

CONFLICT OF INTEREST POLICY

This policy applies to Trustees and all staff

Why we have a Policy

Trustees have a legal obligation to act in the best interests of Camden Mental Health Consortium (CMHC), and in accordance with CMHC's governing document, and to avoid situations where there may be a potential conflict of interest.

Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of CMHC. Such conflicts may create problems; they can:

- inhibit free discussion;
- result in decisions or actions that are not in the interests of CMHC; and
- risk the impression that CMHC 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 trustees and all staff to declare their interests, and any gifts or hospitality received in connection with their role in CMHC.

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 company secretary for confidential guidance.

This register of interests should also be used to record all gifts of a value over £25 received by the trustees and staff. Interests and gifts will be recorded on the charity's register of interests, which will be maintained by the Company Secretary. The register will be accessible on request and will be published on the CMHC website.

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 trustees and all staff act in the best interests of CMHC. 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 CMHC's services, or the carer of someone who uses CMHC's services, you should not be involved in decisions that directly affect the service that you, or the person you care for, receive(s). 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 Chair of the Board, the Company Secretary or Chair will declare that interest.

Decisions taken where a Trustee or Member of Staff has an Interest

In the event of the Board having to decide upon a question in which a trustee or member of staff has an interest, all decisions will be made by vote, with a simple 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 board members may not vote on matters affecting their own interests.

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

Where a trustee benefits from the decision, this will be reported in the annual report and accounts in accordance with the current Charities SORP. All payments or benefits in kind to trustees will be reported in the charity's accounts and annual report, with amounts for each trustee listed for the year in question.

Where a member of CMHC's staff is connected to a party involved in the supply of a service or product to the charity, this information will also be fully disclosed in the annual report and accounts.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

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.