

Conflicts of Interest Policy and Declaration Form

All staff, trustees and volunteers ('**Members**') of Chance to Shine (CTS) will strive to avoid any conflict of interest between the interests of Chance to Shine on the one hand, and personal, professional, and business interests on the other. This includes avoiding actual conflicts of interest as well as the perception of conflicts of interest.

The purpose of this policy is to protect the integrity of Chance to Shine's decision making process, to enable our stakeholders to have confidence in our integrity, and to protect the integrity and reputation of staff, trustees and volunteers.

Definition of a conflict

A conflict of interest is any situation when your professional or family interests and/or loyalties conflict with those of Chance to Shine.

Examples of conflicts of interest include:

- 1) A Member who is, or is related* to someone who is, also a beneficiary of CTS and who is involved in decisions around funding allocations.
- 2) A Member who is, or is related* to someone who is, also on the committee of another organisation that is competing for the same funding.
- 3) A Member who works for or has shares in, or is related* to someone who works for or has shares in, an organisation that may be awarded a contract to do work or provide services for Chance to Shine or a recipient of Chance to Shine funds. (e.g. providing cricket coaching services to a County Cricket Board)

Procedure

Upon recruitment each Member will make a full, written disclosure of interests, such as relationships, and posts held, that could potentially result in a conflict of interest. This written disclosure will be kept on file and it will be updated as appropriate.

In the course of meetings or activities, Members will disclose any interests in a transaction or decision where there may be a conflict between Chance to Shine's best interests and the Member's best interests or a conflict between the best interests of two organisations that the Member is involved with.

All conflicts should be disclosed at the earliest opportunity and referred to the Chief Executive (or Chair if related to a trustee) and the conflict, and the subsequent actions taken, will be noted in the register of interests maintained by the Director of Finance and Resources.

After disclosure, the Member should withdraw from any subsequent discussion, decision or vote unless invited to remain. If invited to remain they may contribute to the discussion but may not vote.

Managing a conflict

In the event of the Board having to decide upon a question in which a Trustee has an interest such as the level of fees, all decisions will be made by vote, with a simple majority required. A quorum must be present for the discussions and decision; interested parties will not be counted when deciding

* A related party is defined in Appendix 1

whether the meeting is quorate. Interested Trustees may not vote on matters affecting their own interests.

All decisions under conflict of interest will be reported in the minutes of the meeting (as applicable) and reported in the register of interests. The report will record the nature and extent of the conflict, an outline of the discussion and the actions taken to manage the conflict. Where a Trustee benefits from the decision, this will be reported in the annual accounts in accordance with SORP 2015.

A Member must not be involved in managing or monitoring a contract in which they 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.

Data Protection

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 2018 and the UK General Data Protection Regulation. Data will be processed only to ensure that Members act in the best interests of CTS. The information provided will not be used for any other purpose.

Appendix 1 – Definition of related parties

Related parties is a term used by the SORP that combines the requirements of charity law, company law and the Financial Reporting Standard applicable in the UK and the Republic of Ireland. The term is used to identify those persons or entities that are closely connected to the reporting charity or its trustees. The following 'natural persons' are classed as related parties:

- A. any charity trustee and custodian trustee of the charity;
- B. a person who is the donor of any land to the charity (whether the gift was made on or after the establishment of the charity); and
- C. any person who is:
 - 1. a child, parent, grandchild, grandparent, brother or sister of any such trustee (A) or donor (B) of land;
 - 2. an officer, agent or a member of the key management personnel of the charity;
 - 3. the spouse or civil partner of any of the above persons (A, B, C1 and C2);
 - 4. carrying on business in partnership with any of the above persons (A, B, C1, C2 and C3);
 - 5. a person, or a close member of that person's family, who has control or joint control over the reporting charity;
 - 6. a person, or a close member of that person's family, who has significant influence over the reporting charity.

'Close member of a person's family' refers to:

- a. that person's children or spouse;
- b. the children, stepchildren or illegitimate children of that person's spouse or domestic partner;
- c. dependents of that person; and
- d. that person's domestic partner who lives with them as husband or wife or in an equivalent same-sex relationship.

A charity is not necessarily related to another charity simply because a particular person happens to be a trustee of both. It will only be 'related' if the relationship means that one charity, in furthering its charitable aims, is under the direction or control of the trustees of another charity.

The following entities, which are not 'natural persons', are classed as related parties of a reporting entity (including a reporting charity) if any of the following conditions apply:

- ◆ the entity and the reporting charity are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others);
- ◆ one entity is an associate or joint venture of the other entity (or a member of the group in which the other entity is the parent or a member);
- ◆ both entities are joint ventures of the same third entity;
- ◆ one entity is a joint venture of a third entity and the other entity is an associate of the third entity;

- ◆ the entity is a post-employment benefit plan for the benefit of employees of either the reporting entity or an entity related to the reporting entity;
- ◆ an entity that is controlled or jointly controlled by a person, or two or more persons, identified in A, B or C;
- ◆ an entity in which a person, or two or more such persons, identified in A, B or C, taken together, have a substantial interest or significant influence over the entity;

Control is presumed to exist when one or more persons identified in A, B or C, taken alone or together, hold directly or indirectly, more than half the voting power of an entity. However, control can also exist when they, directly or indirectly, control half or less than half of the voting power of an entity, if they have:

- ◆ power over more than half of the voting rights by virtue of agreement with other investors;
- ◆ the power to govern the financial and operating policies of the entity under a statute or an agreement;
- ◆ the power to appoint or remove the majority of the members of the board of directors or equivalent governing body, and control of the entity is by that board or body; or
- ◆ the power to cast the majority of votes at the meetings of the board of directors or equivalent governing body, and control of the entity is by that board or body.

An individual has a substantial interest or significant influence in an entity where that person, or two or more persons identified in A, B or C, taken together, have an interest in the equity share capital of that entity of a nominal value of more than one-fifth of that share capital, or is entitled to exercise, or control the exercise of, more than one-fifth of the voting power at any general meeting of that entity.

Appendix 2

DECLARATION OF INTERESTS FORM

I declare the following interests in accordance with the CTS's conflict of interest policy above.

Category	Please give details of the interest and whether it applies to yourself or, where appropriate, a related party
Any employment outside of Chance to Shine. <i>(note: for staff, written consent from CTS is required for any other employment as per the employment contract)</i>	
Any previous employment in which you continue to have a financial interest.	
Please give details of any other contractual relationships with the charity or if a recipient of CTS funds. (eg. as a supplier or coach)	
Please specify any directorships, trusteeships, membership of local authority or tribunals etc, you hold including the date of any change.	
Please provide details of any significant share ownerships (eg. >25%) of organisations potentially connected to the charity.	
Do you use the services of the Charity, or are you related to a beneficiary?	
Please detail any other financial transactions with the Charity (inc. donations to the Charity)?	
Please detail any gifts or hospitality offered to you, as a Trustee or staff member, by external bodies and whether this was declined or accepted in the last twelve months.	
Any personal disclosures that could pose a reputational risk to the Charity?	
Any other conflicts that are not covered by the above.	

To the best of my knowledge, the above information is complete and correct. I undertake to update, as necessary, the information provided and to review the accuracy of the information on an annual basis. I give my consent for it to be used for the purposes described in the conflicts of interest policy and for no other purpose.

Signed:

Date:

Name:

Position: