

## Contents

1. Introduction .....	1
2. Purpose .....	1
3. Scope of Policy .....	2
4. Defining a conflict of interest .....	2
5. Register of Interests.....	3
6. Procedure during meetings and for the handling of tenders.....	3
7. Charity Commission Advice .....	4
8. Gifts.....	4
9. Hospitality.....	5
Appendix 1: Declaration of Interests for the period 1 <sup>st</sup> January to 31 <sup>st</sup> December 20.....	6
Appendix 2: Declaration of a gift, hospitality or other benefit over the value of £25 .....	7

## 1. Introduction

1.1 No matter at what level of an organisation people work, there is always the possibility of a situation arising where a potential or perceived conflict of interest may occur.

1.2 As a body responsible to its members and aiming to ensure good governance the College of Paramedics (the College) commits to ensure probity and propriety in the conduct of its business and expects that all conflicts of interest are identified and handled in line with this policy.

1.3 As part of this the College will:

- Register the interests of its Trustees
- Register gifts and hospitality received as required by the policy
- Adopt appropriate procedures for the conduct of meetings.

## 2. Purpose

2.1 The aim of this policy is to set out the procedure for handling conflicts of interest within the College.

2.2 The policy complies with the College Articles of Association, which comply with both charity and company law.

Title of document	Conflict of Interest Policy v2.0		
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## 3. Scope of Policy

3.1 This policy applies to:

- Trustees of the College
- All staff of the College
- External advisers and members of advisory groups or committees
- Any member of the College acting on its behalf.

3.2 The policy's principles and requirements should be observed by all involved in decision making on behalf of the College.

## 4. Defining a conflict of interest

4.1 Almost all of us have personal or professional interests, such as a hobby, an investment in a business or a desire to help our friends and family members succeed in their own interests. A conflict of interest is any situation in which the personal interests of an individual volunteer or staff member, or the loyalty which they owe to another organisation or person, could influence, or appear to influence, a decision they make.

4.2 Those who are in a position to directly or indirectly influence the outcome of College business must take extra steps to ensure that their private interests do not compete with their professional duties. This applies to Trustees, committee members, members acting on behalf of the College, external advisors and all staff.

4.3 Examples of interests which would be regarded as relevant are:

- Directorships, including non-executive directorships held in private companies or PLCs (with the exception of those of dormant companies)
- Ownership or part-ownership of private companies, businesses or consultancies likely or possibly seeking to do business with the College
- Shareholdings in organisations likely or possibly seeking to do business with the College
- A position of influence with a charity or voluntary body in the field of health and social care
- Any connection with a voluntary or other body contracting with the College or potentially conflicting with its views.
- A position of responsibility in an NHS organisation.

4.4 Even the appearance of an unmanaged conflict of interest can damage an organisation's reputation, so conflicts need to be managed carefully. Those who have any doubt about whether they have an interest that should be declared, should ask themselves:

- Am I, or might I be, in a position where I (or my family/friends) could gain from this connection between my private interests and my role with the College?

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- Do I have access to information which could influence purchasing decisions?
- Could my outside interest be in any way detrimental to the College?
- Do I have any reason to think I may be risking a conflict of interest?

**If still unsure - DECLARE IT**

## 5. Register of Interests

- 5.1 All Trustees and committee members are required to complete a Declaration of Interests form every two years, a copy of which is attached as Appendix 1. It is the responsibility of Trustees and committee members to complete a new declaration of interest whenever a pertinent change occurs in their interests.
- 5.2 Forms are kept in a Register of Interests folder for the purposes of this Policy.
- 5.3 The Register of Interests of trustees is held by the Head of Administrative Services. It is a document available for inspection by members on request. The Register is updated every two years and as necessary to reflect the changing circumstances of individuals.
- 5.4 It must be remembered that conflicts of interest apply to all staff and others when acting on behalf of the College, regardless of whether they complete a declaration.

## 6. Procedure during meetings and for the handling of tenders

- 6.1 At any meeting where the subject matter leads a participant to believe that there could be a conflict of interest, this interest must be declared at the earliest convenient point in the meeting. This relates to both their own personal circumstances and to those of anyone else that they are aware of at the meeting. In the case of any College Committee meeting, including the Board of Trustees (the Board), the chair will request members to declare their interests in items on the agenda at the beginning of every meeting.
- 6.2 Declarations of interests must be clearly identified within the minutes of the meeting, including any need to withdraw and reasons for not doing so.
- 6.3 As a rule, those with pecuniary interests should withdraw from the meeting and those with non-pecuniary interests could be allowed to stay, depending upon the circumstances. The meeting needs to determine whether there could be a matter of bias (any unfair regard with favour, or disfavour) in the matter.
- 6.4 Members allowed to stay in the meeting are not allowed to vote on the subject matter.
- 6.5 The Chair of the meeting must take a decision as to the need for the member to withdraw or not from the proceedings. Where this may involve the Chair, the Vice Chair will take the decision.

