



YOUNG ENTERPRISE

Conflict of Interest Policy

This policy applies to Trustees, the Senior Management Team, all staff **and Volunteers** and should be read in conjunction with the Register of Interests and Gifts (**Appendix 1**) & Declaration of Interests (**Appendix 2**) Forms.

Why we have a policy

Trustees have a legal obligation to act in the best interests of Young Enterprise, and in accordance with Young Enterprise's governing document and to avoid a situation where there may be a potential conflict of interest.

The Senior Management Team, all staff and Volunteers have similar obligations.

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

- inhibit free discussion;
- result in decisions or actions that are not in the interests of Young Enterprise; and
- risk the impression that Young Enterprise 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 those to whom this policy applies to declare, on appointment, their interests, and any gifts or hospitality subsequently received in connection with their role in Young Enterprise.

A Declaration of Interests Form (**Appendix 1**) is provided for this purpose, listing the types of interest you should declare. All declarations of interests are entered in the Young Enterprise's Register of Interests (**Appendix 2**)

To be effective, the Declaration of Interests Form 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 Honorary Secretary or the Chief Operating Officer for confidential guidance.

This Register of Interests will also be used to record all gifts of a value over £25 received by all those to whom this policy applies. If you receive a gift to this value please advise the Chief Operating Officer.

The Register of Interests will be maintained by the Chief Operating Officer. The Register will be accessible by the YE Board, the Honorary Secretary, and the Senior Management Team.

What to do if you face a conflict of interest

If you are a user of Young Enterprise's services, or the carer of someone who uses Young Enterprise's services, you should not be involved in decisions that directly affect the service that you, and/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 Honorary Secretary and/or the Chairman of Young Enterprise, the Honorary Secretary or Chairman will declare that interest.

Meetings of Trustees

The Register of Interests as it relates to the Trustees and the Senior Management Team will be tabled at each meeting of the Board.

At each meeting Trustees (and members of the Senior Management and Young Enterprise staff attending) will be asked to declare if they have any conflicts they need to declare in respect of matters to be discussed and decisions to be taken at the meeting.

Those declaring such an interest will exclude themselves from any discussions and (in the case of the Trustees) decision on any matter in which they have a declared interest. See below for further detail.

Where a Trustee has a secondary role in Young Enterprise (e.g. as a Volunteer) he or she must, when considering the business of the Board, pay attention only to their duties as a Trustee.

Decisions taken by the Board where a conflict of interest has been declared

In the event of the Board having to decide upon a question in which it is aware that anyone to whom this policy relates 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 Board members will not be counted when deciding whether the meeting is quorate and may not vote on matters affecting their own interests.

Decisions taken other than by the Trustee Board where a conflict of interest has been declared

In the event of a decision being made other than by the Board upon a delegated matter in which anyone to whom this policy relates has an interest the principles set out in the paragraph above should be followed. All such decisions will be reported to the Chief Executive where he is not involved in the decision making process.

Reporting of Conflicts

All decisions under a conflict of interest made by the Trustee Board will be recorded by the Honorary 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.

Where a Trustee benefits from the decision, this will be reported in the annual report and accounts in accordance with 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 Young Enterprise's staff or Volunteers are connected to a party involved in the material supply of a service or product to the charity this information will be fully disclosed in the annual report and accounts.

Resolution of Conflicts

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

Volunteers

A Volunteer's obligation to avoid conflicts of interest will be drawn to their attention in their Code of Conduct. They should take steps declare conflicts as and when they arise.

Data Protection

All information provided in accordance with this policy 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 senior staff act in the best interests of Young Enterprise. The information provided will not be used for any other purpose.