

## **General Welfare Requirement: Suitable People**

Providers must ensure that adults looking after children, or having unsupervised access to them, are suitable to do so.

## **Employment**

### **2.7 Conflict of Interest**

#### **Policy Statement for St Joseph's Pre-school**

##### **Statement of Intent**

St Joseph's 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 St Joseph's 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 St Joseph's 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 St Joseph's 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 St Joseph's Pre-school's best interests.

### Method

St Joseph's 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 St Joseph's 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 Chairperson. 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).
- Staff, volunteers and committee members are required to abide by the Pre-school's Social Media Policy<sup>1</sup> with regards to contact with others via social media.
- 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.
- St Joseph's 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). The Pre-school is listed on the ICO's Data Protection Register<sup>2</sup>.
- 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.

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<sup>1</sup> Policy 1.12.3

<sup>2</sup> ICO reference number: ZB019647

- St Joseph’s 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 St Joseph’s Pre-school, which is to the safety and well-being of the children who attend the pre-school.

Any completed conflict of interest forms will be filed with the appropriate Committee minutes where the conflict has been recorded.

**Further guidance**

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

**Associated Policies and Procedures**

- 1.4 Confidentiality
- 1.12.3 Social Media

<b>Version Number</b>	<b>Author</b>	<b>Purpose of change</b>	<b>Date</b>
1.0	K Coupe	New policy: Requirement of Charity Commission. Version Controlled	7 Nov 2018
2.0	K Coupe	Inclusion of reference to Policy 1.12.3 Social Networking with regards to use of social media, plus updated reference to the ICO Data Protection Register	1 July 2021 Cttee Mtg
3.0	K Coupe	Reviewed and updated with regards to • latest Charity Commission advice; • inclusion of “Associated Policies and Procedures” Section as per EY Safeguarding Audit s175/157 2023	25/02/2024 Committee Member (S Long)

## St Joseph's 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.