

Community Foster Care's Conflict of Interest Policy

All staff, volunteers, foster carers, and trustees of Community Foster Care will strive to avoid any conflict of interest between the interests of the Community Foster Care on the one hand, and personal, professional, and business interests on the other. This includes avoiding actual conflicts of interest as well as the perception of conflicts of interest.

Conflict of interest - definition

A conflict of interest is where a member of our organisation has private interests that could improperly influence, or be seen to influence, their decisions or actions in the performance of their public duties.

Conflicts may be actual, potential or perceived:

- Actual** conflict of interest: there is a real conflict between an employee/carer/volunteer's public duties and private interests.
- Potential** conflict of interest: an employee/carer/volunteer has private interests that could conflict with their public duties. This refers to circumstances where it is foreseeable that a conflict may arise in future and steps should be taken now to mitigate that future risk.
- Perceived** conflict of interest: the public or a third party could form the view that an employee/carer/volunteer's private interests could improperly influence their decisions or actions, now or in the future.

The purposes of this policy are to protect the integrity of the Community Foster Care decision-making process, to enable stakeholders to have confidence in Community Foster Care's integrity, and to protect the integrity and reputation of volunteers, staff, and trustees.

Examples of conflicts of interest include:

- 1 A senior manager who is also related to a staff member may be faced with a decision in a committee meeting regarding whether fees for users should be increased.
- 2 A trustee who is related** to a member of staff and there is decision to be taken on staff pay and/or conditions at a committee meeting.
- 3 A staff member who is also on the committee of another organisation that is competing for the same funding.
- 4 A trustee that may be awarded a contract to do work or provide services for the organisation or is a trustee or employee or related to someone who is**.

Upon appointment each trustee and senior manager will make a full, written disclosure of interests, such as relationships, and posts held, that could potentially result in a conflict of interest. This written disclosure will be kept on file and will be updated annually or as appropriate.

During meetings or activities, staff, volunteers, foster carers, and trustees will declare any interests in a transaction or decision where there may be a conflict between the organisations' best interests and the individual's best interests or a conflict between the best interests of two organisations that the individual is involved with. If in doubt the potential conflict must be declared anyway, and clarification sought.

In the case of a conflict of interests arising for a trustee because of a duty of loyalty owed to another organisation or person and the conflict is not authorised by virtue of any other provision in the memorandum or the articles, an unconflicted trustee may authorise such a conflict of interests where the following conditions apply:

1. The Charity Commission's permission is sought before a benefit for a trustee may be authorised that is not otherwise authorised in the Memorandum of Articles or already authorised in writing from the Commission.
2. the trustee who has declared the conflict of interest withdraws from the part of the meeting at which there is discussion of any arrangement or transaction affecting that other organisation or person.
3. the trustee who has the conflict of interest does not vote on any such matter and is not to be counted when considering whether a quorum of trustees is present at the meeting.
4. the other Trustee who has no conflict of interest in this matter consider it is in the interests of the charity to authorise the conflict of interest in the circumstances applying.
5. Any such disclosure and the subsequent actions taken will be noted in the minutes.

For all other potential conflicts of interest, the advice of the Charity Commission will be sought, and the advice recorded in the minutes. All steps taken to follow the advice will be recorded.

This policy is meant to supplement good judgment, and staff, volunteers and trustee should respect its spirit as well as its wording.

** A relative may be a child, parent, grandchild, grandparent, brother, sister, spouse or civil partner of the Trustee or any person living with the Trustee as his or her partner'.

Appendix 1 – Conflicts of Interest due to dual roles – procedure

This procedure outlines Community Foster Care’s position on conflict of interest and is limited to address conflict of interest that arises due to members of the organisation having a dual role within the agency. This policy provides guidance as to how individuals should deal with information that causes them concern which comes about as a result their personal links with a carer and/or child in our care.

1. Purpose

Conflict of interest is likely in circumstances whereby a member of the organisation has a **dual role**; for example, in circumstances whereby a member of the board of trustees and/or senior management/panel member has personal links with existing CFC foster carers or a child in our care. In such circumstances there may be situations identified where there is an actual or perceived conflict between an employee’s/trustee’s public duties and their private interests. In cases where conflicts of interests arise then it is imperative that these are:

- A) identified and declared; and
- B) actively managed.

The organisation acknowledges that conflicts will not always be able to be avoided. They must however be identified and appropriately managed to ensure integrity and objectivity together with alignment with our values.

Community Foster Care recognises that the nature of the work will likely bring about nuanced responses to complex issues. The work often evokes emotive responses, matters which raise concern should be treated with sensitivity.

2. Application

Foster carers

In circumstances where a conflict of interest is raised by foster carers, the following communication channels need to be followed; -

- In the first instance, foster carer should raise and discuss the issue with their allocated SSW
- If the matter is urgent or in circumstances where the SSW is not available, foster carers can contact the duty SSW via the main office number.
- Should the carer be dissatisfied with the response or feel they require further discussion, then the matter can be raised with the Practice Manager responsible for the line management of their SSW.
- Carer can escalate matters by contacting the Registered Manager directly
- Carers can also contact their foster carer representative for further support. The carer representative can raise specific operational issues on the carer’s behalf with senior managers and thematic issues with the Board of Trustees.
- In circumstances where the foster carer feels dissatisfied with the outcome of the above process and would like to raise a formal complaint, they should refer to the formal complaints/grievance policy [here](#)

Staff member

In circumstances whereby actual or perceived conflicts of interests are raised by members of staff, the following communication channels needs to be followed;

- Staff member should raise the matter in the first instance with their line manager

The priority will always be to address the issue through the usual supervision processes/relationships. However there maybe occasions where this not possible, or the staff member remains dissatisfied with the response. In these circumstances the member of staff should escalate the issue to the **next level of management**. If the matter cannot be satisfactorily resolved, then the [grievance procedure](#) should be followed.

Volunteers/Trustees

In circumstances whereby trustees and/or others become aware of matters which raise concern they should in the first instance encourage the foster carer/staff member to address the issue through their usual communication and escalation channels (as detailed above). There will be occasions whereby the person will wish to address the issue more directly and/or in order to avoid any actual or perceived conflict of interest arising from the individual holding a dual role. In such circumstances the matter should be brought to the attention of the Registered Manager. The Registered Manager will arrange to meet with the individual to discuss their concern in some depth; discussions will seek to identify together:

- Any information which is operational in context and the channels to address this
- Any information which is strategic (any themes relevant to whole organisation) and should be brought to the attention of the CEO and/or board of trustees.
- A mutually agreed course of action and follow up/communication on the outcome for all interested parties

Matters which are deemed to be operational will be addressed by the RM following the usual processes and procedures. RM will provide updates as required and the meeting will be recorded/minuted. RM and individual will agree how any strategic matters should be framed along with how these will be shared, who with, by whom and in what format.