



## **CONFLICT OF INTEREST POLICY**

Based on the Model Policy developed by the Institute of Chartered Secretaries and Administrators ([www.icsa.org.uk](http://www.icsa.org.uk))

### **Computers 4 Africa Conflict of Interest Policy**

**This policy applies to all Trustees.**

#### **Why do we have a policy?**

Trustees have an obligation to act in the best interests of the charity, and in accordance with the charity's Memorandum and Articles of Association. Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of the charity.

Such conflicts may create problems; they can:

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

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

#### **The declaration of interests**

Accordingly, we are asking all Trustees to declare their interests, and any gifts or hospitality received in connection with their role in the charity. 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 also 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 Chief Executive for confidential guidance. Interests will be recorded on the governing body's register of interests, which will be maintained by the company secretary. The register and Conflict of Interest Statements will be accessible by the general public on the Computers 4 Africa web site, subject to the Data Protection Act 1998.

## **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 all Trustees act in the best interests of the charity. 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 the charity's services, or the carer of someone who uses the charity's services, you should not be involved in decisions that directly affect the service that you, or the person you care for, receive. You should declare your interest at the earliest opportunity and withdraw from any subsequent discussion. The same applies if you face a conflict for any other reason. 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 the company secretary and/or the Chairman of the Board, the Chief Executive or other Trustees will declare that interest.

## **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 the 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 Trustees may not vote on matters affecting their own interests. They must absent themselves from the discussion.

All decisions under a conflict of interest will be recorded by the company 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.

A *de minimis* exemption applies to contracts less than £100 in value. Random checks against the register of interest will be made on the award of contracts below this value. If the cumulative value of a series of small contracts exceeds £100 the Board Member will operate the policy used for individual contracts over that sum.

The *de minimis* exemption does not apply to contracts of employment with the charity.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures through an independent arbitration service.

### **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.