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**Angling Trust/Fish Legal/ACA Trustee Co  
Ltd**

PD13 - Conflicts of Interest Policy

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## 1. POLICY STATEMENT

The Angling Trust/Fish Legal/ACA Trustee Co Ltd expects all members of staff, directors/committee members and associates to exercise transparency with regard to relationships outside of the Organisation where those relationships might impact on and affect their judgement and/or decisions they make as part of their role within the Organisation.

All staff, directors/committee members and associates of each Organisation shall strive to avoid any such conflicts of interest between those of the Organisation on the one hand, and personal, professional and business interests on the other. This includes perceived conflicts of interest as well as actual conflicts of interest.

## 2. BACKGROUND AND PURPOSE

A conflict of interest may occur whenever an employee or associate's interest in a particular subject, or association with a particular third party, may affect their judgement or loyalty to the Organisation.

A conflict of interest might lead to a staff member, director or associate making a judgement, committing an action, or forming a relationship that is detrimental to the Organisation. It might also be the case that even where no detrimental effect is apparent, there is personal gain for the staff member, director or associate because of their judgement or actions regarding the third party which might call the Organisation's reputation of acting with honesty and transparency into question.

As conflicts of interest can have legal implications, it is imperative that each Organisation acts and is seen to always act, with integrity and in the best interests of angling. The Organisation will not support any activity that is detrimental to the Organisation or is known to benefit any individual in a way that would not be considered ethical.

The purpose of this policy is to protect the integrity of the Organisation's decision-making process, and to protect the integrity and reputation of its staff, Directors, and associates. This policy will outline our rules regarding conflicts of interest, the expectations placed on the individual regarding such conflicts, and our process for dealing with any breach of those rules or responsibilities.

### DEFINITIONS

**The Organisation** - Angling Trust/ Fish Legal/ACA Trustee Co Ltd

**Associate** – Any individual representing Angling Trust or Fish Legal. This individual may or may not be an employee.

**Conflict of Interest** – A situation in which a person might derive personal benefit

(financial or otherwise) from actions or decisions made in their official or professional capacity, or in which they might make such an action or decision that brings the Organisation into disrepute.

**Declaration of Interest** – Completion of a statement detailing those outside interests (financial, business, private, personal, or familial) that have the potential to conflict or could be conceived to conflict with the interest of the Organisation

### 3. EXAMPLES OF CONFLICTS WITH RELEVANCE TO THE ORGANISATION

The list of examples of potential conflicts of interest relevant to the Organisation includes, but is not limited to the following:

- Membership of an angling club
- Directorship of any business or organisation related to angling
- Being in receipt of any payment or sponsorship from any business or organisation related to angling
- Having received free or discounted tackle or fishing from any business or organisation related to angling
- Being related to, partnered with or a close friend of another member of staff or a person involved in an angling organisation
- Owning shares in a business that may be awarded a contract to do work or provides services for the Organisation
- Membership of an organisation that is anti-angling

### 4. DECLARING AN INTEREST AND MITIGATION OF ANY CONFLICTS OF INTEREST

The possibility that a conflict of interest may occur can be addressed and resolved before any actual damage is done. Therefore, when an employee understands or suspects that a conflict of interest exists, they should bring this matter to the attention of management so that corrective actions may be taken. Managers must also keep an eye on any potential conflicts of interest of their staff. In general, employees are advised to refrain from letting personal and/or financial interests and external activities come into opposition with the Organisation's fundamental interests.

A Register of Interests is held and maintained on behalf of the Organisations by the Governance Manager. Any new conflicts of interest that arise should be communicated to the Governance Manager at the earliest opportunity in order to ensure that the register remains current, and that potential or actual conflicts can be identified and managed appropriately.

#### All Individuals

Upon appointment each member of staff or director/committee member will make a full,

written disclosure of interests such as relationships and posts held that could potentially result in a conflict of interest. This written disclosure (see appendix 1, Declaration of Interests) will be provided in induction packs. The completed forms shall be kept on file, reviewed annually and updated whenever there is any change in circumstances.

## Identification Of Subsequent Conflicts Of Interest

All staff and directors/committee members must complete a new declaration of interest form on becoming aware of any new conflict of interest that might have a bearing on their role in the Organisation. This declaration must be submitted by the member of staff to their line manager or, in the case of directors, to the Governance Manager and should be done so as soon as is reasonably practicable.

### Staff And Associates

Where any potential or actual conflict of interest is identified, the line manager for the post, or a senior manager, must decide what mitigating actions can be taken and those actions shall be detailed on the form. In the most impactful cases, and where mitigating actions would be impossible or impractical, it may be that the individual is excluded from appointment. Senior Management has the responsibility for the final decision where a solution cannot be found.

### Directors – Conflicts Of Interest At Meetings And Arising Within Transactions

Declarations of interest are a standing item on the agenda for the Angling Trust Board, Fish Legal Committee, and other key meetings, supported by a copy of the current register of interests for that meeting. At the start of each meeting, the members present will be asked by the Chair to confirm that the register is up to date. The members and attendees shall be asked to declare any potential conflicts of interest relating to the business to be transacted within the meeting. They should be declared regardless of any previous disclosure and all such declarations shall be recorded in the minutes. Those disclosures may be where a member or attendee's interest conflicts with an interest of the Organisation, or where a conflict arises between two organisations with which the member or attendee has a connection. Any new interests must be added to the member's register of interest to ensure it remains current.

Where a conflict of interest is identified as relevant to an agenda item, the individual may be asked to leave the room either for the entire discussion and decision-making process, or they may be allowed to participate in the discussion but may not participate in the decision-making process. This decision will depend on the judgement of the members present at the meeting. In the most impactful cases, the individual may be excluded from an entire meeting and may not be privy to the minutes and other documentation relating to that meeting. Any such action taken will be detailed in the minutes of that meeting including:

- Who had the interest

- The nature of the interest and why it gives rise to a conflict, including the magnitude of any interest
- The items on the agenda to which the interest relates
- How the conflict was agreed to be managed
- Evidence the conflict was managed as agreed (for example, recording the points during the meeting when individuals left or returned to the meeting)

In all cases the overall responsibility for managing conflicts of interest rests with the Chair. If conflicts cannot be managed and resolved at a local level, they must be referred upwards and final decisions will rest with the Chair.

## 5. GIFTS AND HOSPITALITY

### All Staff And Directors

You are required to preserve your objectivity and independence and to act with integrity at all times. Therefore you should not accept gifts or hospitality which conflict, or could reasonably be seen as conflicting, with this requirement. This is a matter of judgement given the circumstances rather than absolute value involved and it is accepted that modest gifts at Christmas and similar do not come within the scope of the prohibition of this clause.

However it is the practice of certain operations to offer personal gifts or benefits to members of an organisation's employees if that organisation purchases their goods or services. You may not in any circumstances accept such gifts, benefits or potential benefits. You should consult your line manager if you have any doubt about the propriety of accepting any gift, reward or hospitality or if the circumstances surrounding a particular gift or occasion merit special consideration.

Any gift or hospitality with a value over £100 must be reported to your line manager and advice taken on whether or not to accept the offer. Whether the offer is accepted, or declined, it must then be reported via the correct form noting the line manager's approval in the case of acceptance, along with the date of the manager's approval. The declaration should be completed as soon as is reasonably practicable. The link to the form is below:

[Declaration form for Gifts and Hospitality](#)

The form can also be accessed via our Staff Information Area on SharePoint or by contacting the Governance Manager.

## 6. RAISING CONCERNS AND BREACHES

### Informal Concerns

It is the duty of every employee and associate to speak up regarding any genuine concerns about the management of conflicts of interest or the administration of this policy, and to report those concerns. Individuals wishing to discuss any concerns on a strictly confidential basis should initially approach their line manager or where preferred another senior manager.

### Formal Procedure For Raising A Concern Or Breach

If a concern cannot be resolved informally or there is a clearly perceived breach the process to be followed is set out below

If a concern cannot be resolved informally or there is a clearly perceived breach the process to be followed is set out below:

**Stage 1** - Raising the concern or breach - details must be submitted to the Company Secretary in writing. Receipt will be acknowledged within three working days.

**Stage 2** - Initial review - at this stage the Company Secretary may contact the individual to request clarification or further information. The Company Secretary (taking advice as necessary) will decide if the concern merits consideration as a conflict of interest and the individual will be informed of the outcome in most cases the initial review will be carried out within five working days.

**Stage 3** – In-depth review - following the initial review the CEO, along with an appropriate deputy if required, will review the details of the concern and its supporting evidence to determine whether resolution can be achieved without the need to involve the Chair of the Angling Trust Board or Fish Legal Committee. The CEO may call a meeting to discuss the matter without prejudice. If the CEO is unavailable, or if the concern involves the CEO, the relevant Chair or Company Secretary will review the concern and act in accordance with this procedure.

**Stage 4** – The Decision – Following a review of the concern, the CEO, Company Secretary, Chair of the Angling Trust Board or Fish Legal Committee will inform the individual of the decision explaining the rationale and, if necessary, the required course of action. It is expected that the procedure should not take more than three months.

## 7. IMPACT OF NON-COMPLIANCE

### Civil Implications

Failure to comply with this policy can have serious implications for the Organisation and

for the individuals concerned. In the case of civil implications, an example would be that if a breach were to occur during a procurement exercise the Organisation may risk a legal challenge from a competitor that could potentially overturn the award of a contract, lead to claims against the Organisation for damages and necessitate a repeat of the procurement process. This would have an impact on organisational efficacy and/or damage the Organisation’s reputation. In extreme cases, staff and other individuals could potentially face personal civil liability.

## Criminal Implications

Failure to manage conflicts of interest could lead to criminal proceedings for offences such as bribery, fraud or corruption. This could have implications for the Organisation as well as for individuals who are engaged by them (see the Anti Bribery policy within the Staff Handbooks (PD09 PD) for more information.

## 8. DISCIPLINARY CONSEQUENCES

In cases where a conflict of interest is deliberately concealed or when a solution cannot be found, disciplinary action may be invoked up to and including termination of employment (or cessation of association in the case of non-employees).

## 9. APPENDICES

Appendix 1 – Declaration of Interests (Register of declared private, professional, commercial and other interests

Appendix 2 – Record of actions taken to mitigate potential or actual conflicts

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Appendix 1

1) DECLARATION OF INTERESTS

REGISTER OF DECLARED PRIVATE, PROFESSIONAL, COMMERCIAL AND OTHER INTERESTS

Name: ..... Date: .....

Please list potentially relevant bodies of which you are a member:

.....  
.....  
.....

**Main form of employment:** name of organisation, and position held:

.....

Please give details of any potential conflicts of interest arising out of the following:

2) Personal remuneration (including employment, pensions, consultancies, directorships, honoraria etc.) Please identify organisation and category e.g. Pension

.....  
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3) Shareholdings and Financial Interests in Companies:

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4) Collaborations with commercial bodies and fisheries:

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5) Un-remunerated involvement with and membership of other angling organisations (e.g. clubs) stating any post held:

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6) Close relationship with another member of staff or a person involved in an angling organisation:

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7) Any other potential conflict:

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Please tick box in the case that there are no known conflicts to declare

I undertake to declare at meetings on Angling Trust/Fish Legal business any private, professional, political, commercial or other interests that might be perceived to conflict with Angling Trust interests or affect my decision-making, and which have not been listed above. I accordingly agree to update this written declaration annually and as circumstances arise. I note and accept that the Angling Trust/Fish Legal will hold these details electronically, and that the Register of Interests for decision- making members is subject to inspection by auditors and will be retained in line with the Angling Trust’s policy.

**Signature:** ..... **Date:** .....

Appendix 2

Actions to be taken to mitigate identified potential or actual conflict of interest

**Signature:** ..... **Date:**.....

**Signature:** ..... **Date:** ..... (Line Manager or CEO)

Actions completed (with details)

**Signature:** ..... **Date:** ..... (Line Manager or CEO)