

ENGLAND FENCING LTD
CONFLICT OF INTEREST POLICY

1 Preamble

- 1.1 This Conflict of Interest Policy (“the Policy”) applies to the Board of Directors both Executive and Elected (“the Directors”) and to all members of any respective committees, sub-committees and individual officers all referred to as “EF Committees & Officers”, except Section 3 which shall apply only to the Board of Directors.
- 1.2 This Policy includes a register of interests and a declaration of interests form covering the Directors.

2 The Purpose of the Policy

- 2.1 The Directors of England Fencing Ltd. (“England Fencing”) have a legal obligation to promote the success of England Fencing and to act in the best interests of England Fencing and in accordance with its Memorandum and Articles of Association. Members of EF Committees & Officers are required by the Board of Directors to comply with this Policy.
- 2.2 Conflicts of interest may arise where the personal, professional, institutional or family interests and/or loyalties of a Director or of a member of EF Committees or of an EF Officer conflict with those of England Fencing. Such conflicts can:-
- 2.2.1 inhibit free discussion;
 - 2.2.2 result in decisions or actions that are not in the best interests of England Fencing;
 - 2.2.3 risk giving the impression that England Fencing has acted improperly.
- 2.3 The aim of this Policy is to protect England Fencing, the Directors and EF Committees & Officers from any appearance of impropriety.

3 Declaration of Interests for Recording on the Register of Interests

- 3.1 England Fencing maintains a Register of Interests (“the Register”) appropriate to its activities, which includes the interests of close family members.
- 3.2 The Directors shall declare their interests and any gifts or hospitality (over a value of £100) received in connection with their role in England Fencing. Declarations of gifts should be made in writing to the office of England Fencing.

3.3 New Directors are required to complete a Declaration of Interests Form on appointment and must inform the office when changes occur.

4. Data Protection

4.1 Personal information provided by the Directors and members of EF Committees & Officers will be processed in accordance with data protection principles as set out in the Data Protection Act 1998 and England Fencing shall make notification to the Information Commissioner as may be required. Personal data will be processed to ensure that the Directors and EF Committees & Officers act in the best interests of England Fencing and in accordance with England Fencing's Memorandum and Articles of Association. The information provided will not be used for any other purpose.

5. A Conflict of Interest

5.1 If a conflict of interest arises at a meeting of the Directors or any of the EF Committees the individual who has a conflict of interest shall be obliged to declare his or her interest.

5.2 A Director or member of any EF Committee shall not be involved in any decision relating to a matter in which he or she has a material interest except with permission of the Board or the EF Committee in which the matter arises and in accordance with this Policy.

5.3 A Director or member of any EF Committee is permitted to be involved in any decision relating to a matter in which he or she has a material interest if such interest arises **only** by virtue of his or her status as an employee of England Fencing. In such circumstances no such specific permission is required provided that a declaration of that interest has been made.

5.4 If a Director or member of any EF Committee fails to declare an interest which is known to any Director or a member of the relevant EF Committee (as the case may be) then such other person may declare that interest.

6. Decisions taken where a Director or member of an EF Committee has an interest

6.1 A Director or member of any EF Committee shall not vote at any meeting of the Board or any EF Committee on any resolution concerning any matter in which he or she has an interest or duty which is material and which conflicts or may conflict with the interests of England Fencing unless otherwise determined in accordance with this policy.

6.2 Interests are defined as:-

- 6.2.1 **Direct financial interests** – where an individual stands to gain direct financial benefit from decision.
- 6.2.2 **Indirect financial interests** – where a close relative of an individual stands to benefit financially from a decision and where the financial affairs of the individual and relative in question are bound through the legal concept of 'joint purse'.
- 6.2.3 **Non-financial interest or personal conflicts** – where an individual receives no financial benefit from the decision but continues to be influenced by external factors. This includes interests arising from membership of clubs and other organisations.
- 6.2.4 **Conflict of loyalties** – where an individual may have competing loyalties between England Fencing and some other person or entity.
- 6.3 The chair of any meeting of the Board or EF Committee shall demit the chair for consideration of any resolution concerning any matter in which he or she has directly or indirectly an interest or duty which is material and which conflicts or may conflict with the interests of England Fencing and another of those persons present shall be appointed by simple majority to take the chair for consideration of that resolution.
- 6.4 The relevant meeting of the Board of Directors or EF Committee shall decide (by way of majority vote of non-conflicted members) which of the following options should be taken:-
 - 6.4.1 The individual should leave the meeting while the item is being discussed.
 - 6.4.2 The individual should be allowed to remain in the meeting while the item is being discussed, but should not be allowed to take part in the discussion or vote.
 - 6.4.3 The individual should be allowed to speak on the item, but should not vote.
 - 6.4.4 The individual should be allowed to speak and vote on the item.
- 6.5 All decisions under a conflict of interest will be recorded and reported in the minutes of that meeting. The report will record:-
 - 6.5.1 the nature and extent of the conflict;
 - 6.5.2 the outline of the discussion;

6.5.3 the actions taken to manage the conflict; and

6.5.4 whether the person concerned was permitted to participate in consideration and vote on the matter in respect of which the conflict arose.

7. Managing Contracts

7.1 If a Director has a conflict of interest, he or she must not be involved in managing or monitoring a contract in which he or she has 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.