

DRAFT

RYA NI CONFLICT OF INTEREST POLICY

CONFLICT OF INTEREST POLICY

1. INTRODUCTION

- 1.1 This document explains The Royal Yachting Association Northern Ireland "Conflict of Interest Policy" and the steps that must be taken when an interest is declared or discovered. Each Council Member and employees of RYA NI must adhere to this policy. Any employee who does not follow this policy may be subject to disciplinary action by RYA NI. A similar approach will be taken with any Council Member who does not follow this policy.
- 1.2 The RYA NI aims to embrace a philosophy of disclosure and fosters an attitude of openness and integrity (Nolan Principles). This document explains the RYA NI "Conflict of Interest Policy" and attempts to deal with the issue in ways that are fair to Council Members and employees and enable the organisation to function while protecting integrity and providing unbiased advice.

2. DEFINITIONS

- 2.1 The following provides a definition of words used throughout the document:

Conflict refers only to personal, established interest of the individuals covered by this policy and their immediate families, and not to philosophical or professional differences of opinion.

A Conflict of Interest would include, but not be limited to, direct or indirect interest of Council Members or employees in:

- A company, service or product that could be affected by a decision of RYA NI;
- A company or product that is in competition with a company, service or product that could be affected by a decision of RYA NI;
- Acceptance of any gift, entertainment, services, loans or promise of future benefits from any person or organisation that might benefit because of the individuals connection with RYA NI; and
- Compensation in the form of fees or salaries if such payment results directly or indirectly from the Council Member or employee's work with RYA NI.

Connected Person relates to significant others that may have an influence. It may include the following:

- Parents;
- Spouse or partner;
- Children and their spouse/partner;
- Grandchildren and their spouse/partner;
- Grandparents;
- Brothers and their spouse/partner; and
- Sisters and their spouse/partner.

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3. THE RYA NI POLICY

- 3.1 It is the policy of RYA NI that no Council Member or employee while serving in the organisation in any capacity will take personal advantage of his or her role by allowing a situation to exist that may be construed as a conflict of interest.
- 3.2 In addition, RYA NI intends to ensure with reasonable prudence that no Council Member or employee creates the appearance of realising financial gain of any nature or amount from RYA NI actions.
- 3.3 It is also the intent of RYA NI to carry out activities in accordance with the highest ethical standards. Adoption of this Policy is, therefore, a reaffirmation of RYA NI intent that Council Members and employees practice the highest ethical standards and give undivided loyalty to the organisation and its goals. Any activities which do not serve the best interest of RYA NI or which favour the personal advantage of another person or organisation is inconsistent with the duties and responsibilities owed to RYA NI.
- 3.4 The RYA NI is committed to maintaining an honest, open and well-intentioned atmosphere within the organisation. It is therefore also committed to the elimination of any fraud and to the rigorous investigation of any such cases.
- 3.5 Council Members and employees of RYA NI should therefore not engage in any conduct or activity that might reasonably be interpreted as tending to adversely affect the performance of their duties.

4. WHAT IS A RELEVANT INTEREST?

- 4.1 An interest should be declared if an individual considers it relevant to their duties and that there is therefore a risk of it being reasonably perceived as biasing their decisions while conducting their duties. The test is whether "an external observer, knowing the facts of the situation, would reasonably think that the person might be influenced by the interest".
- 4.2 It is not possible to provide a comprehensive definition of circumstances that necessarily give rise to a conflict of interest, but the following are examples of situations giving rise to perceived conflict of interest. The list is not exhaustive, and in any situation where an individual is uncertain as to the propriety of a given arrangement, advice may be sought from the Governing Body Chairman.

4.3 **General Examples**

- A financial interest held by an individual (or by his or her immediate relative/s or household member/s) in an organisation. Examples of such interests are paid consultancies, paid service on a board of directors, director/shareholder in an enterprise from which RYA NI buys a service.
- Any relationship with a named organisation with which RYA NI might do business. Such interests would include: ownership, part-ownership, directorship, shareholder etc.

