

BRITISH MOUNTAINEERING COUNCIL

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Conflicts of Interest Policy

The term “post holder” here refers to BMC members of staff, elected officers, BMC Directors and members of BMC committees.

The BMC starts from the position of trusting the integrity and professionalism of post holders; and post holders are expected to act in the best interests of BMC. There will, however, be occasions when a post holder has more than one legitimate interest and these different interests may conflict. In order to protect themselves and the BMC a post holder should always disclose a conflict of interests as outlined below.

Defining Conflicts of Interest

Conflicts of interest arise when the interests of post holders (their family, friends or other organisations with which they are involved) are incompatible with or in competition with the interests of the BMC. Such situations present a risk that post holders could make decisions based on these external influences, rather than the best interests of the BMC. Or that others, perhaps outside the BMC (such as the press) could allege that post holders might have made decisions based on their external interests or influences.

Conflicts of interest may come in a number of different forms:

- Direct financial gain or benefit, such as
 1. payment to a committee member, Director or elected officer for services provided to the BMC – such as legal or accountancy services.
 2. the award of a contract to another organisation in which a post holder has an interest – such as a contract for painting BMC premises.
 3. sale of property at below the market value to a post holder.
- Indirect financial gain, such as employment by the BMC of, or awarding a contract to, a partner or relative of a post holder.
- Non-financial or personal conflicts where post holders receive no financial benefit but may be influenced by external factors – such as awarding contracts to friends.
- Conflict of loyalties, such as where a committee member, Director or elected officer is also employed or appointed by a local authority or one of the BMC’s funders, or where a friend, partner, or relative is employed by BMC.

Dangers of Conflicts of Interests

There are circumstances when possible conflicts could arise that might give rise to any of the following:

- risk the impression that BMC has acted improperly
- impact negatively on the reputation of BMC or individuals by attracting adverse publicity
- damage effective decision making
- inhibit free discussion.

This policy is designed to stop this happening. The most important point to remember is that post holders should always disclose an activity if they are in any doubt whether it represents a conflict of interest.

Disclosing Conflicts of Interests

The first point of disclosure is the Register of Interests Form at on the next page of this policy. The form should be completed annually and returned to the BMC office where a register of interests taken from completed forms is kept and processed in accordance with data protection principles as set out in the Data Protection Act 1998.

The second point of disclosure is provided at the start of each committee meeting. Each committee meeting agenda should contain a standing item for the declaration of conflicts of interests that may be relevant to the business to be discussed at the start of the main meeting. Those who are aware there is a conflict of interest should take this opportunity to make known that there is a possible conflict. This will help to ensure transparency and avoid any accusations of impropriety.

Management Regulations

If a conflict of interest is declared at a meeting the person, or persons, concerned may take part in discussion relating to the area under consideration providing

- attention has been drawn to the post holder’s “other interest” that results in the conflict of interest arising
- any information gained during the discussions could not be used to advantage the post holder’s “other interest”. If privileged and preferential information could be gained during the discussions then the post holder must withdraw from the discussions.
- Additionally, a post holder with a declared conflict of interest must not be part of the decision making, or any voting, process on the issue concerned and so must withdraw when this is being undertaken.
- Those who withdraw from the decision-making process cease to count for quorum purposes.

Managing Contracts

Post holders may not be involved in managing or monitoring a contract on behalf of, or for, the BMC in which they have an interest.

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Register of Interests Form

Post holders shall enter in the following Register of Interests any of his or her own or immediate family’s interests, current or expired within the past five years, that might be seen as creating a possible conflict of interest with their position within the BMC and any pecuniary or business decisions made by the BMC.

Self or immediate family member	Name of other organisation	Nature of involvement or interest	Current or expired

If you have no interests to declare please tick the following box:

I confirm I have no interests to declare

Name: _____

Signed: _____ **Date** _____

April 2014