



<b>Policy No. 4002</b>	<b>CONFLICT OF INTEREST</b>
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AGE UK CROYDON is a registered charity no. 1081013 and a registered company no. 3921436. AGE UK CROYDON TRADING LIMITED, registered company no. 5792724 is a wholly owned subsidiary of AGE UK CROYDON. All Policies and Procedures apply to both companies.

It is an equal opportunities employer and any discrimination or harassment on the grounds of colour, sex, race, nationality, religion, ethnic origin, sexual orientation, disability, marital status, domestic circumstances, trade union membership/non-membership, or age will not be tolerated.

## **POLICY**

- 1.0 AGE UK CROYDON has a fundamental belief that the work of AGE UK CROYDON should be provided in an independent manner, free from any possible conflict of interest. For the purpose of this policy a conflict of interest occurs when an individual or organisation is unable to ensure the independence of the service due to their involvement with other people groups or affiliations.
- 2.0 The Trustees are responsible for and have an obligation to ensure that all of the work of AGE UK CROYDON staff and volunteers is undertaken in such a way as to prevent any possible conflict of interest.
- 3.0 AGE UK CROYDON requires all personnel to be aware of the potential for any possible or actual conflict of interest and to follow agreed procedures to avoid any such occurrence.
- 4.0 The Chief Executive reserves the right to take any necessary and timely actions in the event of any conflict of interest and these will be taken as soon as the issue becomes known.
- 5.0 The Chief Executive will ensure that the credibility and independence of AGE UK CROYDON is not compromised in any respect.
- 6.0 AGE UK CROYDON recognises that issues arising from any conflict of interest can be difficult to manage, stressful and potentially damaging to AGE UK CROYDON.
- 7.0 Conflict of interest can adversely affect the ability of AGE UK CROYDON to offer independent advice services/support to the service user.

- 8.0 The Chief Executive has an obligation to ensure that any decisions, judgements or support are not affected by any possible conflict of interest.
- 9.0 AGE UK CROYDON recognises that it cannot offer advice services or act in the best interest of both parties in a dispute; the impartiality and independence of the advocacy service could be brought into question.
- 10.0 Whether a conflict of interest arises in a particular case will depend in the circumstances. Staff, volunteers and trustees should be aware that there is a possibility of conflict in a range of situations and that a conflict may be perceived – and be expected to be addressed – by a service user, commissioner, funding body or other external contact even where no actual conflict exists. Examples might include the following:-
- 10.1 Where both parties to a dispute approach AGE UK CROYDON for support.
- 10.2 Where an employee or volunteer from AGE UK CROYDON is party to the dispute either in a professional or personal capacity.
- 10.3 A client wishes to complain about AGE UK CROYDON a member of paid staff or a volunteer.
- 10.4 Where an issue arises that could result in potential action being taken against AGE UK CROYDON.
- 10.5 If a member of staff has a role outside AGE UK CROYDON which could be perceived as them having conflicting interests.
- 10.6 If individual, personal or family interests or other involvements conflict with those of AGE UK CROYDON.
- 10.7 Where the client presents with a case based on information that is known to be false i.e. welfare benefits, tax, etc.
- 10.8 If a client seeking information and advice asks for information about products or services that are commercially available from AGE UK CROYDON, Age UK London or Age UK.
- 10.9 Where friends or family members are employed by AGE UK CROYDON.
- 10.10 In the event of AGE UK CROYDON supplying more than one service to an individual or other group.

## **DEFINITION**

A conflict of interest is:

A situation in which someone in a position of trust has competing professional and/or personal interests. Such competing interests can make it difficult to fulfil his or her duties fairly. Even if there is no evidence of improper actions, a conflict of interest can create an appearance of impropriety that can undermine confidence in the ability of that person to act properly.

## **PROCEDURE**

### **1.0 Board**

- 1.1 Both new and existing trustees must declare any interests which may conflict with the work and aims of AGE UK CROYDON.
- 1.2 A declaration form must be signed on an annual basis and any changes of circumstance notified to the Chief Executive. Any conflicts of interest should be added to the register of interests form.
- 1.3 Trustees must withdraw from any discussion or decision making where there is a potential conflict of interest.

### **2.0 Staff and Volunteers**

- 2.1 All staff and volunteers will be required to declare any conflict of interest at their initial interview. A declaration form must be signed at induction and on an annual basis. Any changes of circumstance should be notified to the Senior management team. A decision based on this information will be made by them and where necessary by the Board. Conflicts of interest should be added to the register of interests form.
- 2.2 Members of staff and volunteers should be made aware of the need to declare any possible conflict of interest.
- 2.3 Any gifts, hospitality etc should be declared in accordance with the Gifts Policy of AGE UK CROYDON.
- 2.4 In the event of any possible conflict of interest the matter should be discussed immediately with the senior management team.
- 2.5 If a conflict of interest arises the member of staff or volunteer should not remain involved with the case or in any decisions that directly affect the service user.
- 2.6 All staff and volunteers should ensure that their private, personal or family interests do not affect their judgement, decisions or actions.

- 2.7 Staff and volunteers should not use their position for any personal or professional gain for themselves, family or friends.
- 2.8 Staff and Volunteers need to declare if they have worked with a client on a previous occasion (eg during paid employment/volunteering) to avoid conflict of interest. This would also apply if the volunteer was or had previously worked for any of the parties involved in a case.
- 3.0 Personnel wishing to undertake secondary employment should inform their Line Manager to ensure that a possible conflict of interest is avoided.
- 4.0 At the point of referral/initial meeting with a new client, the adviser is expected to advise their line manager of any past/present known involvement with the new client where there could be considered a conflict of interest
- 5.0 If a potential conflict of interest is identified the client should be referred to another service or adviser.
- 6.0 The adviser should find out who the other parties may be in relation to the client's case and whether there could be any conflict of interest.
- 7.0 In some cases it may be necessary to ask the client if he/she knows whether the other party has consulted any organisation on the matter.
- 8.0 A note should be made on the case file to show a conflict check has been carried out.
- 9.0 Accurate case records should be maintained, kept up to date and monitored to establish whether the service already supports the other party.
- 10.0 If a conflict of interest becomes apparent the adviser should discuss the matter immediately with their line manager. Conflicts should be considered on a case by case basis.
- 11.0 At this stage careful consideration must be given about whether, having explained the situation to the client, the case should be passed to another, appropriate organisation. A record should be kept of this transfer.
- 12.0 If a conflict of interest does emerge following preliminary information being given to a second client no further action should be taken with them. The second client should be informed that AGE UK CROYDON is already acting for another client with regard to the issue.
- 13.0 No details of any work undertaken with the first client should be discussed with other clients.
- 14.0 Should AGE UK CROYDON discover that unknowingly work has been undertaken with both clients or when conflict arises between the clients after the casework has begun the adviser should cease to act in the matter.

15.0 False Information – Advisers must remain impartial and support the client to provide truthful and accurate information. However, if it becomes clear that false information is being presented; for example to HM Revenue and Customs or Department of Work and Pensions, the client must be informed of the possible consequences. If the client still wishes to pursue the matter on the basis of false information they should be informed that AGE UK CROYDON cannot continue to act on their behalf.

16.0 Potential Legal Action against AGE UK CROYDON

16.1 If it becomes apparent that the client could have a claim against AGE UK CROYDON due to negligence the Senior Manager should inform the Chief Executive who may need to contact the insurers who deal with professional indemnity. A decision would then need to be taken to refer the client to another appropriate agency.

Date this policy came into effect, approved by the Board	Name: D McCluskey Signature: <i>D McCluskey</i> Date: 27.02.2018
Next Review as agreed by the Board	Date
Name or position of person responsible for this policy	Name: N Saiyed Position: Compliance Officer
Other related policies	Case Management & Record Keeping Complaints Compliments Confidentiality Consent Data Protection Employment Gifts Recruitment & Selection Training & Development Supervision & Support
Relevant legislation	
Useful information	



## CONFLICT OF INTEREST FORM

I..... as Member of Staff/Volunteer/Board Member of Age UK Croydon have set out below my interests in accordance with the Conflict of Interest Policy

Please give details of the interest and whether it applies to yourself or a member of your immediate family or other close personal connection

Current employment/ previous employment in which you still have an interest	
Trusteeships, directorships, Local Authority membership etc	
Any financial interests that are relevant to your position with Age UK Croydon	
Any Memberships/Affiliations that are relevant to or may impact on your position with Age UK Croydon	
Any contractual interests with Age UK Croydon	
Any other conflicts not covered above	

To the best of my knowledge the information above is complete and correct. I undertake to update the information given as necessary and review the details on an annual basis.

Signed:.....Date.....

**Register of Trustee/Volunteer/Staff members' Interests**

**As at: (insert date)**

<b>Trustee/Volunteer/ Staff members</b>	<b>Interest</b>	<b>Does the interest relate to the Trustee/ Staff Member or a person connected to the Trustee/ Staff member?</b>	<b>Is the interest current?</b>