

# Congo Church Association (“CCA”) Conflict of Interest Policy & Procedure

Approved by the Board on	Due for review on

## Definitions

**Conflict of Interest:** A conflict of interest is any situation in which an individual's personal interests (including receiving gifts) or loyalties could, or could be seen to, influence or constrain them from making a decision only in the best interests of CCA. It includes Actual, Potential and Perceived Conflicts.

**Personal Financial Interest:** A conflict of interest, in which the individual or a connected person may receive a financial benefit directly or indirectly from an arrangement with CCA or the prospect of which could influence or constrain the individual from making a decision only in the best interests of CCA.

**Connected Persons:** In broad terms this means family, relatives or business partners of an individual, as well as businesses in which an individual has an interest through ownership or influence.

This term includes an individual's husband or wife, children, siblings, grandchildren and grandparents, as well as businesses where an individual or family member holds a senior position in the organisation or has influence such as director, trustee, senior employee, majority shareholder.

**Actual Conflict:** a demonstrable conflict where someone's private interests and CCA's interests are either opposed or significantly at variance.

**Potential Conflict:** an Actual Conflict which has not yet occurred, but which could arise in the future.

**Perceived Conflict:** a situation where other people might perceive there is an Actual or Potential Conflict regardless of whether one actually or might exist.

## Introduction

All CCA's Trustees will perform their duties and conduct their private life in a manner that ensures possible Conflicts of Interest with their role in CCA are avoided or managed appropriately.

Conflict of Interests that are undeclared or improperly managed result in risks, including financial risks, legal risks, moral risks (conduct that would be considered unethical or illegal), reputational risks and compliance risks.

## Trustees' responsibility

Trustees are responsible for:

- avoiding Conflicts of Interest where possible;
- identifying and disclosing to other Trustees any Conflicts of Interest;
- carefully managing any Conflicts of Interest; and
- complying with this policy and reporting any breaches

## Avoiding Conflict of Interest

Trustees should proactively avoid even the appearance of partiality and avoid, wherever possible, placing themselves in any situation where self-interest or favouritism could be perceived as being present.

If a Trustee, or a connected person, is offered a role or opportunity, which would be in direct conflict to CCA's interests (s)he should decline this role or opportunity.

Trustees should not engage in activities that may adversely affect CCA's reputation, that make use of CCA's confidential information or that will, or are likely to, negatively influence the performance of their work for CCA.

## **Identify and Disclose Conflict of Interests**

Where a Trustee identifies an Actual, Potential or Perceived Conflict of Interest (s)he should notify the CCA Chair immediately. If the Trustee in question is the Chair (s)he should notify the Hon Secretary.

The information provided will be recorded on CCA's Register of Conflicts.

In addition, all Trustees will be required to complete an annual declaration, prior to or at the first committee meeting of each calendar year, either disclosing any Conflict of Interest or confirming that there are no Conflict of Interests that they are aware of. A model form is set out below. The Hon Secretary will collect the forms and store in a safe place for 6 years, after which they can be destroyed.

## **Managing Conflict of Interests**

Once a Conflict has been considered a decision will be made as to whether a Conflict of Interest will need to be removed or can be appropriately managed. Often this may involve a Trustee no longer taking part in decisions where an Actual, Potential or Perceived Conflict exists but may also include removing responsibility for a particular area of work.

Some key principles that will be taken into consideration for how the Conflict will be managed are:

- (i) Individuals should never be the sole decision-maker;
- (ii) The default position is that individuals will not take part in decisions or discussions unless it can be clearly demonstrated that they can do so objectively and without improper influence.

It is a Trustee's responsibility to ensure that (s)he follow any controls that have been put in place in connection with a Conflict.

If a Conflict previously declared no longer exists because circumstances have changed, the individual should notify the Chair or, if it is the Chair's Conflict, the Hon Secretary.

## **Compliance and Reporting any breaches:**

If a Trustee becomes aware that either (s)he, or another Trustee, is in breach of this policy (s)he should notify the Chair, or if the Trustee in question is the Chair, the Hon Secretary without delay. If the Trustee feels uncomfortable with that disclosure, (s)he must report the Conflict to another Trustee.

# Conflict of Interest Declaration Form

Please complete this form if you believe that you may be involved in a conflict of interest situation or if you are unsure and seek to disclose a potential or perceived conflict of interest.

## SECTION 1: PERSONAL DETAILS

NAME: [Click here to enter text.](#)

JOB TITLE / AREA OF RESPONSIBILITY: [Click here to enter text.](#)

PHONE: [Click here to enter text.](#) EMAIL: [Click here to enter text.](#)

## SECTION 2: DISCLOSURE DETAILS

The actual, potential or perceived conflict of interest relates to: *(tick all appropriate box/s)*

- |  |   |
|--|---|
| <input type="checkbox"/> Relationship with family or friends   | <input type="checkbox"/> Staff recruitment                                  |
| <input type="checkbox"/> Outside work activities (paid/unpaid) | <input type="checkbox"/> Relationship with external parties                 |
| <input type="checkbox"/> Financial interest                    | <input type="checkbox"/> Procurement of goods and services                  |
| <input type="checkbox"/> Gifts/benefits                        | <input type="checkbox"/> Other (if you select other please provide details) |

The following actual, potential or perceived conflict(s) of interest has (have) been identified. *(please insert all relevant details)*

The (actual, potential or perceived) conflict is expected to last: *(tick appropriate box)*

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> 0–12 months | <input type="checkbox"/> >12 months or ongoing |
|--------------------------------------|--|

## SECTION 3: DECLARATION

To the best of my knowledge and belief any actual, perceived or potential conflicts between my duties as a representative of CCA and my private and/or business interests have been fully disclosed in this form in accordance with the requirements of this Policy.

I acknowledge, and agree to comply with, any approach decided upon by the CCA committee for removing or managing an actual, perceived or potential conflict of interest.

SIGNATURE:

DATE: