

CONFLICT OF INTEREST POLICY

Policy reviewed and revised: Early 2019. By: Graham Loveland. Agreed by PCC: March 2019

This policy applies to all members and officers of the Parochial Church Council (PCC). In the following, PCC will also include the Standing Committee.

The PCC has a legal obligation to act in the best interests of St Kea Church, and in accordance with Church of England Measures and as Trustees, the requirements of the Charity Commission.

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

- inhibit free discussion;
- result in decisions or actions that are not in the interests of St Kea Church; and
- risk the impression that the PCC has acted improperly.

The aim of this policy is to protect both the PCC and the individuals involved from any appearance of impropriety.

The declaration of interests

Accordingly, we ask all members and officers of the PCC to declare their interests, and any gifts or hospitality received in connection with their role at St Kea Church. If you are not sure what to declare or if at any time you would like guidance, then please contact the Chair or PCC secretary. Interests will be recorded by the PCC secretary. The register will be accessible by any member of the PCC and any statutory body which has a legal right to access the information.

Data Protection

The 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 Members and officers of the PCC act in the best interests of the PCC. The information provided will not be used for any other purpose.

What to do if you face a conflict of interest

You should declare your interest at the earliest opportunity and offer to withdraw from any subsequent discussion. You may, however, participate in discussions from which you may indirectly benefit, 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 PCC secretary and/or Chair of the PCC, then the PCC secretary and/or Chair of the PCC will declare that interest.

Decisions taken where there is a conflict of interest

In the event of the PCC having to decide upon a question in which a PCC member or officer has a conflict of interest, then that person may not vote on matters affecting that interest. All decisions under a conflict of interest will be recorded in the minutes of the meeting. The minute will record: the nature and extent of the conflict and the actions taken to manage the conflict.

What exactly is a “Conflict of interest”?

See overleaf.

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What exactly is a “Conflict of interest”?

A selection of (mostly short) definitions taken from various on-line sources

A conflict of interest is a situation in which...

...an individual has competing interests or loyalties.

...what is in a person’s best interest is not in the best interest of another person or organization to which that individual owes loyalty.

...someone cannot make a fair or impartial decision because they will be affected by the result.

...a person has a duty to more than one person or organization, but cannot do justice to the actual or potentially adverse interests of both parties.

...there exists the potential to undermine the impartiality of a person because of the possibility of a clash between the person's self-interest and professional interest or public interest.

...a party's responsibility to a second-party limits its ability to discharge its responsibility to a third-party.

Types of conflict of interest and duty

- Actual conflict of interest
- Potential conflict of interest
- Perceived conflict of interest
- Conflict of duty
- Direct interests
- Indirect interests
- Financial interests
- Non-financial interests

A conflict of interest (COI) is a situation in which a person or organization is involved in multiple interests, financial or otherwise, and serving one interest could involve working against another. Typically, this relates to situations in which the personal interest of an individual or organization might adversely affect a duty owed to make decisions for the benefit of a third party.

The presence of a conflict of interest is independent of the occurrence of impropriety. Therefore, a conflict of interest can be discovered and voluntarily defused before any corruption occurs. A conflict of interest exists if the circumstances are reasonably believed (on the basis of past experience and objective evidence) to create a risk that a decision may be unduly influenced by other, secondary interests, and not on whether a particular individual is actually influenced by a secondary interest.

A widely used definition is: "A conflict of interest is a set of circumstances that creates a risk that professional judgement or actions regarding a primary interest will be unduly influenced by a

secondary interest." [1] Primary interest refers to the principal goals of the profession or activity, such as the protection of clients, the health of patients, the integrity of research, and the duties of public officer. Secondary interest includes personal benefit and is not limited to only financial gain but also such motives as the desire for professional advancement, or the wish to do favours for family and friends. These secondary interests are not treated as wrong in and of themselves, but become objectionable when they are believed to have greater weight than the primary interests. Conflict of interest rules in the public sphere mainly focus on financial relationships since they are relatively more objective, fungible, and quantifiable, and usually involve the political, legal, and medical fields.

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