

## Volunteer Resources

Region and County Governance Toolkit

### How to Effectively Manage Conflicts of Interest



#### **Interpretation**

- *Within the context of this guidance the `organisation` is defined as the Regional Management Board or the County Netball Association.*
- *The `committee` is viewed as any group identified within the Constitution of the organisation with assigned accountabilities e.g. the Regional Management Board itself or one of its supporting Technical Support Groups.*
- *A `committee member` is a person who is elected, appointed or co-opted to serve on the committee.*

#### **Accountability**

*A committee member is accountable for always making decisions that are in the best interests of the organisation in the fulfilment of its objectives and responsibilities. It is against this premise that a conflict of interest can be identified, assessed and managed.*

#### **About this tool**

In 2018 **over 50%** of netball committees responding to the health check told England Netball they needed support to manage conflicts of interest more effectively.

A committee member would have a **conflict of interest** if they (or their family) would be set to benefit personally from a committee decision. This could arise, for example, where a committee member works at a business which seeks to secure a contract to supply goods or services to the organisation as the individual (or their family) could personally gain. This could also arise if members of the committee are related, cohabiting or close friends, as they may be able to influence each other.

A **conflict of loyalty** is more subtle but may happen a lot in netball as passionate volunteers may sit on the committees of multiple netball groups or other organisations which share the same goals. For example, if a Regional Management Board member is also a board member of a SuperLeague club or league they need to ensure their decisions do not unfairly benefit their other netball commitments but are what is best for netball in the whole Region.

Recruiting volunteers to your committee with a diverse range of interests and connections can help strengthen the group and avoid any perception that the committee might be biased. For example, a Regional committee with most members from one County might give the impression that other Counties are not considered, and decisions are made that could favour that County.

The Sport and Recreation Alliance have pointed out it is completely natural for conflicts of interest to occur. In tackling conflicts of interest, you are trying to manage them rather than prevent them from happening at



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all. (Sports and Recreation Alliance 2017). It's about using your committee's great connections whilst guarding against corruption.

### Why is it important?

Managing conflicts of interest well is just a matter of using common sense much of the time, but it's important to ensure that members of the netball community in your area can trust that your decisions are about what's best for netball.

It is important that any conflicts of interest are identified, assessed, managed effectively and recorded to ensure individual committee members are not able to unduly influence a decision to their benefit (or their family's benefit) rather than being the best value decision for the organisation.

The tools and templates below will help your committee to understand and manage conflicts of interest and loyalty when they arise within your committee.

### Top Tips

- If you already have access to a governance professional on your committee, they can lead on adopting the tools as part of your organisational plan.
- Like everything, creating a small project group to work on this together can ensure more people understand conflicts of interest and loyalty and update your documents fast.
- The Chair is ultimately responsible for managing conflicts of interest and loyalty in general and at each meeting.
- If you need support to reach other netball volunteers who do this well just ask your Regional Chair or England Netball staff member.

### How does this link to the Sport England Governance Code?

In order for a netball organisation to meet Mandatory Requirement 3 of Tier 1 of the [Code for Sports Governance](#) they need to ensure that:

*"Conflicts of interest are recognised, managed by the chair and recorded. At least three of the people on the committee are unrelated or noncohabiting."*

When we restructured our board we thought long and hard about how many of us sat on other committees and how many "hats" we were trying to juggle. We streamlined the board and asked committee members to consider whether they could be objective in their decisions if they had other netball committee roles too."

East Regional Chair

### Key building blocks - Tools and Templates

There are a number of tools and processes that can be implemented to ensure conflicts of interest are appropriately managed. First review whether your committee has the following in place as they are the key building blocks to successfully identifying and managing the risks associated with conflict of interest and conflict of loyalty.



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- Conflict of interest form and register
- Conflict of interest policy
- Rolling item on meeting agenda
- Updated in the constitution
- Chair role description outlines responsibility for managing conflicts of interest
- No more than three people live in the same house / are related, ideally no one

You can find more information and resources about managing conflicts of interest effectively on the [Club Matters](#) website.



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### **Example Committee Conflict of Interest Policy and Form**

The committee members of [the organisation] will strive to effectively manage any conflict of interest between the interests of the organisation and their own personal, professional and business interests. This includes managing actual conflicts of interest as well as the perception of conflicts of interest.

The purpose of this policy is to protect the integrity of the organisation's decision-making process, to enable our stakeholders to have confidence in our integrity, and to protect the integrity and reputation of volunteers and committee members.

