

Conflict of Interest Policy

Policy Statement

It is Welsh Athletics' policy that committee members, key volunteers, employees, consultants and others acting on behalf of Welsh Athletics' must be free from conflicts of interest that could adversely influence their judgment, objectivity or loyalty to the organisation in conducting Welsh Athletics' activities.

Welsh Athletics' is committed to maintaining the highest standards of corporate governance and conducts its business in an open and transparent manner. The aim of this policy and process is to protect both Welsh Athletics' and the individuals concerned from any appearance of improper behaviour. Everyone identified within this policy documentation should conduct themselves with integrity, impartiality and honesty at all times and should maintain high standards of propriety and professionalism. They should avoid situations where they, or Welsh Athletics', could be open to suspicion of dishonesty and not put themselves in a position of conflict between their official duty and private interest.

Welsh Athletics' accepts that people may take part in legitimate financial, business, charitable and other activities outside their Welsh Athletics' roles, but any potential conflict of interest raised by those activities must be disclosed promptly following the guidelines provided on the declaration of interest form. All employees must obtain written permission from Welsh Athletics' before taking on a paid or volunteer role in any other sports organisation.

This policy explains what is viewed by Welsh Athletics' as a conflict of interest and the procedure to follow where a conflict of interest arises. Other Welsh Athletics' policies may impact on this policy area and may need to be consulted when determining conflict, particularly the Hospitality and Gifts Policy and codes of conduct. Implementation of this policy and procedure must be clear and transparent and not subject to any unfair discriminatory practices.

This policy supplements the following Welsh Athletics policies:

Anti Bribery

Anti-Fraud and Corruption Policy

Whistleblowing Policy

Conflict of Interest Forms are available from the Welsh Athletics website or by contacting the office via email to office@welshathletics.org

Scope and Definitions

This Policy applies to all of the following Welsh Athletics' personnel:

- directors and sub committees of the Board
- regional chairs and regional committee members;
- members of committees, working groups, task forces or similar appointed by Welsh Athletics' for any purpose;
- volunteer national coaches and team management;
- full time, part time and casual employees;
- any person contracted to undertake work for Welsh Athletics' who has any other voluntary role within the organisation

This Policy applies whenever a person identified above recognises, or should reasonably recognise, that he/she has a Conflict of Interest.

A **Conflict of Interest** is a situation in which a person has an Interest (defined below) which may compromise that person's obligations to Welsh Athletics' or to any other person or body with which Welsh Athletics' has a relationship (e.g. Sport Wales, British Athletics etc). A Conflict of Interest includes *perceived* and *potential* conflicts as well as actual conflicts of interest.

- A *perceived* conflict of interest is one which a reasonable person would consider likely to compromise objectivity.
- A *potential* conflict of interest is a situation which could develop into an actual or perceived conflict of interest.

An **Interest** is a financial or non-financial interest involving the person, or a Connected Person (defined below).

- A *financial interest* refers to anything of non-trivial monetary value including but not limited to salary, commission, consultancy fees, contractual interest, discounts, property and royalties.
- A *non-financial interest* refers to any non-financial benefit or advantage including but not limited to access to privileged information or services, property or intellectual property rights and enhancement of a career, education or professional reputation. In a sports environment this may include training and selection of athletes and coaches.

A **Connected Person** is anyone with whom the individual in question has a relationship which is likely to appear to a reasonable person to influence the individual's objectivity including but not limited to close family, their partner and close personal friends.

If an individual has a Conflict of Interest, they have a duty to disclose it under the procedure set out below. In the case of a director of the Company disclosure is a requirement under Company Law and is clearly identified within the Company Articles of Association which take precedence over this policy. Any director acting in any other role on behalf of Welsh Athletics', at any time, shall first and foremost be considered as a director and accordingly must adhere to the Articles of Association and this policy.

Information Collection Process

Welsh Athletics will maintain a register of those individuals who will be required on appointment and at least annually to complete and sign the Welsh Athletics' declaration of interests form. It is the responsibility of the Company Secretary to ensure that.

Individuals on the register will be provided with a declaration of interests form the completed form will be retained by Welsh Athletics'. Processing of this data shall be undertaken in line with Welsh Athletics' data control processes, with declarations made by directors being retained for at least 10 years and other individuals for at least 10 years.

Regional chairs and other committee chairs are required to provide every committee member with a copy of the declaration of interest form and advise the Company Secretary accordingly. The distribution of such forms is the responsibility of the Regional and committee chairs the collection of the forms and data remains the responsibility of the Company Secretary.

The register will record the information declared by each individual using the categories of:-

Interest:	Financial	Non-Financial	Perceived	Potential
Self:				
Connected Person:				

Managing Conflict

Welsh Athletics' Conflict of Interest Panel shall consist of the Chief Executive Officer, the Chairman of the Board and one other. The panel shall be responsible for reviewing the declaration of interest forms and register and advising on any action required in addition to the standard management process for any particular conflict. If a conflict can be managed the management process must clear and reported in the register.

