



THE KENNET & AVON CANAL TRUST

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Conflict of Interest Policy

This Policy and attached Guidance Note (Appendix) sets out The Kennet and Avon Canal Trust ('the Trust')'s position on conflicts of interest.

The Policy requires that:

- a) Any individual who controls or influences the activities of the Trust must declare his/her interests, whether paid (for example, directorships or employment) or unpaid (for example, voluntary positions), together with any benefits, services, hospitality or gifts received in connection with his/her role in the Trust - in accordance with the questions set out in the attached Declaration of Interests form.
- b) A Declaration of Interests form should be completed in writing upon appointment and thereafter annually in the form prescribed and attached to this Policy. It should also be declared orally at any meetings where a conflict of interests may arise. Any changes to the Declaration should be notified in writing to the Chairman or Company Secretary as soon as the interest arises.
- c) The Chairman should provide confidential advice to any Trustee making a Declaration if requested to do so. The Chairman may also review Trustee Declarations to identify any real or perceived conflicts of interest and will decide how they might be dealt with, consulting with others as necessary.
- d) The Trustee with responsibility for governance shall maintain a Register of Interests declared, including any conflicts which have been identified.
- e) Any individual with an interest in a matter being discussed at a meeting must declare his/her interest to the meeting. The chairman of the meeting will then decide whether that individual should withdraw during the discussion and, if not, whether the individual should be entitled to vote on the matter under discussion.
- f) The Guidance Note explaining why the 'Conflicts of Interest Policy' is required, and the steps to be followed to ensure compliance with the Policy, should be issued to all those individuals required to complete a Declaration of Interests form; and,
- g) The Policy shall be periodically reviewed to ensure it satisfies legal and regulatory requirements, and those of the Trust.

THIS DOCUMENT IS NOT CONTROLLED ONCE PRINTED

Date approved by the Trust Council: August 2025

Review Date: 28th Feb 2027



Appendix

Guidance Note

(This note does not form part of the approved policy)

This Note explains why the Policy applies to certain individuals, what type of ‘interest’ should be declared, when and how to declare such interests, where the potential for conflicts of interest may arise and how such conflicts will be dealt with, so they do not prejudice the activities or reputation of the Trust¹. Further information is contained in the Charity Commission Guidance on Conflicts of Interest²

Individuals should be aware that it is their personal responsibility to declare their interests, and those of connected people (which includes family, relatives and business partners).

Circumstances can arise where an individual’s professional, personal or family interests and/ or loyalties may conflict or be perceived to conflict with those of the Trust. If not identified and managed, such conflicts may:

- inhibit free discussion.
- allow influence or control over the Trust’s activities by an individual who is not independent of his/her personal interests.
- lead to decisions or actions being taken that are not in the interests of the Trust; or
- risk the perception that the Trust may have acted improperly, thus damaging its reputation.

1. Why do we have a Policy?

All members of staff or other individuals in positions of control/influence have an obligation:

- to act in the best interests of the Trust, in accordance with the Trust’s governing documents such as the Articles of Association, and to maintain its reputation and not for his/her own private interest or gain; and
- to avoid situations where there may be a potential conflict of interest between the Trust’s interests and those of the individual.

2. Who must complete a Declaration of Interests Form (‘Dol Form’)?

A Dol Form must be completed by all Trustees, Branch Chairs, and all staff members whose roles, in the opinion of the Trust Council, are regarded as bringing them within the ambit of the Policy. The Dol Form sets out the kinds of interests which need to be declared.

² CC29 - Guide to Conflict of Interests for Trustees’, at <https://www.gov.uk/government/publications/conflicts-of-interest-a-guide-for-charity-trustees-cc29>.



3. What should I do if I am unsure whether to declare a matter as an 'interest'?

"When in doubt, declare". Please ask yourself "Are there any circumstances in which this interest (held by either yourself or your immediate family) could prejudice, embarrass or damage the activities of the Trust?" If the answer is "Yes" you should declare the interest.

The law imposes strict limits on the benefits which may be received by a Trustee. The Trust's Articles of Association require the disclosure and management of interests to ensure no one party can exercise undue influence or receive an unauthorised financial benefit (whether direct or indirect) from their association with the Trust.

The Articles permit Trustees to be reimbursed for reasonable expenses incurred in the performance of their duties, to be indemnified under a Directors' insurance policy, and to enter into and benefit from certain contracts. Further guidance can be obtained from the Trustee with responsibility for governance.

4. Register of Interests

The Trust's Register of Interests will be maintained by the Trustee with responsibility for governance. The Register will be open to inspection by the Trust's Independent Examiners, statutory regulators and other parties as authorised by the Trust's governing documents. If an individual completing the Dol Form requests that any information should not be disclosed without prior notice, any such request must be made to the Trustee with responsibility for governance.

Where a Trustee receives a payment or benefit, this will be reviewed by the Trust's Independent Examiners and will be noted in the Trust's Annual Report and Accounts.

Where an individual making a declaration is connected to a party involved in the supply of a service or product to the Trust, this information will also be disclosed in the Annual Report and Accounts if required by the Trust's Independent Examiners.

5. Will the Data Protection Act apply?

The information provided in the Dol Form will be processed in accordance with data protection principles as set out in data protection legislation. Data will be processed only to ensure that the individual acts in the best interests of the Trust. The information provided will not be used for any other purpose without the individual's prior consent which shall not be unreasonably withheld or delayed.

6. Who will decide if a conflict exists?

Completed Dol Forms will be evaluated by one or more of the following individuals, as appropriate: the Chairman, the Trustee with responsibility for governance and the Treasurer.



In the event that a matter of conflict cannot be resolved it may be referred to a Review Panel made up of the Chairman, the Trustee with responsibility for governance, the Treasurer and such other persons as the Chairman and the Trustee with responsibility for governance jointly nominate. The Panel may obtain independent professional advice. The decision of the Review Panel will be final.

In the case of unavoidable or repeated conflicts of interest between the Trust and an individual that may, in the opinion of the Review Panel, harm the reputation of the Trust, the individual may be asked to either surrender the interest that is giving rise to the conflict or resign from his/her position with the Trust.

7. What do you do if a conflict of interest arises at a meeting or in another work situation?
Before, or at the beginning of any meeting, you must declare any potential conflict of interest which may arise in relation to matters on the agenda. If you are involved in selecting suppliers/partners or similar and you believe you may be in a position of conflict

For example, if a relative or other connected party to you is involved in any way with that supplier/partner, you must declare that interest to your line manager and ensure it is added to the relevant register of interests.

Once a contract is in place in which you have a conflict of interest, you must not be involved in managing or monitoring the contract unless you have been given express permission.

A conflict of interest occurs where, in respect of an item on the agenda or at any other time during any discussion at a meeting or otherwise, the individual has a financial interest or a real danger of bias or where there is a perception that the interest could unduly influence his/her decision. The Chairman of the meeting will decide the best course of action which may include deciding whether the individual should withdraw from the meeting while the matter is discussed or removing the individual from further discussions concerning the potentially conflicted matter