

# CULBOKIE COMMUNITY TRUST

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## Conflict of Interest Policy of Culbokie Community Trust

### Definition

A 'conflict of interest' arises when the best interests of an individual trustee are, or could be, different from the best interests of the charity itself. This may be something that affects the trustee directly, or indirectly, through a family member or friend or business partner. Examples are given in Annex 1.

### Statement of Intent

The Culbokie Community Trust 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.

### Policy

It is the policy of the Culbokie Community Trust to:

- Ensure every trustee 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 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 minuted in the appropriate board papers (one-off conflicts)
- Not take part in any board 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

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In the interests of frank and open discussion, a trustee 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 left the room, or the reason they were asked to stay.
- That the trustee took no part in discussion or decision making on the matter
- That the meeting was quorate (not counting the affected trustee)
- Any other actions taken to manage the conflict

If a trustee is unsure what to declare, they should err on the side of caution and discuss the matter with CCT's Chairman for confidential guidance.

## **Policy adopted on 11<sup>th</sup> January 2016**

### **Revise as necessary**

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## **Annex 1 Examples of Conflict of Interest**

### **Example 1**

A trustee owns a building company and the charity needs some building work done. As an individual, the trustee would like the work to be given to his/her company, but as a trustee he/she has a responsibility to choose the best company for the job – which might or might not be his/her own company.

### **Example 2**

The charity is offering a new play scheme for children with disabilities, but the number of places available is limited. One of the trustees has a disabled nephew who would like to take part in the new scheme. As an individual, the trustee would like his nephew to be given a place on the scheme, but as a trustee he has a responsibility to make sure the places are offered to those that need them most – which might or might not include his nephew

### **Example 3**

A 'conflict of loyalty' is a particular kind of conflict of interest where the duties the trustee owes to another body or organisation are, or could be, in conflict with the duties the trustee owes to the charity. For example a trustee sits on two different trustee boards and both organisations are planning to apply for the same funding opportunity which is competitive and which only one organisation can win.

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