The register information and examples of ways to manage conflict will be provided at least annually to the Chairs of all Welsh Athletics' committees, Welsh Athletics' Head of Operations and Head of Performance, each director and to any other person that the Conflict of Interest Panel decides requires it to fulfil their Welsh Athletics' responsibilities.

Conflict of Interest can arise in various scenarios; the most likely is in a committee situation, therefore Welsh Athletics' has set up the following process to be followed at every meeting:-

The Chair of the meeting is required to ask those attending, (including non-committee member invited attendees) to declare any interest(s) linked to any item on the agenda. All notifications must be reported in the minutes of the meeting along with the actions taken by the Chair to manage the conflict.

If a conflict decision is challenged after the meeting all information must be referred to the Conflict of Interest Panel who will be responsible for reviewing the decision made by the Chair of the committee and providing written recommendations for any action.

Below are examples of how an individual may manage conflict themselves or how a committee Chair might manage a particular meeting situation:-

- not taking part in discussions of certain matters
 - either staying in the room or
 - vacating the room until the particular item is finished;
- not taking part in decisions relating to certain matters
 - either staying in the room when the decision is made or
 - vacating the room until the decision is made having stayed for the discussion;
- if the conflict relates to the Chair of the meeting, he/she must vacate the chair and the room until the particular item is finished;
- stepping aside from any involvement in a particular task;
- declaring an interest to a particular sponsor or third party (this may be following discussion with, or recommendation of, the Conflict of Interest Panel); and/or
- temporarily suspending authorised consultancy work until a decision is given by the Conflict of Interest Panel

Conflicts That Cannot Be Managed

Situations may arise where the Conflict of Interest Panel decides it is not possible to manage the conflict, in these circumstances the panel will request a meeting with the individual concerned to discuss and agree the way forward. The register should be noted accordingly with the date of the agreement; the full details may or may not be included as determined by the agreement and level of confidentiality.

If an employee's conflict is deemed non-manageable a copy in writing of the conflict, decision and signed agreement must be placed on the employee's Human Resources file. Such information shall be protected in accordance with the Data Protection Act and restricted to those who require it to fulfil their Welsh Athletics' responsibilities.

The register should be noted accordingly with the date of the agreement; the full details may or may not be included as determined by the agreement and level of confidentiality.

Data Protection and Publication of Declarations

The information collected for the purpose of managing conflict may in certain circumstances be deemed sensitive personal information and as such inappropriate for public circulation. Welsh Athletics' will take steps to identify such information with individuals as part of the data collection process and agree its exclusion from publication. This exclusion may also include details relating to conflicts that cannot be managed as noted earlier in this policy document.

There is no right or wrong approach to handling potential conflicts of interest. Ultimately, the issue is about the application of common sense. It is recognised and accepted that occasionally potential conflicts may arise.

The aim of this policy and process is to protect both Welsh Athletics and the individuals concerned from any appearance of improper behaviour. Conflicts of interests may arise where an individual's personal, family or business interests and/or loyalties conflict with the objectives of Welsh Athletics.

Such conflicts may create problems and can:

- Inhibit free discussion;
- Result in decisions or actions that are not in the interests of Welsh Athletics; and
- Risk the impression that Welsh Athletics has acted improperly.

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety. Even the appearance of a conflict of interest can damage the reputation of Welsh Athletics as a National Governing Body.

All Board Members, employees and other officials must declare their interests, and any gifts or hospitality received in connection with their role in Welsh Athletics. The procedures for the declaration of gifts and hospitality can be found in the Welsh Athletics Anti Bribery Policy.

If anyone is not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If anyone would like to discuss this issue, please contact the Chief Executive for confidential guidance.

Where it is subsequently discovered that one or more persons involved in a decision had not declared their conflict of interest to the meeting, the Board will decide whether the matter needs to be reconsidered and may so direct. In addition, the Chair may decide that the person or person involved may have breached the Board Code of Conduct and further action may be necessary.

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act. Data will be processed only to ensure that the Board Member, employees and officials will act in the best interests of Welsh Athletics. The information provided will not be used for any other purpose. Processing of this data shall be undertaken in line with Welsh Athletics data control processes, with declarations made by directors being retained for at least 10 years and other individuals for at least 10 years.

What to do if you face a conflict of interest?

You should declare your interest at the earliest opportunity.

If you fail to declare an interest that is known to the Chair of Welsh Athletics or other Board member he/she must by law declare it on your behalf.

Managing contracts

If there is a conflict of interest, (actual, perceived or potential) the interested party must not be involved in managing or monitoring a contract in which they have an interest.

A de minimis exemption applies to contracts less than £1,000 in value.

Random checks against the register of interest will be made on the award of contracts below this value. If the cumulative value of a series of small contracts exceeds £1,000, the Chair and Board Members will operate the policy used for individual contracts over that sum.

All contracts will be internally audited and, from time to time, may be externally audited.