



Conflict of Interest

Our Organisation: FASD Friends Community Interest Company (CIC)

The United Kingdom is at the forefront of change in supporting children, young people and adults with undiagnosed & diagnosed Fetal Alcohol Spectrum, we strive alongside our FASD Alliance to work across England and Wales to challenge attitudes, improve services and provide support to families.

1. Introduction

Purpose

This policy applies to all Directors, volunteers and staff.

It aims to:

- protect the CIC, Directors and Staff from any appearance of impropriety
- minimise the risk of public perception that funding decisions have been influenced by the personal interest of, or by specific information available to any Director or Staff member,

and to

- minimise the potential for conflicts of interest arising.

Effectively managing potential conflict of interest is a particularly significant issue for FASD Friends CIC, as Directors have been appointed partly because of their experience of the Fund's area of benefit. They know and have worked with organisations in the area and this knowledge is highly valued. It is therefore essential that all involved with the CIC are fully aware of potential risks at all times and follow this policy rigorously.

Original Issue Date: 30th Sept 2022

Date of last update/review: 30th September 2022

Date of next review: 25th September 2023

Approved by: Committee 10th September 2022

©FASD Friends

2. Conflict of Interest

2.1 Overview

Conflicts of interest may arise where an individual's personal or family interests and/or loyalties conflict with those of the CIC. Such conflicts may create problems. They can:

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

2.2 Responsibility

All Directors and Staff have a legal obligation to act in the best interests of FASD Friends and in accordance with the Company's governing document.

Staff & Volunteers must:

- be aware of and avoid situations where there may be a potential conflict of interest
- complete and submit annual Declaration of Interests statements (see below) – including nil returns
- complete and submit monthly Gifts and Hospitality Declarations – including nil returns

2.3 Annual Declarations of Interest

When CIC Directors or Staff members are appointed, they will be required to complete a Declaration of Interests form. All Directors and Staff must submit a Declaration annually (see Appendix 1), setting out:

- all their own personal or business interests or any involvement with private sector, public sector and voluntary, community or charitable organisations. These include direct or indirect pecuniary or non-pecuniary interests which members of the public might reasonably think could influence their judgement, and
- those of any member of their immediate family (such as partners, parents, children, brothers, sisters and the partners of any of these) or individuals with whom they have a close relationship.

When declaring an interest, the rule is that, if members of the public, knowing the facts of the situation, would reasonably conclude that the interest involved might influence the approach taken to an application for funding, then it should be declared.

Original Issue Date: 30th Sept 2022

Date of last update/review: 30th September 2022

Date of next review: 25th September 2023

Approved by: Committee 10th September 2022

©FASD Friends

Directors and Staff should consult the Executive Director and/or Chair if there is any doubt as to the strength of the link requiring declaration. Interests spanning the past five years should be included.

Directors and Staff should provide any changes to their Declaration to the Executive Director at the earliest opportunity.

The Register is open to public inspection.

2.4 Declaration of Interest at each Board Meeting

Directors, Volunteers and Staff must identify any Board Meeting agenda items which could

present a potential conflict of interest, or be perceived as such.

Each meeting will start with an Agenda item asking for any interests to be declared.

All declared interests will be recorded in the minutes. Directors must discuss any potential conflict of interest with the Chair and Executive Director in advance of the Board meeting, and agree a course of action. In the event of the Chair identifying a personal conflict of interest, it should be discussed with the CEO.

2.5 Management of Declared Interests

a. Direct Interest – Declarable and Disqualifying

Directors should not take part in discussions or decisions if they have either a direct pecuniary interest in the matter under consideration or any other clear and substantial interest (such as membership of a charity or voluntary body or links with a business, or a close relative is involved in the governance). In such circumstances, they will be required to leave the meeting while the matter is being discussed. Their departure (and return) will be recorded in the minutes.

It is not always easy to decide whether an interest is disqualifying or merely declarable.

The reasonable perception of others is the practical test which should be applied – erring on the side of caution. If possible, the issue should be discussed with the Chair and Executive Director before the meeting and actions to take agreed.

b. Indirect Interest

If the interest is not direct, the Director may remain in the meeting at the Chair's discretion, and participate in discussions and provide relevant information. The test should be whether a member of the public, knowing the facts of the situation, might reasonably think that a particular interest could influence the judgement of other members present. This covers both grant-making activities and any other Board activities, for example in relation to tenders or consultancies. The nature of the

Original Issue Date: 30th Sept 2022

Date of last update/review: 30th September 2022

Date of next review: 25th September 2023

Approved by: Committee 10th September 2022

©FASD Friends

interest and the reasons for the Chair's decision must be noted in the minutes of the meeting.

