

Conflict of Interest Policy

1. Purpose of Policy

This policy serves as a guide for current trustees, prospective trustees, staff of the Foundation and the many volunteers who assist the Foundation. Personal interests and duties to the charity will sometimes be in conflict. Therefore they need to be managed openly and carefully. It is expected that any matter, which might be construed as a clash between personal and Foundation interests will be raised.

Trustees have a legal duty as company directors and charity trustees to declare interests and avoid conflicts of interest. Regard should be taken for the Charity Commission guidance on this topic <https://www.gov.uk/government/publications/conflicts-of-interest-a-guide-for-charity-trustees-cc29> .

2. Related Parties

All board and senior staff members are asked to supply details of any Related Parties. They are required to provide the name of their spouse and if applicable the names of any close family members who could conceivably be influenced by the board or staff member, and a list of their business interests, particularly if the related party could potentially be involved in a transaction with KCF.

3. Register of Interests and Related Parties Transactions

Interests will be recorded on the charity's Register of Interests and transactions involving any Related Parties will be documented and logged, this will be maintained by the Company Secretary.

The Register of Interests will be updated annually. Trustees are required to update their entry whenever any relevant change of personal circumstances occurs. Related Parties transactions will be documented when a transaction is made and recorded in the management accounts; this will be maintained by the Chief Executive or Company Secretary.

Changes of interests that occur at any other time during the year should be declared to the Company Secretary in order for the Register of Interests to be current and accurate.

If a Trustee is not sure what to declare, or whether/when a declaration needs to be updated, they should err on the side of caution. If a Trustee wishes to discuss this issue, they should contact KCF's Chief Executive or KCF's Company Secretary for confidential guidance.

The Register will only be accessible by KCF Trustees, KCF's Chief Executive, Company Secretary and professional advisers appointed by KCF (including auditors and legal advisors), unless disclosure is required by law or by any appropriate regulatory body. The information provided will be processed only to ensure that trustees and staff act in the best interests of KCF. The information provided will not be used for any other purpose. The information will be processed in accordance with KCF's Privacy Policy.

4. Types of Interest to be Registered

The exact nature of the interest will vary according to personal circumstances but the following are examples of interests, which should be declared if relevant to KCF's duties:

- Company: any relationship with a named company with which Kent Community Foundation might do business. Such interests would include:
 - i. Ownership or part ownership;
 - ii. Share-holdings or other beneficial interest such as options, warrants etc. Only share-holdings above the 3% notifiable level need be declared;
 - iii. Directorships;
 - iv. Paid employment, specifying position held;
 - v. Partnership, consultancy, or close family connection.
- Self-employment: names of any client accounting for more than 5% of your total annual earned income;
- Property: freehold or leasehold ownership of any properties in which Kent Community Foundation might have an interest;
- Charities: trusteeship, governorship or membership of or employment with, any charities or voluntary organisations;
- Public appointments: paid or unpaid;
- Memberships: membership of other associations or external bodies;
- Family: specified close family interest in any of the above. The definition of "close" would be up to the registrant to decide. It is appreciated that a declaration may be difficult to declare if information is not forthcoming from a family member.
- In all of the above, registrants are not expected to quantify the extent of a financial interest, merely the fact that one exists.

5. Declaration of Interests at meetings

Declarations of interest should be made at the beginning of any KCF meeting where an agenda item involves a direct conflict with an individual present. 'Conflicts of Interest' will be a standing agenda item at all KCF Board and Sub-Committee meetings. Any direct or indirect interest arising from an agenda item conflicting with an interest listed in section 4 should be declared and will be minuted. If a trustee fails to declare a conflict of interest themselves that is known to any of the meeting members, it must be declared to the Chair by whoever perceives the conflict.

Trustees and staff are only asked to declare relevant interests (i.e. interests which, in their judgment, are relevant to, or may impact upon, their KCF duties).

A declaration must also be made for potentially perceived conflicts, even if the individual personally believes there is no actual conflict. This is in order to protect KCF and the individual's reputation and ensure KCF is thorough in its risk management.

6. What to do if you face a Conflict of Interest

Trustees and staff should declare their interest at the earliest opportunity and withdraw from any subsequent discussion. This includes board meetings, committee meetings and electronic/email discussions and any other situations where acting in capacity of KCF trustee.

Trustees may, however, participate in discussions from which they may indirectly benefit, for example where the benefits are universal to all users, or where the benefit is minimal. This participation will be at the Chair's discretion.

Trustees, staff and volunteers should not participate in discussions or decision making regarding an application with which they have an involvement or personal interest.

7. Decisions taken where a Trustee has an Interest

In the event of the board having to decide upon a question in which a trustee has an interest, all decisions will be made by vote, with a simple majority required.

If, in the opinion of the Chair, it is deemed appropriate, the interested party may be asked to leave the room during the discussion

A quorum must be present for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate.

Interested board members may not vote on matters affecting their own interests.

All decisions under a conflict of interest will be recorded and reported in the minutes of the meeting. The report will record:

- the nature and extent of the conflict;
- an outline of the discussion;
- the actions taken to manage the conflict.

8. Review

The effectiveness of this policy and associated arrangements will be reviewed every two years under the direct supervision of the Chief Executive and approved by the Board of Trustees.