

33. Conflict of Interest

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V1.0	Apr 2017	Charity Commission requirement	K Coupe & H Mansfield	Dropbox.com Website	2019/20
V2.0	Sept 2018	Updated re. GDPR	K Coupe	Dropbox.com Website	2020
V3.0	Oct 2018	Incorrect information about DPA: corrected	K Coupe	Dropbox.com Website	2020
V4-0	2 Dec 2022	Reviewed and updated to include "Associated Policies & Procedures" section as per Safeguarding Audit section 175/157	K Coupe	Dropbox.com Website	Dec 2024
V5-0	24 May 2024	Reviewed and updated <ul style="list-style-type: none"> • latest Charity Commission advice re identifying conflicts of interest; • hyperlinks included in "Further guidance" section 	K Coupe	Dropbox.com Website	May 2026

Statement of Intent

North Nibley Pre-school recognises that at times there may be a potential for conflict of interest. There is a legal requirement for all individuals (staff, volunteers, parents and committee members) that an individual must declare a conflict of interest immediately they are aware of any possibility that their personal or wider interests could influence their decision-making. In recognising this, this policy is in place to best avoid/manage such situations.

Aim

The aim of this policy is to minimise any conflict of interest for staff, volunteers, parents and committee members at North Nibley Pre-school.

Identifying conflicts of interest

There are two common types of conflict of interest: financial conflicts and loyalty conflicts.

Financial conflicts

These conflicts happen when a trustee (ie. Committee member), or person or organisation connected to them, could get money or something else of value from a trustee decision. They do not include a trustee's expenses – for example, for going to a charity meeting.

Some common examples are:

- pay the trustee for doing their trustee role (more than their expenses);
- employ or pay the trustee, or their relative, for some work at North Nibley Pre-school;
- buy goods from a business owned by a trustee.

NB: it still counts as a conflict, even if your charity would get/got a good deal for its money.

Loyalty conflicts

These conflicts are not about money or other trustee benefits. They happen when, for other reasons, a trustee might not be able to make decisions that are best for the charity.

Some common examples are:

- if the Pre-school's decision involves a person or organisation linked to a trustee, ie.
 - the trustee's employer;
 - another charity where they are a trustee;
 - their relatives or friends.

There can be a conflict because the trustee's responsibility (or loyalty) to the other organisation or person could compete with their responsibility to North Nibley Pre-school. Conflicts can affect all types of charities. The Pre-school will identify and deal with them properly to ensure that the setting meets their joint legal responsibility to make decisions.

3-Step approach

The pre-school adopts a 3-step approach of identify, prevent and record.

- The pre-school keeps a written record of the conflict of interest and how it was dealt with in the minutes of committee meetings (as they arise). The minutes will explain:
 - what sort of conflict of interest it was;
 - which staff member, volunteer, parent or committee member were affected;
 - if any conflict of interests were declared in advance;
 - an outline of the discussion;
 - if anyone withdrew from the discussion; and
 - how the meeting made the decision in North Nibley Pre-school's best interests.

Method

North Nibley Pre-school will work towards the above objective through:

- No staff, volunteer or committee member should allow their outside activities to interfere with their work at North Nibley Pre-school.
- No staff, volunteer or committee member should allow any conflicts between their duties or their private interest to affect their ability to carry out their duties effectively.
- No staff, volunteer or committee member should make use of or exploit the pre-school, their connection with the pre-school or information obtained in the course of their duties to further their own private interest or gain.
- No staff, volunteer, parent or committee member should act in a manner likely to bring the pre-school into disrepute or effect the reputation.
- Staff, volunteers and committee members must disclose any potential or apparent conflict of interest that may affect their ability to carry out their role.
- If a member of staff, volunteer or committee member feels there is a conflict of interest, they must raise it with their line manager or Chairperson, and a declaration of conflict of interest form is completed (see Appendix 1).
- If a meeting is arranged where a conflict of interest could arise, then the member of staff, volunteer, parent or committee member may be excused as decided by the Committee or Chair person. This must be documented in the meeting minutes.
- Staff, volunteers and committee members will not discuss any personal information relating to any child or other staff members outside of pre-school business, either verbally or via other forms of media (eg. social network sites, text messages, etc).

- Information to do with the employment of staff or volunteers, whether paid or unpaid, will remain confidential to the people directly involved with making personnel decisions.
- North Nibley Pre-school works in line with and refers to the General Data Protection Regulations 2018 and the Data Protection Act 2018 and seeks advice when needed from the Information Commissioner's Office (ICO).
- Adults should be aware that behaviour in their personal lives may impact on their work with children. Adults should understand that the behaviour and actions of their family members may raise questions about their suitability to work with children.
- Staff should always approve any planned social contact with children or families with management. Report and record any situation which may place a child at risk or which may compromise the pre-school or their own professional standing.
- North Nibley Pre-school has a duty to take reasonable steps to prevent conflict of interests within the workplace, ie. the redeployment of staff related to a child in their care.

All the undertakings above are subject to the paramount commitment of North Nibley Pre-school, which is to the safety and well-being of the children who attend the pre-school.

Further guidance

- [Manage a conflict of interest in a charity](#) (Charity Commission, [latest version](#))
- Information Commissioner's office www.ico.org.uk; helpline: 03003 123 1113 (Mon to Fri 9am-5pm).

Associated Policies and Procedures

- No 4 Safeguarding children and child protection
- No 7 Confidentiality
- No 18 Employment and staffing
- No 21 Information Communication Technology
- No 36 Data collection and information sharing

North Nibley Pre-school Register of conflict of interests

Person or organisation	Nature of relationship and/or nature of conflict of interest
<i>Example: Josephine Bloggs, staff</i>	<i>parent of child attending pre-school</i>
<i>Example: Millhouse Playing Field Association</i>	<i>Committee member</i>

Name:

Position:

Signed:

Date:

NB: complete one form for each staff member, volunteer, parent or committee member and file with the associated minutes.