



Nadder Community Land Trust Ltd.

Conflict of Interest Policy

EDITION 1

19th August 2019

Conflict of Interest Policy

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1 Preamble

- 1.1 Board Members (along with staff and volunteers) have a legal obligation to act in the best interests of the Nadder Community Land Trust Ltd. (NCLT) and in accordance with the Rules and the Code of Conduct and Good Practice. They must not, excepting reimbursement of out of pocket expenses, receive any benefit from the NCLT in return for a service provided, unless such benefit is expressly authorised by the Rules and governance policies.
- 1.2 Conflicts of interest may arise where an individual's personal or family interests and/or loyalties conflict with those of the NCLT. Such conflicts can inhibit free discussion, result in decisions that are not in the NCLT's best interests and/or risk the impression that the NCLT has acted improperly. In terms of reputation, the latter risk may be the most serious. A conflict of interest which is not managed properly and which leads to a financial benefit to the Board Member, may lead to allegations of breach of trust and criminal proceedings.

2 Potential Conflicts of Interest

- 2.1 These can arise in many ways and include;
- a) Direct financial gain or benefit to a Board Member
 - Payment to a Board Member for services provided to the charity
 - Payment for acting as a Board Member
 - Board Members acting as (paid) Directors of subsidiary trading companies
 - Sale of land or property to a Board Member
 - Use of a Trustee's property by the charity.
 - b) Indirect financial gain or benefit to a Board Member
 - This arises most commonly when a close relative or friend of the Board Member is employed by the charity (where the Board Member could be seen to benefit indirectly from remuneration to that employee).

3 Policy Statement

- 3.1 NCLT Rules clearly state in paragraph D17:
“Any Board Member, co-optee or member of a committee, having an interest in any proposed arrangement or agreement to which the CLT is a party shall disclose their interest, before the matter is discussed by the Board or any committee. “
- 3.2 In these circumstances the Board Member shall not have any vote on the matter in question and will leave the meeting for that item. The Board may request that the Board Member declaring an interest remain present in the meeting for the duration of the relevant item.

- 3.3 Board Members must recognise the importance of ensuring probity, both financial and moral, in all aspects of the NCLT's work. This must include ensuring that they do not use any involvement they may have in other organisations to influence, whether positively or negatively, any decisions they make about the NCLT. It is Board Members' paramount duty to act in the best interests of the NCLT at all times.
- 3.4 Board Members will declare, on an annual basis, any organisations of which they are a member, or in which they hold a position of general control, management or influence. This declaration will be required immediately following the Annual General Meeting, and the results will be collated into a Register of Members' Interests which will be available for inspection at all NCLT meetings. The Chair will remind Board Members of their obligations in respect of potential conflicts of interest at the start of each NCLT meeting.
- 3.5 It is the responsibility of individual Board Members to make a judgement about whether a connection elsewhere creates a conflict of interest with any given issue on a NCLT agenda, and to openly declare the potential conflict of interest if required. This should be done by making the Chair aware of any such issues prior to the start of NCLT meetings, and by publicly declaring the possible conflict of interest at the start of the relevant item.
- 3.6 It is unlikely that passive membership of a cognate organisation would lead to a conflict of interest. It is recognised that Board Members are likely to have interests beyond the NCLT, and these should not present any issue so long as Board Members respect and adhere to their duty to act in the best interests of the NCLT whilst representing the organisation.

4 Review

- 4.1 This policy is effective from 19th August, 2019 and will be reviewed every three years.

5 Annual Declaration of Potential Conflicts of Interest

ANNUAL DECLARATION OF POTENTIAL CONFLICTS OF INTEREST

I hereby give notice of the following interests which could give rise to a conflict with my Board Membership of the Nadder Community Land Trust.

I am a member of, or hold a position of general control or management in, or have a position of influence in, one or more of the following types of organisation:

- public authorities or other bodies with a public remit
- other companies, industrial and provident societies, charities or bodies directed to charitable purposes
- organisations whose principal purposes include the influence of public opinion or policy
- trade union(s) or professional associations
- any other organisation which might provide services to the Trust, or which has links with the Trust in other ways

Please list the relevant organisations below, and sign at the base of the form.

Name of Organisation	Position Held

Signed

Full name

Date

Notes to guide completion of this form:

- Being a passive member of another organisation, for example the National Trust, would not normally lead to a conflict of interest.
- If in doubt as to whether to include something, advice can be sought from the Chair.