



National Long Term Survivors Group Conflict of Interests Policy

Date of issue: 2nd August 2008

A. Purpose and Scope

1. National Long Term Survivors Group (hereafter NLTSG) recognises that conflicts of interest (COI) and conflicts of loyalty (COL) may be damaging to the functioning of NLTSG and requires all members, and especially Trustees, to adhere to this policy.
2. NLTSG recognises that apparent or potential COI or COL can be equally as damaging as actual COI and COL.
3. The purpose of this policy is to minimise the risk to NLTSG of apparent or actual COI or COL.
4. This policy is based on the Charity Commission guide to conflicts of interest (version 03/04)

B. Definitions

1. Conflict of interest – Any situation in which a person's personal interests, or interests that they owe to another body, and those of NLTSG arise simultaneously and appear to clash. A COI results in a material benefit to the person involved.
2. Conflict of loyalty – Any situation in which a person's loyalty to NLTSG and loyalty to another body arise simultaneously and appear to clash. A COL may be harmful to NLTSG without any benefit to the person involved.
3. Actual, Potential and Apparent - An actual COI or COL exists where a situation has arisen that causes a COI or COL for the parties involved. A potential COI or COL exists where circumstances can be foreseen that could cause an actual COI or COL for the parties involved. An apparent COI or COL exists where a third party might perceive there to be a COI or COL but the situation is actually being well managed.
N.B. a potential COI or COL does not exclude anyone from being a Trustee or member of NLTSG, but they must declare their interests to ensure transparency of the situation.

C. Trustees

1. It is not only good practice, it is the law that Trustees may not receive any material benefit from the charity unless they have express authority to do so. This authority may be written into the governing document or be obtained from the Charity Commission on a case-by-case basis.



2. In the case of NLTS&G, all Trustees are members of the group and are able therefore to participate in the weekends, as written in the governing document. Trustees do not receive any special treatment – they book and pay in the same way as all other members.
3. Trustees may claim all expenses which they personally incur as a result of doing business on behalf of NLTS&G.
4. When acting on NLTS&G business, then all decisions must be in the best interests of NLTS&G.

D. Safeguards

The following measures are put in place to minimise the damaging effects of actual, potential or apparent COI or COL.

1. Before election, all potential Trustees will be asked to declare any actual or potential COI or COL. Anything declared will be noted on the postal ballot paper and read out at the AGM.
2. Once yearly all Trustees will be asked to declare any actual or potential COI or COL. These will be recorded in the minutes of the Board meeting.
3. A Trustee may not vote on any issue at a Board meeting where he/she has a COI or COL.
4. All members are asked to report to the Chair of NLTS&G any actual or potential COI or COL. The Chair will decide whether other Trustees need to be involved to decide on what action to take.
5. Any member who perceives an apparent COI or COL with another member may make a formal complaint via the NLTS&G Complaints Procedure.
6. Transparency is the key – if in doubt, declare it!

E. Remedies

1. Any breach of this policy by a Trustee will be treated as serious misconduct. Such situations will be discussed at the next possible Board meeting with the Board deciding on the correct course of action. The Trustee involved will be given a chance to explain their position but otherwise may not be part of the discussion or voting on the issue. Possible courses of action are; Formal warning from the Board, exclusion from being a Trustee, expulsion from NLTS&G, report to the Charity Commission.



2. Any breach of this policy by any other member will be handled by the Chair of NLTSG in the first instance. If the Chair cannot resolve the issue then the situation will be discussed at the next possible Board meeting, with the Board deciding on the correct course of action. Possible courses of action are; Formal warning from the Board or expulsion from NLTSG.

F. Examples

These examples are given to illustrate the types of situations that may arise and could be seen as COI or COL. They are examples only and do not provide an exhaustive list.

1. NLTSG wishes to buy a product or service that is offered by a member or a company that the member has involvement with. The member must declare their interest so that buying process can be seen to be fair.
2. A Trustee is also on the Board of another organisation that has dealings with NLTSG (e.g. a local HIV support group). The Trustee must declare their interest to both parties so that they cannot unfairly influence any decisions.
3. A change in policy is being discussed by the board which will adversely effect one or more of the Trustees. The Trustee(s) must vote in the best interest of NLTSG as a whole rather than their personal interest.
4. A member works for a body that funds NLTSG and becomes part of the decision making process. The member should declare their interest to their employer and NLTSG to ensure that funding decisions can be made fairly.