

Declarations of Interest Policy

This policy applies to the Directors and all staff of Culture Perth and Kinross Limited.

The **Directors** of Culture Perth and Kinross Limited have a legal obligation to act in the best interests of the organisation and in accordance with the Articles of Association, and to avoid situations where there may be a potential conflict of interest.

Staff and volunteers working with the organisation share similar obligations.

Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of Culture Perth and Kinross Limited. Such conflicts may create problems; they can:

- inhibit free discussion
- result in decisions or actions that are not in the interests of Culture Perth and Kinross Limited
- risk the impression that the charity has acted improperly.

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety.

Directors staff and volunteers will declare their interests, and any gifts or hospitality offered and received in connection with their role in Culture Perth and Kinross Limited.

A declaration of interests form will be completed on an annual basis by Directors and Senior Staff (Extended Management and Senior Officers Teams).

All interests will be recorded on the **Declaration of Interests Register**.

This register of interests shall be used to record **all gifts of a value over £100 and hospitality over £100** received by the Directors and staff.

Staff should alert their Line Managers to all gifts and hospitality they receive in relation to their work with Culture Perth and Kinross. **Any item to the value of £100 and over must be entered into the Gifts and Hospitality Register.** To do this the individual receiving the gift or hospitality should email admin@culturepk.org.uk with the following information immediately:

Name
Position
Description of Gift or Hospitality
Organisation or individual gift or hospitality received from
Date Received
Value

Where the value of the item is over £100 a staff member must request the permission of the Senior Management Team before taking receipt.

The register will be accessible by the Sole Member, Perth and Kinross Council, external auditors and statutory bodies including HMRC and OSCR as required.

The declaration of interests made by Directors, Staff and Volunteers will be updated at least annually, usually at the end-of year meeting and when any material changes occur.

If an individual is not sure what to declare, or whether/when their declaration needs to be updated, please err on the side of caution and contact the Finance Manager for confidential guidance.

Data protection

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that Directors and Staff act in the best interests of Culture Perth and Kinross Limited. The information provided will not be used for any other purpose.

What to do if you face a conflict of interest

If an individual believes they have a perceived or real conflict of interest they should:

- declare the interest at the earliest opportunity
- withdraw from discussions and decisions relating to the conflict.

It is accepted that Trustees, Staff and Volunteers may be users of core services provided by Culture Perth and Kinross, however if an individual is a user of specialist, targeted services or is the carer of someone who uses these services, they should not be involved in decisions that directly affect the service that them, or the person they care for, receive(s). The individual should declare their interest at the earliest opportunity and withdraw from any subsequent discussion, unless expressly invited to remain in order to provide information. In this case the individual may not participate in, or influence, the decision or any vote on the matter. The individual will not be counted in the quorum for that part of the meeting and must withdraw from the meeting during any vote on the conflicted item.

There are situations where you may participate in discussions from which an individual could indirectly benefit, for example where the benefits are universal to all users, or where the benefit is minimal. This action will be agreed by the meeting Chair and minuted accordingly.

If an individual fails to declare an interest that is known to the Chief Executive, Finance Manager or Chair of the Board then these individuals will themselves declare that interest.

Decisions taken where a Director or member of staff has an interest

In the event of the Board having to decide upon a question in which a Director or member of staff has an interest, all decisions will be made by vote, with a simple majority required. A quorum must be present for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate. Interested Board Members may not vote on matters affecting their own interests. All decisions under a conflict of interest will be recorded by the Finance Manager and reported in the minutes of the meeting. The report will record:

- the nature and extent of the conflict
- an outline of the discussion
- the actions taken to manage the conflict.

Where a Director benefits from the decision, this will be reported in the annual report and accounts in accordance with the current Charities SORP.

All payments or benefits in kind to Directors will be reported in the charity's accounts and annual report, with amounts for each Director listed for the year in question.

Where a member of Culture Perth and Kinross's staff are connected to a party involved in the supply of a service or product to the charity, this information will be fully disclosed in the annual report and accounts.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

Managing contracts

If an individual has a conflict of interest, they must not be involved in managing or monitoring a contract in which they have an interest. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.

CULTURE PERTH & KINROSS

Declaration of Interests Form

..... as employee/trustee* [**delete as appropriate*] of Culture Perth and Kinross Limited have set out below my interests in accordance with the organisation’s conflicts of interest policy

Category	Please give details of the interest and whether it applies to yourself or, where appropriate, a member of your immediate family, connected persons or some other close personal connection
Current employment and any previous employment in which you continue to have a financial interest.	
Appointments (voluntary or otherwise) e.g. trusteeships, directorships, local authority membership, tribunals etc.	
Membership of any professional bodies, special interest groups or mutual support organisations.	
Investments in unlisted companies, partnerships and other forms of business, major shareholdings e.g. more 5% of issued capital and beneficial interests.	
Gifts or hospitality offered to you by external bodies and whether this was declined or accepted in the last twelve months.	
Do you use, or care for a user of the organisation’s services?	
Any contractual relationship with the charity or its subsidiary.	
Any other conflicts that are not covered by the above.	

To the best of my knowledge, the above information is complete and correct. I undertake to update as necessary the information provided, and to review the accuracy of the information on an annual basis. I give my consent for it to be used for the purposes described in the conflicts of interest policy and for no other purpose.

Signed:

Position:

Date: