

This is a template Conflict of Interest Policy for use by Making Music members. It includes a Conflict of Interest declaration form and a Conflict of interest register.

It is designed to be a starting point for your policy and can be adapted to suit your group’s circumstances. The template comes with brief notes and some examples and you should also read our general [Conflict of Interest guidance](https://www.makingmusic.org.uk/resource/conflict-interest-policy-guidance) before using the policy.

We hope you find this Making Music template resource useful. Whilst every effort is made to ensure that the content is accurate and up to date, Making Music do not warrant, nor accept any liability or responsibility for the completeness or accuracy of the content, or for any loss which may arise from reliance on the template or any information contained in it.

If you have any comments or suggestions about the guidance please[*contact us*.](mailto:info@makingmusic.org.uk)



**Notes on using this policy template**

* This policy has been designed for use by charitable and non-charitable organisations. Depending on the type of organisation, you will have to select which wording to use in parts that are highlighted yellow
  + For charities we suggest you use the words, trustee(s) and charity
  + For non-charitable organisations we have included committee member as an alternative option - but you could use a different term to suit your organisation – such as management team.
* Parts in [square brackets] need to be updated with your specific details.



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**[Group Name] - Potential Conflict of Interest Policy**

This policy applies to all [trustee/committee member] of [Group name]

A ‘conflict of interest’ arises when the best interests of an individual [trustee/committee member] are, or could be, different from the best interests of the [charity/organisation] itself.

The [trustee/committee member] acknowledge that it is inevitable that conflicts of interest will occur. They are however committed to managing these potential conflicts in order to protect both the [charity/organisation] and the [trustee/committee member] from any impropriety or appearance of impropriety.

**Statement of Intent**

[Group name] is committed to ensuring its decisions and decision-making processes are, and are seen to be, free from personal bias and do not unfairly favour any individual connected with the [charity/organisation].

**Policy**

It is the policy of [Group Name] to:

* Ensure every [trustee/committee member] understands what constitutes a conflict of interest and that they have a responsibility to recognise and declare any conflicts that might arise for them.
* Document the conflict and the action(s) taken to ensure that the conflict does not affect the decision making of the organisation.

**Procedure**

When a [trustee/committee member] identifies that they have a potential conflict of interest they must:

* Declare it as soon as they become aware of it.
* Ensure it is entered in the conflict of interest register (ongoing conflicts), and/or appropriately minuted (one-off conflicts).
* Not take part in any [trustee/committee member] discussions relating to the matter.
* Not take part in any decision making related to the matter.
* Not be counted in the quorum for decision making related to the matter.

In the interests of frank and open discussion, a [trustee/committee member] affected by a conflict of interest must leave the room while related discussion / decision making is taking place, unless there is good reason for them to stay.

The minutes should state:

* The declared conflict.
* That the [trustee/committee member] left the room, or the reason they were asked to stay.
* That the [trustee/committee member] took no part in discussion or decision making on the matter.
* That the meeting was quorate (not counting the affected [trustee/committee member]).
* Any other actions taken to manage the conflict.

If a [trustee/committee member] is unsure what to declare, they should err on the side of caution and discuss the matter with the Chair of the [Board of Trustees/committee] of [Group name] for confidential guidance.

Policy adopted on [insert date]

**ANNUAL [TRUSTEE/COMMITTTEE MEMBER] CONFLICT OF INTEREST DECLARATION**

**Name of charity: [Group name]**

**Name of [TRUSTEE/COMMITTTEE MEMBER]:**

**Date conflict of interest identified (put n/a if no conflict identified):**

**Details of conflict:**

*E.g.*

* *being paid to carry out work or services for [Group name]*
* *being the direct or indirect beneficiary of a contract entered into by [Group name] (e.g. your partner works for the charity)*
* *other directorships or trusteeships which could create a conflict of loyalty (e.g. trustee of a community building used for rehearsals)*
* *being the recipient of a gift in excess of £50*

*This is not an exhaustive list, but just gives some examples relevant to [Group name] trustees. Essentially, they can be summarised as: benefits to trustees or a person related to them; or conflicts of loyalty; For more information, please see the Charity Commission’s guidance:* [*https://www.gov.uk/government/publications/conflicts-of-interest-a-guide-for-charity-trustees-cc29/conflicts-of-interest-a-guide-for-charity-trustees*](https://www.gov.uk/government/publications/conflicts-of-interest-a-guide-for-charity-trustees-cc29/conflicts-of-interest-a-guide-for-charity-trustees)

**Who does it relate to?** (e.g. self, connected person – please specify)

**How was it notified?** (e.g. verbal at Board meeting, letter, annual declaration)

**Trustee signature:**

**Date of signature:**

**Conflict of Interest Register for [Trustees/Committee members]**

**[Group name]**

|  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| **Date identified** | **Name of [Trustees/Committee members** | **Details of conflict** | **Who does it relate to?** | **How notified\*** | **Action taken\*\*** | **Follow up needed? (Y/N)** | **End date conflict/current** | **Reason for resolution\*\*\*** |
| *1 June 2016*  *[Example]* | *Ann Person* | *Person connected to trustees (partner) is being paid to for providing service of leaflet design* | *Brian Person* | *Discussion at board meeting and written declaration by Claudia Craig* | *Trustee withdrawn from any discussion and decision making process relating to* | *N* | *1 August 2016* | *Engagement with connected person to provide a service ended* |
| *1 Sep 2016*  *[Example]* | *Chris Example* | *Trustee is paid for providing service as Musical Director to the charity* | *Chris Example* | *Verbal discussion of management meeting* | *Trustee withdrawn from any discussion and decision making process relating to* | *N* | *Current* |  |
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**\***e.g. verbal declaration at Board meeting, written declaration etc.

\*\*e.g. trustee withdrawing from a decision making process: disclosure in Annual Report to members etc.

\*\*\*e.g. conflict of interest ceased, trustee resigned or end of term etc.