

CONFLICT OF INTEREST POLICY

1. Definition

A conflict of interest is any situation in which the personal interests of a trustee (or the interest that trustee owes to another person or organisation) runs counter to the interests of Highly Sprung Performance (HS- the Charity).

Conflicts of interests can lead to decisions which are invalid or open to challenge. They can also damage HS's reputation and public trust and confidence in charities generally.

2. Trustees' duties

Trustees have a duty to act at all times in the best interests of HS. Trustees also have a duty to declare any direct or indirect interest they have in any transaction or arrangement involving HS if that interest has not been previously declared.

3. When might a conflict of interest arise?

A conflict of interest may arise if there is an actual or potential financial or other measurable benefit directly to a trustee or indirectly through a connected person or if a trustee's duty to HS competes with a duty or loyalty owed to another person or organisation.

Examples of situations where a trustee would receive a benefit include: selling, loaning or leasing assets to or from a trustee, paying a trustee to carry out their role as a trustee, paying a trustee or a person or organisation closely connected to a trustee for providing services to HS, employing a trustee's spouse or other close relative.

A trustee's loyalty to HS might conflict with his or her or their loyalty to another organisation such as their employer or another charity of which they are a trustee or a member of their family or another connected person or organisation.

The test is: there is a conflict of interest if the trustee's other interest could, or could be seen to interfere with the trustee's ability to decide the issue only in the best interest of HS.

4. What is a "connected person"?

The constitution of HS defines the term "connected person" at article 30. In summary, a connected person is a close relative of the trustee or an organisation in which the trustee (or a close relative) has a substantial interest. If a trustee is unclear about whether a person or organisation is a connected person, they

should check the relevant article in HS's constitution and/or seek advice from the secretary or the chair of trustees in the first instance.

5. Procedure for declaring actual or potential conflicts of interests

All trustees must complete the Register of Interests kept by the HS's Secretary on an annual basis and notify the chair of Trustees as soon as any new actual or potential conflict of interest arises.

Conflicts of interests is a standard item on the agenda of all board meetings to allow trustees to declare any potential or actual conflicts of interests in respect of any items on the agenda for that meeting. The declaration should be made at the earliest possible time and before the discussion of the relevant item.

If a trustee is in any doubt as to whether or not there is a conflict of interests then, they should be open and declare the issue so that it can be discussed by trustees and a decision reached.

If a trustee is aware of an undeclared conflict of interest affecting another trustee, they should notify the other trustees or the chair.

6. Procedure for dealing with actual or potential conflicts of interests

HS's constitution provides that a trustee, having declared their interest financial or otherwise in a particular item under discussion, must absent him/herself from any discussions of trustees in which it is possible that a conflict of interest will arise between their duty to act solely in the interest of HS and any personal interest. A trustee who is absent from discussions for that reason cannot vote on decisions relating to that particular item or count in the quorum.

The minutes of meetings of the board of trustees will record the nature of any conflict, which trustee(s) were affected, whether any conflicts of interests were declared in advance, whether anyone withdrew from the discussion, an outline of the discussion and how the trustees took the decision in the best interests of HS.

7. Monitoring, enforcement and review

This policy will be monitored and enforced by the chair of trustees assisted by the Secretary.

Trustees will review this policy at least once every 3 years.

Policy adopted on: 21 March 2022

Next review date: March 2025