



Conflict of Interest Policy for Trustees

Purpose

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

Objective

The Holocaust Education Trust Ireland Board (called the 'board of charity trustees' in this policy) aims to ensure that the charity trustees 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 Holocaust Education Trust Ireland.

Scope

This policy applies to the trustees of Holocaust Education Trust Ireland.

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 the charity trustee from making a decision in the best interests of the charity. This personal interest may be direct or indirect, and can include interests of a person connected to the charity trustee.

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 charity and therefore must be managed accordingly.

Policy

This policy has been developed because conflicts of interest commonly arise, and do not need to present a problem to the charity if they are openly and effectively managed. It is the policy of the Holocaust Education Trust Ireland as well as a responsibility of its charity trustees, 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 Holocaust Education Trust Ireland.

Holocaust Education Trust Ireland 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.

Responsibility of the board of charity trustees

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 charity trustees 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

Identification and disclosure of conflicts of interest

Once an actual, potential or perceived conflict of interest is identified, it must be entered into Holocaust Education Trust Ireland's register of interests, as well as being raised with the board of charity trustees. The register of interests must be maintained by the Secretary of the Board, 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).

Action required for management of conflicts of interest

Conflicts of interest of members of the board of charity trustees

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

- vote on the matter,
- 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 charity trustee from regularly participating in discussions, it may be worth the board of charity trustees considering whether it is appropriate for the person with the relevant conflict to resign from the board of charity trustees.

What should be considered when deciding what action to take

- In deciding what approach to take, the board of charity trustees 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 charity's objects and resources, and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the charity.

The approval of any action requires the agreement of at least a majority of the board of charity trustees (excluding any conflicted charity trustee) 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.

Compliance with this policy

If the board of charity trustees 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 of charity trustees may take action against the person. This may include seeking the person's resignation from the charity.

If a person suspects that a charity trustee has failed to disclose a conflict of interest, they must notify the Chair of the Board of Trustees.

Contacts

For questions about this policy, contact the board of charity trustees or the Chair of the Board of Trustees.