maintain a register of such interests.
- As and when new Trustees, Committee members or the MD are appointed, they will be required to consider the question of possible conflicts of interest before they are appointed.
- At meetings where matters will be discussed that could constitute conflicts of interest, the person holding the interest will declare this accordingly.
 - If the person is not receiving any material benefit from the conflict of interest, they just need to withdraw from the discussion and decisionmaking on that subject.
 - If the person is receiving a material benefit from the conflict of interest, then then authority will need to be obtained.

Records and publication

- Details of the discussions and decisions made related to conflicts of interest will be recorded (for example in the minutes of the relevant meeting).
- Any benefits arising from a conflict of interest received by Trustees, Committee members or the MD will be disclosed in the Chairman's annual report and the Treasurer's accounts
- A copy of this Policy will be available on the Band's website.

Management of this Document

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