

ST JOSEPH'S CATHOLIC PRIMARY SCHOOL St Joseph's Association (SJA) CONFLICT OF INTEREST POLICY

A. About conflicts of interest

1. The SJA is a registered charity and has a legal duty to act in the charity's best interests when making decisions as a trustee. If there's a decision to be made where a trustee has a personal or other interest, this is a conflict of interest and the Parents Teacher Association (PTA) won't be able to comply with their duty unless steps are taken. **The SJA is also referred to as PTA.**

2. The Trustees of the Primary School SJA are made up of parents/carers however it is the named Chairperson, Vice Chairperson, Secretary and Treasurer on the Annual Charity Commission return.

3. For example, if you're a trustee, you would have a conflict of interest if the charity is thinking of making a decision that would mean:

- you could benefit financially or otherwise from your charity, either directly or indirectly through someone you're connected to
- your duty to your charity competes with a duty or loyalty you have to another organisation or person

4. Conflicts of interest are common in charities – having a conflict of interest doesn't mean an individual has done something wrong but there is a need to act to prevent them from interfering with the ability to make a decision only in the best interests of the charity.

5. The PTA will follow a 3 step approach (identify, prevent, record) so that the PTA are able to comply with our duty and avoid:

- making decisions that could be overturned
- risking the charity's reputation
- having to repay the charity if we make unauthorised payments to trustees

B. How to identify a conflict of interest

1. Legal requirement: the PTA must declare a conflict of interest immediately if the PTA are aware of any possibility that someone's personal or wider interests could influence the decision-making.

2. Have a standard agenda item at the beginning of each PTA meeting to allow trustees to declare any actual or potential conflicts of interest.

3. It's good practice to have a written conflicts of interest policy to:

- tell existing trustees how to identify and disclose conflicts of interest
- help prospective trustees identify possible conflicts of interest before they are appointed.

4. The PTA will also keep a register of interests and make sure it's changed if necessary at the AGM or any successive meetings where a conflict of interest emerges.

C How to deal with a conflict of interest

1. Once a conflict of interest is identified the PTA will prevent it from affecting the decision-making by:

- finding an alternative way forward which doesn't involve the conflict of interest (particularly if the issue is serious)
- taking appropriate steps to manage the conflict (if it's less serious), which will usually mean that the person affected doesn't take part in discussions about the issue

2. Follow any instructions on managing conflicts of interest in the PTA document. In some situations there will be a need to comply with legal restrictions. For example, if the charity plans to sell land to one of its trustees, or pay a trustee for goods or services.