

RISING SUN ARTS CENTRE

CONFLICT OF INTEREST POLICY

Date Adopted: 4th January 2014

7th April 2022 Reviewed and not materially changed

Date ratified: unknown

Date reviewed: July 2026. Updated to reflect change in RS staff structure – no paid Centre Manager in post.

1. PURPOSE

Employees, volunteers and trustees of the Rising Sun Arts Centre will strive to avoid any conflict of interest between the interests of the organisation on the one hand, and personal, professional, and business interests on the other. This includes avoiding actual conflicts of interest as well as the perception of conflicts of interest.

The purpose of this policy is to protect the integrity of the organisation's¹ decision-making process, to enable stakeholders to have confidence in the organisation's integrity, and to protect the integrity and reputation of volunteers, staff and Directors.

2. DEFINITION

Examples of conflicts of interest include:

- a) A trustee who is also a user may be faced with a decision in a committee meeting regarding whether fees for users should be increased.
- b) A trustee who is related² to a member of staff and there is decision to be taken on staff pay and/or conditions at a committee meeting.
- c) A trustee who is also on the committee of another organisation that is competing for the same funding.
- d) A trustee who has shares in a business that may be awarded a contract to do work or provide services for the organisation or is a director, partner or employee or related to someone who is**.

3. PROCEDURE

3.1 Upon appointment each trustee will make a full, written disclosure of interests, such as relationships, and posts held, that could potentially result in a conflict of interest. This written disclosure will be kept on file and will be updated annually or as appropriate.

'Conflicts of interest' is to be a standard agenda item at the beginning of each board and committee meeting to allow the opportunity for declaration of any actual or potential interest in any of the items on that agenda. Trustees present will declare any new potential conflicts of interest, these will then be minuted.

3.2 In the course of meetings or activities, trustees will disclose any interests in a transaction or decision where there may be a conflict between the organisations' best interests and the trustee's best interests or a conflict between the best interests of two organisations that the trustee is involved with. If in doubt the potential conflict must be declared in any case and clarification sought.

3.3 In the case of a conflict of interests arising for a trustee because of a duty of loyalty owed to another organisation or person and the conflict is not authorised by virtue of any other provision in the memorandum or the articles, the unconflicted directors may authorise such a conflict of interests where the following conditions apply:

1. The Charity Commission's permission is sought before a benefit for a trustee may be authorised that isn't otherwise authorised in the Memorandum of Articles or already authorised in writing from the Commission.
2. The trustee who has declared the conflict of interest withdraws from the part of the meeting at which there is discussion of any arrangement or transaction affecting that other organisation or person;
3. The trustee who has the conflict of interest does not vote on any such matter and is not to be counted when considering whether a quorum of trustees is present at the meeting.
4. The other trustees who have no conflict of interest in this matter, consider it is in the interests of the charity to authorise the conflict of interest in the circumstances applying.
5. Any such disclosure and the subsequent actions taken will be noted in the minutes.

Staff and Volunteers

Staff and volunteers also need to be mindful of potential conflicts of interest. These can occur if people use their position with the Rising Sun Arts Centre to:

- further their own financial interests e.g. by taking on private work with a client
- benefit a third party with whom they are associated e.g. recommend a tradesperson to whom they are related
- discriminate against a service user due to their political or religious views or allegiances
- unfairly benefit an arts centre user to whom they are related e.g. by applying a reduced charge for a service

OR

- are employed or engaged by an organisation in competition with the Charity
- are involved with groups whose values are in conflict with those of the Charity.

This list is not intended to be exclusive but is indicative of the kind of issues that can arise.

Enabling and Home Help staff are expressly forbidden to privately undertake any additional paid work on behalf of a client of that service. Doing so will result in disciplinary action and possible dismissal.

Staff and volunteers who have an interest that potentially could be in conflict with their position with the Rising Sun Arts Centre should bring it to the attention of their line manager who will pass it onto the Service Manager for consideration. Any managers with a potential conflict of interest should consult with the Chair of Trustees.

Most conflicts of interest can be successfully managed if they are known and out in the open. Staff and volunteers interests outside of their role with the arts centre, providing they are transparent, should not necessarily prevent them from continuing in that role.

Where it is deemed that a member of staff or volunteer acted in their own interests to the potential detriment of others, or the Charity disciplinary action will be taken.

A written record of reported conflicts of interest is to be maintained and documented. This documents any conflicts of interest and how the trustees have dealt with them, the nature of the conflict, the person(s) affected and how the board took decisions in the best interests of the charity.

Notes:

For all other potential conflicts of interest, the advice of the Charity Commission will be sought and the advice recorded in the minutes. All steps taken to follow the advice will be recorded. This policy is meant to supplement good judgment, and staff, volunteers and Directors should respect its spirit as well as its wording.