

# St Martin's Church, Liskeard - Conflicts of Interest Policy

## Introduction

Responsibility for the management of St Martin's Church is shared between the Parochial Church Council (PCC) and the Rector, who will chair PCC meetings. The church is a registered charity, with the charity number 1130720. All PCC members are trustees of the charity and have a legal obligation to act in the charity's best interests. Part of the duty of trustees is not to allow personal interests to influence decisions made on behalf of the charity.

This has implications in practice for both individual charity trustees and for the charity trustees collectively:

- individual charity trustees must identify and declare any conflict of interest on their part; and
- the charity trustees collectively must ensure that they have arrangements in place that enable conflicts of interest to be identified and dealt with effectively.

St Martin's Church does not operate in a vacuum: both it and its members form an integral part of the life of the community. This can give rise to conflicts of interest for individual members of the PCC where the best interests of the PCC may be at odds with those of other community organisations. Other conflicts of interest may arise from personal or family circumstances.

PCC members are not employees of the charity and cannot gain a private benefit from their roles as members of the PCC. Where a conflict of interest is not identified and dealt with appropriately, it can result in decisions or actions that are not in the best interests of the PCC and / or which, in the case of interests of a personal kind, can confer an unauthorised benefit on one or more members of the PCC.

Conflicts of interest can take many forms. Some will make it inappropriate for the individual to participate in a discussion or decision; others may simply need to be identified and declared, so allowing the individual to continue to contribute their experience and expertise to the matter at hand.

## Conflicts of Interest Policy

1. This policy applies to all members of the PCC, the Standing Committee and any other committees or working parties set up by the PCC.
2. A conflict of interest is any situation in which a member's personal interests or loyalties could prevent, or could be seen to prevent, the member from making a decision only in the best interests of the PCC. Such a situation may arise either:
  - (a) where there is a potential financial benefit to a member, whether directly or indirectly through a connected person (such as a close family member or business partner); or
  - (b) where a member's duty to the PCC may compete with a duty of loyalty he or she owes to another organisation or person (e.g. by virtue of being a trustee or committee member of a body which has an interest in the matter).
3. It is desirable that any conflicts of interest are declared to the Chair of the meeting as soon as the agenda is circulated. They must also be declared at the start of the meeting or when the relevant agenda item is reached.
4. Subject to paragraph 6 below, where a conflict of interest arises in connection with a personal benefit, the member concerned must withdraw from the meeting and not take part in any discussions relating to it (including discussions for the purpose of obtaining any authority from the Charity Commission that would be required to authorise the benefit).
5. Subject to paragraph 6 below, where a conflict of loyalty arises, the PCC will consider what level of participation, if any, is acceptable on the part of the conflicted member, having regard to the duty to act in the best interests of the PCC. However, the normal expectation will be that the conflicted member should withdraw from the meeting during discussion of the item of business in question.
6. A member need not withdraw from a meeting if his or her interest (whether financial or non-financial) is common to a class of persons and is neither (i) significant nor (ii) substantially greater than the interests of other members of that class.
7. The existence of a conflict of interest must be recorded in the minutes, together with the decision as to how it should be dealt with.

This policy was adopted by the PCC on [date].