



## **CONFLICT OF INTEREST POLICY**

### **Introduction**

This policy applies to all SNAPS' employees, contractors, volunteers and Trustees. All these groups have a legal obligation to act in the best interests of SNAPS and in accordance with the SNAPS' governing Constitution, and to avoid situations where there may be potential conflict of interests.

Conflicts may arise where an individual's personal or family interests and/or loyalties conflict with those of SNAPS. Such conflicts may create problems - they can:

- Inhibit free discussion
- Result in decisions or actions that are not in the interests of SNAPS
- Risk the impression that SNAPS has acted improperly

The aim of this policy is to protect both the organisation, and the individuals involved.

### **The Declaration of Interest**

Accordingly, we are asking Trustees and staff to declare their interests, and any gifts or hospitality received in connection with their role in SNAPS. A declaration of interests form is provided for this purpose listing the types of interest you should declare.

To be effective, the declaration of interests needs to be updated at least annually and when any changes occur.

If you are not sure what to declare or whether/when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the Chair of SNAPS for confidential guidance.

The register of interests shall also be used to record all gifts of a value over £20 received by employees or Trustees.

Interests and gifts will be recorded on the Charity's register of interests, which will be maintained by the Treasurer or the Secretary. The register will be accessible by Trustees and by members of SNAPS.

### **Data Protection**



The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 2018. Data will be processed only to ensure that Trustees and all employees act in the best interests of SNAPS. The information provided will not be used for any other purpose.

### **What To Do If You Face A Conflict of Interest**

If you are a user of SNAPS' services, or the parent/carer of someone who uses SNAPS' services, you should not be involved in decisions that directly affect the service that you or the person you care for receives (except with prior agreement and declaration). You should declare your interest at the earliest opportunity and withdraw from subsequent discussions unless prior agreement has been reached for involvement (for example Parent Trustees). The same applies if you face a conflict for any other reason. You may, however, participate in discussions from which you may benefit indirectly for example where the benefits are universal to all users or where your benefit is minimal.

If you fail to declare an interest that is known to the Chair of SNAPS, the Treasurer or Secretary, that person will make that interest known on your behalf. You may be subject to disciplinary action if you knowingly withhold any interest from which you stand to benefit in contravention of this policy.

### **Decisions Where A Trustee Or Employee Has An Interest**

In the event of the Board of Trustees having to decide upon a question in which a Trustee or employee has an interest, all decisions will be made by vote, with a simple majority required. 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 by the Treasurer or Secretary 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.

Where a Trustee benefits from the decision, this will be reported in the annual report and accounts in accordance with the current Charities SORP.



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All payments or benefits in kind to Trustees will be recorded in the charity's accounts and annual report, with amounts for each Trustee listed for the year in question.

Where an employee is connected to a party involved in the supply of a service or product to the charity, this information will also be fully disclosed in the annual report and accounts. Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

### **Managing Contracts**

If you have a conflict of interest, you must not be involved in managing or monitoring a contract in which you have an interest. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.

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