



PD 09

Policy on conflict, whistleblowing and safeguarding

(To cover: Members of SGUK Board and MAC and Incorporating a Declaration Form for Self-Completion)

Introduction:

1. SGUK is committed to honesty, transparency, and integrity. As part of this commitment, it is essential that in all its activities undertaken by members of the Board and MAC are not, nor are they perceived to be, acting due to any improper influence

This policy supports this aim by requiring all such individuals to declare any interests they may have. The consequence of such a declaration varies according to the circumstance. In some circumstances, an individual may be excluded from taking part in a decision where a conflict of interest has been established and in others, it may not affect the way duties are performed

2. It must be stressed that, in all instances the question of whether to declare an interest is one which is a matter for the judgement of the individual themselves. In most cases, a decision is straightforward but in cases of doubt, the interest should be declared so that all facts are in the open

Interpretation:

3. For this policy, the term "Member" is used. This includes anyone who is a member of the SGUK Board, management advisory committee (MAC), its sub-committees' or working parties

What is an interest:

4. This document is not exhaustive nor does it include every type of interest which should be declared. It is an indicative list of the types of matter which is covered by the policy. The test that should be applied is whether a disinterested observer would think that any given interest does or could influence the actions of "members". The common thread running throughout this policy is the avoidance of any actual or perceived undue influence

5. The indicative list includes:

- directorships, including non-executive directorships held in private companies or PLCs;
- ownership or part ownership of private companies, businesses or consultancies likely or possibly seeking to do business with SGUK;
- majority or controlling shareholdings in organisations likely or possibly seeking to do business with SGUK (for this Policy a majority or controlling shareholdings is taken to be over 20%);
- employment with an organisation which is likely or seeking to do business with SGUK;
- a position of trust, whether as a Trustee, in a charity or voluntary organisation in the field of health and safety or environmental management or both;
- any other commercial interest in any decision before such a decision is taken;

Interests of spouses, partners, or other family members:

6. Where a person closely related to a “Member” has any interests of the type mentioned in this policy then that fact should also be disclosed. The interpretation of this requirement is a matter for common sense but it would always include spouses, partners, close relatives such as brothers, sisters, parents, children, close friends and so on

Code of Conduct for Trustees and Members:

7. SGUK expects all “Members” to:

- be impartial and honest in the conduct of SGUK business;
- act in the best interests of SGUK;
- comply with the requirements of the Constitution, Policies, Procedures and Guidelines and all other documents relating to Governance;

8. It is also the responsibility of the “Member” to ensure that they do not:

- abuse their official position for personal gain or to benefit their family or friends;
- seek to advantage or further private business or other interests, during their official duties;

9. It is the personal responsibility of “Members” to ensure that a ‘Declaration of Interests’ is completed on appointment and annually thereafter. Should “Members” acquire an interest during the period between annual declarations, they must declare it as soon as reasonably possible and certainly not later than 28 days after the interest arises

Gifts and inducements:

10. The "Member" shall where possible and considering local custom refrain from accepting any gift or consideration which may be perceived as an inducement or reward for:
 - doing or refraining from doing anything in their official capacity;
 - showing favour or disfavour to any person in their official capacity. (Note, in this context, "person" means any individual or body with legal personality – i.e. includes companies or firms)
11. Where a material breach of this policy is found to have occurred, removal or dismissal from the position held may follow

Responsibility for Dissemination of this Policy:

12. It is the responsibility of the SGUK Secretariat to ensure that "Members" are aware of this policy and that they complete a 'Declaration of Interests' on appointment and on an annual basis thereafter

Hospitality:

13. "Members" of SGUK, at all levels, should generally decline all significant offers of gifts, hospitality, or entertainment. However, in circumstances where they feel that the work of SGUK may be enhanced, they should seek advice from the officers
14. Whenever such hospitality is accepted, and its nominal value is greater than £100, a declaration must be completed in the form attached. The Treasurer keeps a register of such declarations
15. The guiding principle is that hospitality should be proportionate to the task at hand and that it should be commensurate with that which SGUK would offer a third party in similar circumstances
16. Gifts offered to "Members" are to be declared to the Treasurer or officers and if above the nominal value of £100 be handed in to either become an asset of SGUK or for distribution via a ballot open to all members, as appropriate

Favouritism in Awarding Contracts:

17. There must be fair and open competition between prospective contractors or suppliers for SGUK. This means:
 - no private, public, or voluntary organisation or company that may bid for contracts should be given any advantage over its competitors, such as advance notice of SGUK requirements. This applies to all potential contractors, whether there is a relationship between them and SGUK, such as a long running series of previous contracts;
 - each new contract must be awarded solely on merit, considering the requirements of SGUK and the ability of the contractors to fulfil them;

- no special favour must be shown to any "Member", including current or former Board or MAC member, in awarding contracts to private or other businesses run by them or employing them in a senior or managerial capacity;
- contracts may be awarded to such business where they are won in fair competition against other tenders, but scrupulous care must be taken to ensure that the selection process is conducted impartially, and that "Members" who are known to have a relevant interest play no part in the selection;
- if for a good reason this process is not followed, it must be reported to the Board immediately

