

## **The Kiltwalk Conflict of Interest Policy**

1. Trustees are obligated to duties, including those specified in particular in paragraph 39 and succeeding paragraphs of the The Kiltwalk Constitution, to act in the interests of The Kiltwalk. This policy sets out the way in which The Kiltwalk will record and manage conflicts of interest.
2. A 'conflict of interest' arises when the best interests of an individual Trustee are, or could be, different from the best interests of the charity itself. This may be something that affects the Trustee directly, or indirectly, through a family member or friend or business partner.

### **Statement of Intent**

3. The Kiltwalk is committed to ensuring its decisions and decision-making processes are, and are seen to be, free from personal bias and do not unfairly favour any individual connected with the charity.
4. All Trustees are expected to have read OSCR's guidance "Who is in Charge: Control and Independence in Scottish Charities".

### **Policy**

5. It is the policy of The Kiltwalk to:
  - Ensure every Trustee understands what constitutes a conflict of interest and that they have a responsibility to recognise and declare any conflicts that might arise for them.
  - Document the conflict and the action(s) taken to ensure that the conflict does not affect the decision making of the organisation.

### **Procedure**

6. All Trustees must declare any conflicting interests as they arise and shall sign an Interests Statement detailing the conflicting interests which will be kept in the Register of Interest Statements.
7. When a Trustee identifies that they have a potential conflict of interest they must:
  - Declare it and complete and pass to the Secretary for keeping in the Register of Interests Statements, an Interest Statement as soon as they become aware of it;
  - Not take part in any board discussions relating to the matter;
  - Not take part in any decision making related to the matter;
  - Not be counted in the quorum for decision making related to the matter.
8. In the interests of frank and open discussion, a Trustee affected by a conflict of interest must leave the room while related discussion / decision making is taking place, unless there is good reason for them to stay.
9. The minutes should state:
  - The declared conflict;
  - That the Trustee left the room, or the reason they were asked to stay;
  - That the Trustee took no part in discussion or decision making on the matter;
  - That the meeting was quorate (not counting the affected Trustee);
  - Any other actions taken to manage the conflict.
10. If a Trustee is unsure what to declare, they should err on the side of caution and discuss the matter with the Chair of The Kiltwalk for confidential guidance.