



THE MILL ROAD WINTER FAIR ASSOCIATION

(MRWF)

CONFLICT OF INTERESTS POLICY

DATED 14 JANUARY 2011

CONTENTS

CLAUSE

1.Introduction.....	1
2.Declaration of Interests.....	1
3.Data Protection.....	2
4.What to do if a mrwf committee member has a conflict of interest.....	2
5.Decision making when there is a conflict of interest.....	2
6.Managing Contracts.....	3
7.Monitoring and review of the policy.....	3

1. INTRODUCTION

- 1.1 MRWF Committee members have a legal obligation to act in the best interests of MRWF and in accordance with the MRWF Constitution. This means they must avoid situations where there may be a potential conflict of interest.
- 1.2 Conflicts of interests may arise where an individual's personal, business or family interests and/or loyalties conflict with those of MRWF. Such conflicts may create problems as they can:
- (a) Inhibit free discussion;
 - (b) Result in decisions or actions that are not in the interests of MRWF and
 - (c) Risk the impression that the MRWF or the MRWF Committee has acted improperly.
- 1.3 The aim of this policy is prevent these problems arising. This policy applies to all members of the MRWF Committee.
- 1.4 This policy will be published on the MRWF website. Hard copies may be requested from the MRWF Secretary.

2. DECLARATION OF INTERESTS

- 2.1 MRWF Committee members must declare their interests and any gifts or hospitality received in connection with their role in MRWF, using the declaration of interests form at Schedule 1. This should be updated annually and also when any changes occur.
- 2.2 If a MRWF Committee member is unsure what to declare, or whether his/her declaration needs to be updated, the member should err on the side of caution. If a MRWF Committee member has any questions or concerns, he/she should contact the MRWF Secretary in the first instance for confidential guidance.
- 2.3 Interests and gifts will be recorded on the MRWF register of interests, which will be maintained by the MRWF Secretary.

3. **DATA PROTECTION**

- 3.1 The information provided by members of the MRWF Committee will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that members of the MRWF Committee act in the best interests of the MRWF. The information provided will not be used for any other purpose.

4. **WHAT TO DO IF A MRWF COMMITTEE MEMBER HAS A CONFLICT OF INTEREST**

- 4.1 If a MRWF Committee member is a participant in or a beneficiary of the MRWF, or is connected to such a person, then that MRWF Committee member should not be involved in decisions that directly affect the benefit he/she receives. The MRWF Committee Member should declare his/her interest at the earliest opportunity and withdraw from any subsequent discussion. The same applies if a MRWF Committee member faces a conflict for any other reason. If a MRWF Committee member fails to declare a conflict of interest in these circumstances it will be for the other MRWF Committee members to decide whether to propose a motion of no-confidence in him/her, in accordance with the MRWF Constitution.

- 4.2 However, MRWF Committee members may participate in discussions from which they may indirectly benefit, for example where the benefits are universal to all members of the Association, or where the benefit is minimal. It would still be good practice for the MRWF Committee member to declare his/her interest, so there can be no suggestion of impropriety.

- 4.3 For example: If an individual is a MRWF Committee member and also a local trader, he/she may participate in general discussions about the planning of the Mill Road Winter Fair, which benefits all local traders. However, he/she may not participate in decisions about his/her business potentially becoming a sponsor of the Mill Road Winter Fair.

- 4.4 If a MRWF Committee member fails to declare an interest that is known to another MRWF Committee member, then that other MRWF Committee member will declare that interest.

5. **DECISION MAKING WHEN THERE IS A CONFLICT OF INTEREST**

- 5.1 In the event of the MRWF Committee having to decide a question in which a MRWF Committee member has a conflict of interest:
- (a) The MRWF Committee will reach a decision in the usual way under the Constitution, that is by consensus, or failing that by majority vote;

- (b) The conflicted MRWF Committee member may not vote on that matter; and
 - (c) The conflicted MRWF Committee member will not count towards the quorum in respect of that decision, although they may count towards the quorum for the rest of that meeting. For more information about the quorum please see the MRWF Constitution.
- 5.2 All decisions where a MRWF Committee member has a conflict of interest will be recorded by the MRWF Secretary and reported in the minutes of the meeting. The report will record:
 - (a) The nature and extent of the conflict;
 - (b) An outline of the discussion; and
 - (c) The actions taken to manage the conflict.
- 5.3 Where a MRWF Committee member benefits from the decision, this will be reported in MRWF's annual report and accounts.
- 5.4 All payments or benefits in kind to MRWF Committee members will be reported in MRWF's accounts and annual report, with amounts for each MRWF Committee member listed for the year in question.
- 5.5 The terms and benefits offered by MRWF to a MRWF Committee member should be comparable to those offered to individuals or businesses who are not MRWF Committee members, for example in respect of the terms for advertising in the annual brochure published by MRWF.

6. MANAGING CONTRACTS

- 6.1 If a MRWF Committee member has a conflict of interest, he/she must not be involved in managing or monitoring a contract in which he/she has 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.

7. MONITORING AND REVIEW OF THE POLICY

- 7.1 This policy and its effectiveness will be reviewed annually, at the first MRWF Committee meeting after the MRWF Annual General Meeting, to ensure it is achieving its stated objectives.

Declaration of Interests Form

As a member of the Committee of the Mill Road Winter Fair Association, I set out below my interests in accordance with the MRWF Conflicts of Interest Policy.

Category	<i>Please give details of the interest and whether it applies to you or, where appropriate, a member of your immediate family, connected persons or some other close personal connection.</i>
Current employment and any previous employment in which you continue to have a financial interest.	
Appointments (voluntary or otherwise), e.g. trusteeships, directorships, local authority membership, tribunals etc.	
Membership of any professional bodies, special interest groups or mutual support organisations.	
Investments in unlisted companies, partnerships and other forms of business, major shareholdings (e.g. more than 5% of issued capital) and beneficial interests.	
Gifts or hospitality offered to you by external bodies in connection with the Association and whether this was declined or accepted in the last twelve months.	
Any contractual relationship with the Association.	
Any other conflicts not covered 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 its accuracy 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. Should I find myself in a position of conflict of interests, I will declare my conflict at that time and will behave in accordance with the MRWF Conflicts of Interest Policy.

Signed:

Position:

Date: