

Conflict of Interests Policy

EWRT-GOV-CoI-D0.1

Anne McFarland

Revision History

Name	Date	Reason For Changes	Version

Review Cycle

Review Cycle	Review Date	Reviewer	Status-Action Needed

1. Purpose

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	Approved By:			

The purpose of this policy is to assist charity trustees of East Wicklow Rivers Trust to effectively identify, record and manage any conflicts of interest in order to protect the integrity of East Wicklow Rivers Trust and to ensure that the charity trustees act in the best interest of their charity.

2. Objective

The East Wicklow Rivers Trust Board (called the 'board' in this policy) aims to ensure that the directors are aware of their obligations to disclose any conflicts of interest that they may have, and to comply with this policy to ensure they effectively manage those conflicts of interest as representatives of East Wicklow Rivers Trust.

3. Scope

This policy applies to the directors of East Wicklow Rivers Trust.

4. Definition of conflicts of interests

A conflict of interest is any situation in which a charity trustee's personal interests or loyalties could, or could be seen to, prevent a director from making a decision in the best interests of the company. This personal interest may be direct or indirect, and can include interests of a person connected to the director.

These situations present the risk that a person will make a decision based on, or affected by, these influences, rather than in the best interests of the company and therefore must be managed accordingly.

5. Policy

This policy has been developed because conflicts of interest commonly arise, and do not need to present a problem to the company if they are openly and effectively

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managed. It is the policy of the East Wicklow Rivers Trust, as well as a responsibility of its directors, that ethical, legal, financial or other conflicts of interest be avoided and that any such conflicts (where they do arise) do not conflict with their obligations to East Wicklow Rivers Trust.

East Wicklow Rivers Trust will manage conflicts of interest by requiring charity trustees to:

- avoid conflicts of interest where possible
- identify and record any conflicts of interest
- carefully manage any conflicts of interest, and
- follow this policy and respond to any breaches.

5.1 Responsibility of the board

The board is responsible for:

- establishing a system for identifying, disclosing and managing conflicts of interest across the charity;
- monitoring compliance with this policy; and
- reviewing this policy on an annual basis to ensure that the policy is operating effectively.

The directors should ensure they are aware of their legal obligations in the management and control of their charity and should refer to the Charities Regulator’s ‘Guidance for Charity Trustees’ for further information on this – see their website

www.charitiesregulator.ie

5.2 Identification and disclosure of conflicts of interest

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Once an actual, potential or perceived conflict of interest is identified, it must be entered into East Wicklow Rivers Trust’s register of interests, as well as being raised with the board. The register of interests must be maintained by the Board Secretary, and record all information related to a conflict of interest (including the nature and extent of the conflict of interest and any steps taken to address it).

6. Action required for management of conflicts of interest

6.1 Conflicts of interest of members of the board

Once the conflict of interest has been appropriately disclosed, the board (excluding the disclosing director and any other conflicted person) must decide whether or not a conflicted charity trustee should:

- vote on the matter (this is a minimum),
- participate in any debate, or
- be present in the room during the debate and the voting.

In exceptional circumstances, such as where a conflict is very significant or likely to prevent a director from regularly participating in discussions, it may be worth the board considering whether it is appropriate for the person with the relevant conflict to resign from the board.

6.2 What should be considered when deciding what action to take

- In deciding what approach to take, the board will consider whether the conflict needs to be avoided or simply documented
- whether the conflict will realistically impair the disclosing person’s capacity to impartially participate in decision-making
- alternative options to avoid the conflict
- the company’s objects and resources, and

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- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the company.

The approval of any action requires the agreement of at least a majority of the board (excluding any conflicted director) who are present and voting (if applicable) at the meeting. All details regarding the conflict of interest, including the action arising, will be recorded in the minutes of the meeting.

7. Compliance with this policy

If the board has a reason to believe that a person subject to this policy has failed to comply with it, it will investigate the circumstances.

If it is found that this person has failed to disclose a conflict of interest, the board may take action against the person. This may include seeking the person's resignation from the company.

If a person suspects that a director has failed to disclose a conflict of interest, they must bring it to the attention of the Chair or the Board as a whole.

Contacts

For questions about this policy, contact the board or the Company Secretary by email at info@wicklowrivers.ie

Review

This policy will be reviewed bi-annually.