Confidential Information:

18. "Members" must not disclose any confidential information which could prejudice the interests of SGUK

Provisions relating to Trustees, other MAC members or Sub committees/Working parties:

19. Ordinarily, the fact that a Chair or "member" has a pecuniary interest would require an individual to disclose the fact and take no part in the consideration of the matter, nor vote on any question with respect to the decision. Normally, where such a conflict has been established, the individual concerned would withdraw from the room
 - the "Member" must disclose the interest as soon as practicable after the commencement of the meeting, and a suitable record made in the minutes;
 - the "Member" may, at the discretion of the Chair be invited to participate in some, or all, of the topic before being invited to withdraw

Whistleblowing:

20. SGUK wishes to ensure that all "Members" are aware of the procedure for voicing concerns about any aspect of maladministration. These concerns can be in relation to hospitality, gifts or any ethical or related issue
21. Trustees, other MAC Members, or members of Working Parties/sub committees may report their concerns either to the Chair if it concerns a member or to the Treasurer

Interpersonal Conflict:

22. In the event of a conflict relating to SGUK business arises between two or more "Members" of the Board or MAC, then the matter should be referred to the Chair or Vice Chair for mediation
23. If the conflict involves the Officers then it should be referred to the Honorary Vice President who will nominate appropriate personnel to mediate
24. If the terms of mediation are not acceptable to a "Member" then that person should be requested to resign

Safeguarding

Trustees should proactively safeguard and promote the welfare of their charity's beneficiaries. They must take reasonable steps to ensure anyone who comes into contact with SGUK volunteers do not, as a result, come to harm.

25. Currently our activities should not bring any trustee or MAC member into contact with:

- a. Children and young people under 18
- b. At risk adults aged 18 and over

As such there is a limited requirement other than awareness for SGUK

Safeguarding and promoting wellbeing and welfare means:

- a. Protecting the rights of adults to live in safety, free from abuse and neglect
- b. Protecting children from maltreatment; preventing impairment of health or development; ensuring they are growing up in circumstances consistent with the provision of safe and effective care; and taking action to enable them to have the best outcomes

26. It is therefore essential that trustees:

- a. Know their responsibilities
- b. Have adequate measures in place to assess and address safeguarding risks
- c. Have adequate safeguarding policies and procedures in place appropriate to our circumstances, which reflect both law and best practice
- d. Make sure that these policies and procedures are effectively implemented and regularly reviewed. These steps are vital given that we are accountable and operate to the public benefit

Based on the above information there is a minimal risk amongst our volunteers and as such further details of the measures that could be required are deemed unnecessary. However, this situation will be reviewed on an annual basis in case changes occur

DECLARATION OF INTERESTS

- Please complete this form in full. Please do not leave any statements blank, if one is not applicable or you have no interests to declare, please write "NONE"
- The information you have provided on this form will be recorded by SGUK and will be drawn to the attention of the Board. The declaration will be recorded in the Register of Interests
- Any changes to the information you have provided should be declared as soon as possible and certainly not later than 28 days following the change occurring
- If a conflict of interest is established during a meeting the "Member" is required to withdraw from the meeting and take no part in the discussion or decision on that matter
- The completed form should be returned to the Treasurer
- If you require additional space in respect of any question, please attach a separate sheet bearing your name, the additional information and your signature

I have read and understand the SGUK policy on the Declaration of Interests, Whistleblowing and Safeguarding and I certify that the information provided on this form below is true and complete

I understand that failing to declare an interest may lead to my removal or dismissal from the position held

Signed	
Print Name	
Date	

Name:	
Position:	Declaration
1. Directorships, including Non-Executive Directorships held in private companies or PLCs	
2. Ownership or part ownership of private companies, business or consultancies likely or possibly seeking to do business with SGUK	
3. Majority or controlling shareholdings in organisations likely or possibly seeking to do business with SGUK	
4. Employment within an organisation whether on a permanent or temporary contract which is likely to be seeking to do business with SGUK	
5. Other office of employment or membership of an organisation which may be a competitor or supplier of SGUK	
6. Any other interests which in the spirit of the Codes of Conduct you believe may be relevant to declare Examples of which are: a) spouse/partner/member of family/ friend connected with any aspect of SGUK services b) spouse/partners/member of family/friend connected with any organisation which is or is likely to do business with SGUK	
7. Any other interest which may conflict with obligations as a Trustee, member of the MAC or Sub-committee/Working Party	

<p>8. Gifts and hospitality</p> <p>I will promptly report to the Secretariat and/or Treasurer any significant inducements that may affect my judgement and influence my views</p>	<p>Initial acceptance</p>
<p>9. Whistleblowing:</p> <p>If I believe any form of maladministration is occurring I will report this promptly</p>	<p>Initial acceptance</p>
<p>10. Safeguarding:</p> <p>Should I identify any circumstances whilst representing SGUK that expose me to vulnerable people I will promptly advise the Chair and Secretariat so that appropriate preventive action can be taken</p>	<p>Initial acceptance</p>