



Arts Marketing Association

CONFLICTS OF INTEREST POLICY

Title:	Conflicts of Interest Policy
Version:	1
Date of creation:	11/11/2015
Latest date of modification:	n/a
Review:	<p>This Policy will be reviewed at the end of our current Business Plan (March 2020).</p> <p>Changes will only occur before this deadline in the event of:</p> <ul style="list-style-type: none">• Changes in legislation;• Decision by Executive Director or Board Members;• Service development that involves a significant change impacting the current policy. <p>Such changes will be notified to the people covered by this Policy (Target Audience).</p>
Target Audience	AMA Board Members
Executive Director Signature: <i>(Hard Copy Only)</i>	

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1. Preamble

- 1.1 This Conflicts of Interest Policy applies to the Board members of the AMA.
- 1.2 This Policy includes a register and declaration of interests form.
- 1.3 The purposes of this policy are to protect the integrity of the AMA's decision-making process, to enable our members to have confidence in our integrity, and to protect the integrity and reputation of members, staff and Board members.

2. Statement of policy

- 2.1 Board members have an obligation to act in the best interests of the AMA and in accordance with its Memorandum and Articles of Association.
- 2.2 Board members will strive to avoid any conflict of interest between the interests of the AMA on the one hand, and personal, professional, and business interests on the other. This includes avoiding actual conflicts of interest as well as the perception of conflicts of interest.
- 2.3 Board members must not use their position, or confidential information obtained by their role at the AMA, to gain an advantage for themselves or someone else or to cause detriment to the AMA.
- 2.4 Board members should not allow their outside activities to interfere with their role at the AMA or allow any conflict between their duties and their private interests to affect their ability to carry out those duties effectively.
- 2.5 Board members should not act in a manner likely to bring the AMA into disrepute or affect its reputation for impartiality.

3. Conflicts of interest

- 3.1 Conflicts of interest may arise when a personal interest or activity could influence, or might appear to influence, a Board member's ability to act in the best interests of the AMA members or put at risk the independence of the AMA. More generally, conflicts of interest may arise where an individual's personal or family interests and/or loyalties conflict with those of AMA. Such conflicts may create problems; they can:
 - Inhibit free discussion;
 - Result in decisions or actions that are not in the interests of AMA; and
 - Risk the impression that the AMA has acted improperly.
- 3.2 Interests are defined as:
 - Direct financial interests – where an individual stands to gain direct financial benefit from decision.

- Indirect financial interests – where a close relative of an individual stands to benefit financially from a decision and where the financial affairs of the individual and relative in question are bound through the legal concept of ‘joint purse’.
- Non-financial interest or personal conflicts – where an individual receives no financial benefit from the decision but continues to be influenced by external factors. This includes interests arising from membership of other organisations.
- Conflict of loyalties – where an individual may have competing loyalties between the AMA and some other person or entity

3.3 Examples of conflicts of interest include:

- A Board member or a member of their family¹ who is related to a member of staff and there is decision to be taken on staff pay and/or conditions;
- A Board member who is also on the committee of another organisation that is or could potentially be competing for the same funding;
- A Board member who is working for another organisation that is considered as a competitor or a partner;
- A Board member who has shares in a business or a sponsor that may be awarded a contract to do work or provide services for the organisation.

4. Declaration of interests for recording on the AMA’s Register of interests

4.1 Accordingly, we are asking Board members to declare their interests in connection with their role at the AMA. A declaration of interests form is provided for this purpose, listing the types of interest they should declare.²

4.2 To be effective, the declaration of interests needs to be updated at least annually, and also when any changes occur.

4.3 If you fail to declare an interest that is known to the board or to the Executive Director of the AMA, they will declare that interest.

4.4 Interests will be recorded on the AMA’s Register of interests, which will be maintained by the Personal Assistant to the Executive Director.

4.5 In the interests of transparency, the AMA’s Register of interests will be made publicly available through the AMA’s website.

4.6 The declaration of an interest in the AMA’s Register of interests does not remove the obligation of a Board member to declare in meetings all interests, whether registrable or not, which are relevant to the business being considered.

¹ For the purposes of this policy, family members shall be taken as being a Member’s spouse or partner, their children and anyone else living permanently in the Member’s primary household

² If you are not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the Executive Director of the AMA for confidential guidance.

5. Data Protection

5.1 The information provided by the Board members will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that Board members act in the best interests of AMA. The information provided will not be used for any other purpose.

6. Decisions taken where a Board member has an interest

6.1 Board members may not vote on matters affecting their own interests. They may participate in the discussion but not the decision-making process.

6.2 In the event of a conflict of interest arising, the Board members related to the conflicting matter will offer to leave the room for the discussions.

6.3 The AMA reserves the right to send a separate version of the board meeting's minutes to Board members with a conflict of interest, in which the discussion around the conflicting matter shall be excluded.

6.4 All decisions under a conflict of interest will be recorded by the AMA and reported in the minutes of the meeting. The minutes will record:

- The nature and extent of the conflict;
- The actions taken to manage the conflict.

6.5 Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

7. Managing contracts

7.1 If Board members have a conflict of interest, they must not be involved in managing or monitoring a contract in which they have an interest. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.