4.4 Individuals are not expected to quantify the extent of a financial interest, merely the fact that one exists. The presumption is always in favour of declaring an interest.

5. **REGISTERING AN INTEREST**

5.1 The aim of the register is to identify those activities and interests, which individuals consider as carrying a risk of bias in the conduct of their duties. The following process is therefore carried out in order to manage conflicts of interest:

5.2 ***Initial Registration***

5.2.1 On joining RYA NI the following individuals are required to complete a declaration of interest form (Annex A) and submit the original to the Chairman of RYA NI:

- Council Member
- Staff Member (full or part time)

5.2.2 Forms will be circulated and must be completed on an annual basis. In addition, as circumstances change, individuals must update their statements by informing the Chairman of RYA NI within 28 days of becoming aware of the change.

5.3 ***Annual Registration***

5.3.1 Individuals will be required to complete declaration of interest of interest forms on an annual basis. This should take place after the AGM or whenever the individual takes office.

5.4 ***Limitations on Involvement at Meetings***

5.4.1 The Chairperson of the meeting will be identified as a facilitator for conflict issues. It shall be his or her responsibility for conducting the process detailed below. The Vice Chairman will be identified as the alternate facilitator to act when the facilitator is unavailable or in a position of conflict his or her self.

- 5.4.2 At the beginning of every meeting, the facilitator will ask whether any individuals present perceive a possible conflict of interest on any of the agenda items for themselves or for any other individuals.
- 5.4.3 The facilitator will use his or her judgement and decide if the declaration actually constitutes an interest in the planned business of the meeting.
- 5.4.4 If viewed by the facilitator that a conflict exists, the individual will be precluded from participation in any discussion of the issue (whether oral or written) and in decision-making. The individual will be excluded from the portion of the meeting for which there is conflict by being asked to leave the meeting when the item may then be discussed.
- 5.4.5 The facilitator should ensure all details of conflict raised are recorded in the minutes of the meeting.

6. ANNUAL REGISTRATION

- 6.1 All employees/council members must update their declarations on an annual basis via the attached form mentioned in 5.2.
- 6.2 Once completed must be recorded on the register of interests by the RYA NI Honorary Treasurer.
- 6.3 The RYA NI Honorary Treasurer will maintain a database of interests and provide a referral service in relation to Council Members and employees.

**Annex A
Declaration of Interests Form**

Section A

This form is to be completed by all Council Members and employees of RYA NI and returned to RYA NI Chairman. Where no interests are to be disclosed, please state "Not Applicable".

Full Name: _____ **Position Held:** _____

This forms relates solely to interests of the above named person. For their partners or close relatives, where the interest is deemed to be relevant, please complete Section B below.

Remuneration from Employment

	Name of Employer	Nature of Business	Position Held
Details of Employment held which may be significant to, or relevant to, or bear upon the activities of RYA NI			

Remuneration from self-employment

	Name of Business	Nature of Business	Position Held
Details of self- employment held which may be significant to, or relevant to, or bear upon the activities of RYA NI			

Section B

This forms relates solely to interests of the partner/spouse or relative of the named person in Section A

Full Name: _____

Relationship to above person: _____

Remuneration from Employment

	Name of Employer	Nature of Business	Position Held
Details of Employment held which may be significant to, or relevant to, or bear upon the activities of RYA NI			

Remuneration from self-employment

	Name of Business	Nature of Business	Position Held
Details of self- employment held which may be significant to, or relevant to, or bear upon the activities of RYA NI			

DECLARATION

I declare that, to the best of my knowledge and belief, the information I have given in this form is truthful, accurate and complete.

I undertake to notify the ***(insert details)*** in writing of any changes to this information within 28 days of any such change.

I undertake to ensure that, subject to approval of this Declaration, the interests that I have disclosed will not detrimentally affect my ability to carry out my duties as RYA NI Council Member/employee.

In making this declaration I consent to the information contained in it being available for inspection in the Register of Interests for RYA NI

Print Name: _____

Signed: _____

Date: _____

Please return to: RYA NI Chairman