

**BETHANY**

# Conflicts of Interest Policy

## **Church details**

Charity number: 1178517

Church address: Lightburn Road, Ulverston, LA12 0BX

Church contact: Matt Rich

Email: [matt@bethany.org.uk](mailto:matt@bethany.org.uk)

Phone: 07527 525223

This policy first adopted / last reviewed: March 2025

This policy should be reviewed at least every 2 years. The next review is due on: March 2027

## Why we have a policy

The trustees have a legal obligation (sometimes called a “fiduciary duty”) to act in the best interests of Bethany Church and in accordance with its governing document.

Trustees must make decisions based only on what’s best for Bethany Church. Conflicts may arise where a trustee’s personal or family interests or employment and/or loyalties to some other individual or group conflict with those of Bethany church.

Such conflicts may create problems. They can:

- inhibit free discussion,
- result in decisions or actions that are not in the interests of the Church, and
- risk the impression that the Church has acted improperly.

The purpose of this policy is to protect both Bethany Church and its Trustees from these things.

## Types of interest which may give rise to conflict

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### Financial Benefits or Interests

**Direct financial benefits** or interests include, for example, decisions around employment of Trustees as staff, consultant or advisor, or a situation where a company of which a Trustee is a director or shareholder, may be considered for a contract by the Church.

Other matters of financial interest include the sale of land, the use of a Trustee’s property by the church, or granting of loans by the Trustees to the church. Conflicts of interest in such cases are particularly serious and any financial benefit requires authorisation, usually by the Commission.

**Indirect financial interests** may arise where such potential financial benefits accrue to a close member of the Trustee’s family, or even a friend, business partner or colleague.

Not all benefits enjoyed by Trustees need to be authorised by the governing document, the Commission or the Courts. It is perfectly acceptable to repay reasonable out of pocket expenses to Trustees. Any costs that are necessary to allow a Trustee to carry out his or her duties as a Trustee can be classed as expenses and recovered from the charity or met directly by the charity. Benefits that are available to all, or that are of inconsequential or little measurable value, will not normally need to be authorised.

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## **Conflicts of Loyalties**

This is when another appointment or employment or association (of the Trustee or of a close relative or friend) may potentially influence the decisions of the Trustee in directions which may not be in the best interest of Bethany Church. It is expected that other charity roles, particularly as Trustee or employee, should be declared.

Ultimately, it is not possible to define all the circumstances which may lead to a potential conflict of interest. It is the responsibility of each individual Trustee to declare any matters which he or she feels may present actual or potential conflicts, or the perception of such conflicts. If in doubt, it is better to make a declaration so that any potential conflict can be managed appropriately.

## **Disclosing ongoing conflicts of interest**

Every Trustee should regularly review any conflicts of interest and make note of any changes.

## **Handling conflicts of interests**

All conflicts of interest, whether actual or potential, should be declared promptly at the earliest possible opportunity:

- Any Trustee who has a financial interest in a matter under discussion must declare the nature of their interest and safeguards put in place to mitigate conflicts.
- If a Trustee has any interest in the matter under discussion, which creates a real danger of bias, that is, the interest affects the organisation which they represent, or a member of their household, more than the generality affected by the decision, they should declare the nature of the interest and safeguards put in place to mitigate conflicts.
- If a Trustee has any other interest which does not create a real danger of bias, but which might reasonably cause others to think it could influence their decision, they should declare the nature of the interest, and safeguards put in place to mitigate the appearance of conflicts.

# Appendix 1: Declaration of Interests Form

**Bethany Church**

**Date:**

Please complete this form. Please include any qualifying interests on this form for yourself or any person connected to you (in broad terms this means family, relatives or business partners of a trustee, as well as businesses in which a trustee has an interest through ownership or influence). These returns will be filed as evidence of our register of interests and be declared as required (continue overleaf if there is insufficient space). This form is designed to cover the requirements for disclosure of both the Charity Commission and the Inland Revenue.

<b>Name:</b>	<b>Position:</b> Employee/ Elder/Deacon/ Trustee (Select all those applicable)
<b>Trusteeships and Directorships</b>	
<b>Membership of other organisations</b>	
<b>General Conflicts</b>	
<b>Extra gifts and payments</b>	
<b>Any other matter that might be relevant</b>	

<b>Signed:</b>	<b>Date:</b>
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