2.6 Grant Award Decisions

Should 'agreed in principle' applications need to be prioritised and ranked, provided that all interests have been declared and minuted, and all Directors are aware of the conflict of interest, then all Directors may participate in discussions and agree final grant awards.

2.7 Contact with Applicants

a. Advice to Applicants

Directors may discuss published information about policies and procedures but, under no circumstances, should they give detailed guidance to any applicant organisation. All enquiries must be referred to Staff.

b. Involvement in preparing applications

Directors must not be involved in preparing applications or in acting as a signatory, contact person or referee. If a Director is still on the board or committee of an organisation which is applying to FASD Friends CIC, they must avoid being drawn into any discussions. Any involvement on the Board or Committee of an organisation applying or likely to apply for funds would be a declarable and disqualifying interest.

c. Lobbying

In this context, lobbying is defined as being the act of attempting to influence the award of a grant to a specific organisation. Directors should never lobby PyC CIC Staff or other Directors about an application. If Directors themselves are lobbied by applicants or grant holders, they should advise the Chair and Executive Director that this has happened.

Directors should not take up a case on behalf of an organisation.

d. Application Decisions

Directors should not inform applicants of grant award decisions. This is a matter for Staff.

3. Anti-Bribery

3.1 Bribery Act 2010

The CIC's policy is in line with the 2010 Act.

The CIC takes any act of bribery very seriously and this policy sets out the responsibilities of employees and Board members and the action necessary.

Bribery constitutes the following:

Original Issue Date: 30th Sept 2022

Date of last update/review: 30th September 2022

Date of next review: 25th September 2023

Approved by: Committee 10th September 2022

©FASD Friends

- the offer, gift or acceptance of bribes
- the acceptance of hospitality or expenses that clearly intend (or may intend) to influence

the outcome of business transactions

- the acceptance of any political and charitable donations and the payment of donations to political parties or charities that are directly linked to obtaining new business or gaining a business advantage

3.2

Action Required

If you suspect that bribing has occurred or is likely to occur, or you are offered a bribe, you should immediately inform the CEO and/or Directors of the CIC, who will undertake an investigation and take appropriate action.

4. Gifts and Hospitality

4.1 Monthly Returns

All Directors and Staff must complete monthly Gifts and Hospitality returns when requested, detailing all personal gifts and hospitality over the value of £20. Returns must be made even when the value is nil.

Gifts and Hospitality received will be recorded on the CIC's Register, which will be maintained by the Executive Director. The declaration of interests register should be updated at least annually, and when any material changes occur.

5. Failure to Follow the Conflict of Interest Policy

5.1 Staff

If staff are found to be in breach of any aspect of this Policy, appropriate disciplinary action will be taken.

5.2

Directors

If Directors are found to have failed to follow the guidelines set out here, they may be asked to resign.

6. Data Protection

6.1 All 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 Directors and Staff act in the best interests of the CIC.

Original Issue Date: 30th Sept 2022

Date of last update/review: 30th September 2022

Date of next review: 25th September 2023

Approved by: Committee 10th September 2022

©FASD Friends

The information may also be recorded in the CIC's accounts to accord with relevant accounting requirements. The information provided will not be used for any other purpose.

Appendix 1 Declaration of Interest Form overleaf

Original Issue Date: 30th Sept 2022
Date of last update/review: 30th September 2022
Date of next review: 25th September 2023
Approved by: Committee 10th September 2022

©FASD Friends



APPENDIX 1

Declaration of Interest Form

Name: _____

Position (Employee / Volunteer/ Director): _____

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest between FASD Friends CIC and your personal interests, financial or otherwise:

Category

1. 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
2. Current employment and any previous employment in which you continue to have a financial interest.
3. Appointments (voluntary or otherwise) e.g. trusteeships, directorships, local authority membership, tribunals etc.
4. Membership of any professional bodies, special interest groups or mutual support organisations.
5. Investments in unlisted companies, partnerships and other forms of business, major shareholdings and beneficial interests.
6. Gifts or hospitality offered to you by external bodies and whether this was declined or accepted in the last twelve months.
7. Any other conflicts that are not covered by the above.

Original Issue Date: 30th Sept 2022

Date of last update/review: 30th September 2022

Date of next review: 25th September 2023

Approved by: Committee 10th September 2022

©FASD Friends

.....

I have no conflict of interest to report

I hereby certify that the information set forth above is true and complete to the best of my knowledge. I have reviewed, and agree to abide by, the Policy of Conflict of Interest FASD Friends CIC.

I note that the information supplied will be recorded in the register of Interests maintained by the Company

I also note this information may also be recorded in the CIC's accounts to accord with relevant accounting requirements.

I consent to the use of the information supplied for these purposes.

Signature: _____

Date: _____