By upholding the policy and managing conflicts of interest well the organisation will be aligned to accepted best practice principles and be compliant with the standards set out in Tier 1 of the Sport England Code for Sports Governance.

#### **Examples of conflicts of interest could include:**

1. A committee member or a related party who will benefit financially by being a committee member of another organisation that seeks to do business with the organisation.
2. A committee member or a related party who is related to a candidate they have nominated for election.
3. A committee member or a related party who is also on the committee of another organisation that is competing for the same funding.
4. A committee member or a related party who works for a business that may be awarded a contract to do work or provide services for the organisation.
5. A committee member or a related party who is a member of a club or individual that has applied for a grant from the committee.

Upon appointment each committee member will complete a register of relationships, and posts held, that could potentially result in a conflict of interest. This written disclosure will be kept securely and will be updated as appropriate.

The agenda for each meeting should include an item at the start of the meeting that requires committee members to declare any conflict of interests they may have in any of the agenda items.

When discussing the specified agenda item the individual may be asked to leave the room for the discussion or may not be able to take part in the decision (discussion and vote) depending on the judgement of the Chair.

Any such disclosure and the subsequent actions taken will be noted in the minutes.

No more than three committee members shall be related or cohabiting and the governing documents of the organisation shall reflect the committee's responsibility to manage conflicts of interest, whether perceived or actual.

This policy is meant to supplement good judgment and committee members should use it in order to support common sense decision making.



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### **Declaration of Interests Form**

#### **Guidance Notes**

[The organisation] is charged with maintaining procedures for dealing with potential and actual conflicts of interest, including financial interest. As such, each committee member is required to declare any situations where private interests and duties to [the organisation] may conflict.

If you are in doubt about an interest which you feel may conflict, ask yourself:

- Am I or might I be in a position where my family/friends or I could gain from the connection between my private interests and my involvement with the organisation?
- Do I have access which could influence purchasing decisions?
- Could my outside interests be in any way detrimental to the organisation or the Members' interests?
- Do I have any other reason to think that I may be risking a conflict of interest?

#### **Procedure:**

- All new committee members will be asked to make a declaration as part of the appointment process and these will be held by the organisation.
- Should a committee member become involved with any potential conflicting interest during the year, it is their responsibility to inform the committee chair immediately.
- Should a committee member have any financial interest, direct or indirect, in any matter being considered at a meeting it is their responsibility to disclose this either at the meeting or as soon as possible after the meeting and to withdraw from the meeting during the consideration of the matter.
- All committee members will be contacted annually with a request to complete a new declaration if their circumstances have changed from those originally declared on appointment.





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#### Related Parties

##### Tick the relevant statement

I declare that I have **no related parties** with significant interests which the Membership and/or general public might reasonably conclude might influence the approach or actions of myself in carrying out my duties for [the organisation].

I declare that I have **related parties** with significant connections with organisations such that the Membership and/or general public might 'reasonably conclude that the interest involved might influence the approach or actions taken by a committee member of [the organisation] (please detail below).

Name	Relationship to You (e.g. partner/spouse, child, working parent)	Interest to Report (e.g. other boards of sporting bodies the related party sits on, any businesses for which the related party is an officer or director, or a majority shareholder, and the name of your related party's employer and any businesses they own)

I hereby certify that the information set forth above is true and complete to the best of my knowledge. I have reviewed, and agree to abide by the organisations Conflict of Interest Policy.

Signed:	Name:
Position:	Date:

[Add Privacy Statement and link to Committee Privacy Policy]



**Example Committee Conflicts of Interest Register**

<b>Name</b>	<b>Role</b>	<b>Organisation/ Individual</b>	<b>Nature of the Conflict</b>	<b>Risk: Low/Medium/High</b>
Mr A	Treasurer	Anywhere Football Club	Also Treasurer at AFC.	Low unless in competition for local funding
Miss B	Governance Lead	Anywhere University	Facilities Manager	Low unless ANC choose to benefit Anywhere University through contract for court space
Mrs C	General Committee Member	Anywhere Netball Super League Team	Assistant Performance Coach	Medium – Chair to ensure decision making is fair
Mr D	General Committee Member	Anywhere Netball Club	Head Coach	Low unless the club applies for direct funding or athlete development
Ms E	General Committee Member	Anywhere Specialist Sports College	Head of Netball	Low unless the college offers services such as a venue