



# Policy: Conflict of Interest

**Date agreed by Governance Board: Nov 2018**

**Date to be reviewed: Nov 2021**

## **Policy aim**

The aim of this policy is to protect Brighton and Hove Speak Out and to ensure that everything done by the Trustees/ Board members, staff and volunteers is in good faith and for the benefit of the project. This policy applies to staff, volunteers and Trustees who also have a legal obligation to act in the best interests of Speak Out in accordance with the Memorandum and Articles of Association.

Conflicts of interest create a problem as they can inhibit free discussion and result in actions that are not in the interest of Speak Out. They can also give the impression that Brighton and Hove Speak Out has acted improperly.

## **Trustees and Governance Board Members**

When making decisions, Governance Board members and Trustees should;

- Act in the best interests of Speak Out,
- Not misuse Speak Out's property
- Not misuse information received as a result of being a Trustee for personal gain, even after leaving the Board.
- Not allow their personal interests or interests of anyone else to override the interests of Speak Out and it's partners
- Protect Speak Out's independence as an organisation

Trustees should not have a financial interest or stand to gain financially from Speak Out. This applies equally to money or anything with monetary value.

Trustees will fill out a Conflict of Interest Form when they join Speak Out which will be processed in accordance with the Data Protection Act 1998.

Any potential conflict of interest will be declared at a Governance Board meeting where the Board will vote on whether the potential new Trustee can join the Board. Results of the vote will be noted in the meeting minutes.



Conflicts of interest will be a standard agenda item for each Board meeting. Board members will declare any new conflicts of interest or potential conflicts of interest as they arise. These will be added to their Conflicts of Interest Form. New conflicts of interest forms will be reviewed annually by the Board, in line with Speak Out's policy review schedule, to ensure they are accurate and up-to-date.

Conflict of interest forms will be held securely at the Speak Out office in the Conflicts of Interest Register in accordance with the GDPR Data Protection Policy. Forms will be retained for a 6 year period after someone has left the Board.

### **Staff**

Speak Out staff will raise and discuss in supervision and appraisals any possible conflict of interest they have in acting as an advocate or supporting volunteers (e.g. friendships with family members or key staff in their partner's life, other work external to Speak Out) and agree a strategy for minimising and managing this. These will be recorded using the conflicts of interest form.

### **Volunteers**

Speak Out is often approached by staff in support services who wish to become volunteer advocates. At times this can present a conflict of interest as volunteers might need to negotiate on behalf of their partner to senior staff within the organisation they work in. Speak Out will explore and record possible conflicts of interest with new volunteers and aim to minimise these. These will be reviewed at annual update meetings. Wherever possible, new volunteers will be partnered with people who get support from a different organisation.

Potential conflicts of interest for staff and volunteers are considered at the start of any advocacy partnership and if identified another advocate may be allocated.

### **Independence and Funding**

As an organisation Speak Out will try to avoid conflicts of interests relating to any funding we receive. We will remain operationally independent from any funders and ensure that our independence as an advocacy organisation is stated in any funding agreements. We will also remain operationally independent from local care service providers. Thus we will avoid compromising our capacity to act effectively as independent advocates and support people to challenge the services they use if they wish to.

Representatives of funding bodies and members of organisations providing care services to people with learning disabilities will only attend Board meetings at the invitation of Speak Outs Trustees and will not have voting rights.



**Speak Out Conflict of Interest Form -Trustees**

I ..... as Trustee of Brighton and Hove Speak Out have set out my interests **below** in accordance with Speak Out's conflict of interest policy

Current Employment \_\_\_\_\_

	<b>Yes / No. If yes, please give details</b>
Any previous employment in which you have a financial interest.	
Appointments, voluntary or otherwise including other Trusteeships, Directorships, local authority memberships. Tribunals etc.	
Any financial interests that are relevant to your position at Speak Out.	
Any contractual arrangements with Speak Out.	
Any conflicts of interest not listed above?	

To the best of my knowledge, the information listed 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 in line with Speak Out's policy review programme. I give my consent for it to be used for the purposes described in the conflicts of interest policy.

Signed:

.....Date.....



**Speak Out Conflict of Interest Form for staff and volunteers**

I ..... as Staff member or volunteer of Brighton and Hove Speak Out have set out my interests in accordance with Speak Out's conflict of interest policy

Current employment \_\_\_\_\_

	<b>Yes / No. If yes, please give details</b>
Previous employment in which you have a financial interest.	
Appointments, voluntary or otherwise including other Trusteeships, Directorships, local authority memberships. Tribunals etc.	
Any financial interests that are relevant to your position at Speak Out.	
Any contractual arrangements with Speak Out.	
Any conflicts of interest not listed above (including friendships/ relationships)?	

To the best of my knowledge, the information listed 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 in line with Speak Out's policy review programme. I give my consent for it to be used for the purposes described in the conflicts of interest policy.

Signed:

.....Date.....