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6.6 If the Chair of a meeting is the person to whom the declaration of interests relates, the chair should vacate the seat and the meeting for that item. If there is no Vice Chair present at the meeting, the meeting must first elect a chair from within their number by a show of hands.

## 7. Charity Commission Advice

7.1 The directors of charitable companies; the trustees, have, under the Companies Act, certain duties to disclose to their fellow directors, conflicts between their private interests and their duties as directors.

7.2 However, it should be noted that, unless the governing document of a charity provides to the contrary, the disclosure by a charity trustee to his fellow charity trustees of a private interest in a matter coming up for decision, will not by itself remove the possibility that the decision will subsequently be declared void, because of the conflict of interest. If the charity trustees are concerned about the risks of making decisions in circumstances where one or more of them has a conflict of interest and duty, they should contact the commission for further advice.

7.3 The governing documents of some charities validate transactions in which one or more of the charity trustees has a conflict of interest and duty, often subject to conditions about declaring the private interest, not taking part in the discussion of, or voting upon, the matter in question and so on. But there are certain provisions of company law which, regardless of the terms of the company's articles of association, have the effect of requiring a resolution of the members, and the consent of the commission, to validate the transactions of a charitable company in which the directors have private interests. <https://www.gov.uk/government/publications/charities-and-meetings-cc48/charities-and-meetings>

## 8. Gifts

8.1 Any trustee, volunteer or member of staff receiving a gift valued at more than £25 as a result of their position or role at the College, for example from a supplier of services to the College, is required to declare it as soon as possible within the form in Appendix 2.

8.2 If the acceptance of any gift might give rise to criticism or concern about a conflict of interest, it should be politely declined.

8.3 For all gifts over £25, the Chief Executive will decide whether the trustee, volunteer or member of staff can retain the gift.

8.4 In the case of gifts to the Chief Executive, the Chair of the College will decide. In the case of gifts to the Chair, the matter should be put to the Board for decision either at a meeting or via email.

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## 9. Hospitality

9.1 Trustees, staff and others covered by this policy should never accept lavish hospitality or hospitality which could be interpreted as a way of exerting an improper influence over the way they carry out their duties for the College. Nor should they offer such hospitality to others on behalf of the College. The timing of hospitality in relation to procurement or purchasing decisions which the College may be taking is especially sensitive. Above all, Trustees must never solicit hospitality. As a general rule, Trustees should not accept hospitality which the College would not reciprocate in similar circumstances.

9.2 Trustees and staff may accept modest working meals, light refreshments and the like without making any declaration or obtaining written consent.

9.3 Other hospitality may be accepted with prior consent for instance where:

- There is a genuine need to impart information or represent the College to the membership or relevant stakeholders
- Where there is a clear need for the College to be represented at an event
- The hospitality concerns attendance at a relevant conference or course where it is clear the hospitality is corporate rather than personal.

## End of document

Policy approved by the Board of Trustees, via email, 12<sup>th</sup> September 2016

First review, by Board of Trustees, via email, 24<sup>th</sup> December 2018

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## Appendix 1: Declaration of Interests for the period 1<sup>st</sup> January 20.. to 31<sup>st</sup> December 20..

I.....(NAME), being a trustee / committee / employee of the College of Paramedics hereby declare in accordance with the College policy on conflict of interest, have the following / no interests (delete as appropriate) to declare that are relevant or material to the Board of Trustees of the College.

Signed.....

Date.....

Print Name.....

List of Interests:

Name of organisation where interest is held	Position held / interest held

Please note that should your circumstances change, you must notify the Head of Administrative Services at the time the change occurs. [Penny.jones@collegeofparamedics.co.uk](mailto:Penny.jones@collegeofparamedics.co.uk)

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## Appendix 2: Declaration of a gift, hospitality or other benefit over the value of £25

### Details of person receiving gift or hospitality

First name	
Surname	
Position	
Email address	
Date of declaration	

### Description of gift or hospitality

Description of gift / hospitality	
Value / estimated value of gift / hospitality	
Purpose of the offer	
Person / organisation providing the gift or hospitality	
Relationship (or future relationship) to the person / organisation offering the gift or hospitality	
Acceptance of gift / hospitality	Yes / No

### Approved by

Signature	
Date	
Name	
Position	

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