

# THAMES OPERA COMPANY

## POTENTIAL CONFLICT OF INTEREST

### POLICY AND PROCEDURE

UPDATED NOVEMBER 2021

This policy applies to all trustees and committee members of Thames Opera Company

A 'conflict of interest' arises when the best interests of an individual are, or could be, different from the best interests of the charity itself.

The trustees/committee member acknowledge that it is inevitable that conflicts of interest will occur. They are however committed to managing these potential conflicts in order to protect both the charity and the trustees/committee member from any impropriety or appearance of impropriety.

#### **Statement of Intent**

Thames Opera Company is committed to ensuring its decisions and decision-making processes are, and are seen to be, free from personal bias and do not unfairly favour any individual connected with the charity.

#### **Policy**

It is the policy of Thames Opera Company to:

- Ensure every trustee/committee member understands what constitutes a conflict of interest and that they have a responsibility to recognise and declare any conflicts that might arise for them.
- Document the conflict and the action(s) taken to ensure that the conflict does not affect the decision making of the organisation.

#### **Procedure**

When a trustee/committee member identifies that they have a potential conflict of interest they must:

- Declare it as soon as they become aware of it.
- Ensure it is entered in the conflict of interest register (ongoing conflicts), and/or appropriately minuted (one-off conflicts).
- Not take part in any trustee/committee member discussions relating to the matter.
- Not take part in any decision making related to the matter.
- Not be counted in the quorum for decision making related to the matter.

In the interests of frank and open discussion, a trustee/committee member affected by a conflict of interest must leave the room while related discussion / decision making is taking place, unless there is good reason for them to stay.

The minutes should state:

- The declared conflict.
- That the trustee/committee member left the room, or the reason they were asked to stay.

- That the trustee/committee member took no part in discussion or decision making on the matter.
- That the meeting was quorate (not counting the affected trustee/committee member).
- Any other actions taken to manage the conflict.

If a trustee/committee member is unsure what to declare, they should err on the side of caution and discuss the matter with the Chair of the Board of Trustees/committee of Thames Opera Company for confidential guidance.

**This policy has been endorsed by the Board of Trustees who give their full support to its implementation.**

I and the other members of the Board of Trustees are committed to this policy and to the implementation and maintenance of the highest standards of equal opportunities and fairness. We expect every member of TOC to share this commitment and to work together to achieve it.

TBC

Chair of the Board of Trustees

Thames Opera Company

19<sup>th</sup> November 2021

This policy is monitored periodically to judge its effectiveness and is updated in accordance with changes in the law.

This policy was last updated on: 19<sup>th</sup> November 2021

## ANNUAL TRUSTEE/COMMITTEE MEMBER CONFLICT OF INTEREST DECLARATION

**Name of charity:** Thames Opera Company (TOC)

**Name of TRUSTEE/COMMITTEE MEMBER:**

**Date conflict of interest identified (put n/a if no conflict identified):**

**Details of conflict:**

*E.g.*

- *being paid to carry out work or services for TOC]*
- *being the direct or indirect beneficiary of a contract entered into by TOC (e.g. your partner works for the charity)*
- *other directorships or trusteeships which could create a conflict of loyalty (e.g. trustee of a community building used for rehearsals)*
- *being the recipient of a gift in excess of £50*

*This is not an exhaustive list, but just gives some examples relevant to TOC trustees. Essentially, they can be summarised as: benefits to trustees or a person related to them; or conflicts of loyalty; For more information, please see the Charity Commission's guidance:*

<https://www.gov.uk/government/publications/conflicts-of-interest-a-guide-for-charity-trustees-cc29/conflicts-of-interest-a-guide-for-charity-trustees>

**Who does it relate to?** (e.g. self, connected person – please specify)

**How was it notified?** (e.g. verbal at Board meeting, letter, annual declaration)

**Trustee signature:**

**Date of signature:**

## Conflict of Interest Register for Trustees/Committee members

### Thames Opera Company (TOC)

Date identified	Name of Trustees/Committee members	Details of conflict	Who does it relate to?	How notified*	Action taken**	Follow up needed? (Y/N)	End date conflict/current	Reason for resolution***

\*e.g. verbal declaration at Board meeting, written declaration etc.

\*\*e.g. trustee withdrawing from a decision making process: disclosure in Annual Report to members etc.

\*\*\*e.g. conflict of interest ceased, trustee resigned or end of term etc.