

# **AVP Stoke Trustee Conflicts of Interest Policy and Procedures**

## **1. Policy Statement**

AVP Stoke is committed to ensuring that its trustees act in the best interests of the charity and its beneficiaries. This policy outlines how the charity manages and addresses potential conflicts of interest that may arise among trustees. AVP Stoke will ensure that any situation where a conflict of interest exists is identified, disclosed, and managed appropriately to maintain transparency and trust in the charity's governance.

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## **2. Purpose of the Policy**

The purpose of this policy is to:

- Identify and prevent conflicts of interest among trustees.
  - Provide a clear procedure for declaring, managing, and recording conflicts of interest.
  - Ensure trustees act in the best interests of AVP Stoke and comply with legal and ethical standards.
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## **3. Scope of the Policy**

This policy applies to:

- All trustees of AVP Stoke.
- Any individual acting as a trustee for AVP Stoke, whether or not they are currently serving on the Board.

The policy covers conflicts of interest arising from:

- Financial interests.
- Non-financial personal interests (e.g., family relationships, personal or business connections).

- Any situation that could impair or appear to impair the trustee's ability to act impartially.
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## 4. Definition of Conflicts of Interest

A conflict of interest arises when a trustee's personal interests or relationships could influence or appear to influence their judgment or actions in the best interests of AVP Stoke. This includes, but is not limited to:

- **Financial Conflicts:** When a trustee stands to gain personally, financially, or professionally from a decision made by the charity.
- **Non-Financial Conflicts:** When a trustee has personal or family interests, friendships, or other relationships that could influence their ability to make objective decisions in the charity's interest.

A conflict of interest may be actual, potential, or perceived. Trustees must consider the **appearance** of a conflict, not only whether a conflict actually exists.

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## 5. Trustee Obligations

Trustees have a duty to:

- **Act in the charity's best interests** at all times, prioritizing the charity's needs above any personal interests.
  - **Declare any conflict of interest** (real, potential, or perceived) as soon as they arise.
  - **Avoid situations where their personal interests** could conflict with their duty to the charity.
  - **Follow the charity's procedures** for managing conflicts of interest.
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## 6. Procedures for Declaring Conflicts of Interest

### 6.1 Duty to Declare

- Trustees must disclose any **interest** that might be considered a conflict, as soon as they become aware of it. This includes:
  - Any financial interest in a matter being discussed by the Board.
  - Any personal or family relationships that may create a conflict.
  - Any business interests or outside affiliations that may lead to a conflict of interest.

## 6.2 Register of Interests

- Trustees must provide a **Register of Interests** when joining the Board and update it annually. This register will include:
  - Financial interests (e.g., shareholding, directorships, other charities or business interests).
  - Non-financial interests (e.g., family relationships, memberships of other organisations).
- Trustees must also update the register as soon as any new conflicts arise.

## 6.3 Declaration at Meetings

- At the beginning of each meeting, trustees will be asked to declare any interests relevant to the items on the agenda.
- Any trustee with a conflict of interest regarding a particular item must:
  - Declare the nature of the conflict.
  - Withdraw from the discussion and decision-making process related to that item (unless the Board decides otherwise).
  - Not participate in any vote on the matter.

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# 7. Managing Conflicts of Interest

## 7.1 Identifying and Assessing the Conflict

- When a conflict is disclosed, the Board will assess the nature of the conflict to determine how it should be managed.
- Conflicts will be managed on a case-by-case basis and may involve:

- **Exclusion from Discussions and Decision-making:** The trustee with the conflict may be asked to leave the room while the conflict-related matter is discussed and decided upon.
- **Recusal from Voting:** The trustee with the conflict will not be permitted to vote on the matter.
- **Approval by the Board:** If necessary, the Board will decide whether the trustee's participation in the decision is appropriate.

## 7.2 Independent Advice

- If there is uncertainty regarding how to manage a conflict of interest, the Board may seek independent legal or governance advice to ensure decisions are made transparently and fairly.

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## 8. Maintaining a Record of Conflicts of Interest

AVP Stoke will maintain:

- A **Register of Interests** (updated annually and whenever new interests are declared).
- A **Record of Decisions** made at meetings, which will include:
  - The conflict(s) declared by any trustee.
  - The decision made by the Board regarding the management of the conflict (e.g., recusal from discussion/voting).

Both documents will be kept confidential and only shared in accordance with legal requirements or the Charity Commission's guidelines.

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## 9. Breaches of the Policy

If a trustee is found to have failed to declare a conflict of interest or has not complied with the policy:

- The **Board of Trustees** will review the situation and may take disciplinary action.

- Serious breaches of this policy may lead to the removal of the trustee from the Board, in accordance with the charity's **governance procedures**.
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## 10. Training and Awareness

AVP Stoke will:

- Provide regular training for trustees on the importance of identifying and managing conflicts of interest.
  - Ensure that new trustees are made aware of this policy during their induction process.
  - Reinforce the policy at least annually through trustee meetings.
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## 11. Review of the Policy

This policy will be reviewed at least annually by the Board of Trustees to ensure that it remains effective, transparent, and compliant with legal and regulatory requirements.

**Last reviewed:** 1<sup>st</sup> January 2025

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## 12. Governance and Compliance

AVP Stoke's Conflicts of Interest Policy is designed to comply with the **Charities Act 2011, Charity Commission guidance**, and other relevant regulations. Trustees are expected to follow the procedures set out in this policy to ensure that all decisions are made with the highest standards of integrity and accountability.