Moving Mountains Conflict of Interest Policy

1. Purpose

This policy sets out how Moving Mountains Trust identifies, records and manages conflicts of interest to ensure that decisions are made solely in the best interests of the charity and its charitable purposes.

The charity is registered with the Charity Commission for Northern Ireland (CCNI - 100742) and works in partnership with non-governmental organisations (NGOs) primarily in Kenya and Nepal. Trustees, staff and volunteers are expected to act with integrity, openness and accountability and to avoid situations where personal interests could influence, or appear to influence, the charity's decisions.

2. Scope

This policy applies to:

- Trustees
- Employees
- Volunteers
- Consultants
- Members of advisory groups or committees
- Any person acting on behalf of the charity

3. What is a Conflict of Interest?

A conflict of interest arises where an individual's personal, financial, professional or organisational interests could affect, or could reasonably be perceived to affect, their ability to act only in the best interests of the charity.

Conflicts may be:

- **Actual** – a conflict currently exists.
- **Potential** – circumstances could create a conflict in the future.
- **Perceived** – a reasonable person could believe a conflict exists even if no improper influence occurs.

The charity recognises that having links with organisations in Kenya and Nepal can be beneficial. The important requirement is that such interests are openly declared and appropriately managed.

4. Examples

Examples include:

- A trustee is also a trustee, director, employee or consultant of a partner NGO.
- A close family member works for, or benefits from, a partner organisation.
- A trustee has a financial interest in a supplier or contractor.
- A volunteer is involved in awarding grants to an organisation with which they have a personal connection.
- An individual receives gifts or hospitality that could influence decision-making.
- Confidential information obtained through the charity is used for personal or organisational benefit.

5. Duty to Declare

Everyone covered by this policy must:

- declare any actual, potential or perceived conflict as soon as it arises;
- complete an annual Declaration of Interests;
- update their declaration whenever circumstances change;
- declare relevant interests at the beginning of each Board or committee meeting.

Declarations should be made even where the individual believes the conflict is minor.

6. Register of Interests

The charity will maintain a Register of Interests. The register will be reviewed annually and updated whenever new interests arise.

The register will include relevant information such as:

- employment;
- trusteeships or directorships;
- consultancy roles;
- financial interests;
- family relationships relevant to the charity's work;
- positions held with partner NGOs or community organisations;
- any other interest that could reasonably give rise to a conflict.

7. Board Meetings

At the beginning of every Board meeting, the Chair will ask trustees to declare any interests relating to items on the agenda. Where a conflict exists, the Board will determine the most appropriate way to manage it.

This may include requiring the individual to:

- remain only to provide factual information;
- withdraw during discussion;
- take no part in the decision;
- leave the meeting until the item has concluded.

The declaration, the action taken and the Board's decision will be recorded in the minutes.

If the Chair has the conflict, another trustee appointed by the Board will manage the process.

8. Overseas Partnerships

The charity values long-term relationships with partner organisations in Kenya and Nepal.

Where trustees or staffs have governance roles, employment, consultancy arrangements or family connections with a partner organisation, these relationships must always be declared.

Individuals with such interests must not participate in decisions concerning:

- grant awards;
- funding allocations;
- partnership agreements;
- procurement involving that organisation;
- monitoring or evaluation of that partner;
- investigations, complaints or safeguarding matters involving that organisation.

Where specialist knowledge is required, the Board may ask the individual to provide factual information before withdrawing from the discussion.

9. Procurement and Financial Decisions

All purchasing and funding decisions will be undertaken fairly, transparently and in the charity's best interests.

Individuals with an interest in a supplier or contractor must not:

- participate in selecting suppliers;
- influence quotations or tenders;
- authorise payments relating to that supplier.

Where practical, competitive quotations should be obtained in accordance with the charity's Financial Procedures.

10. Gifts and Hospitality

Trustees, employees and volunteers must not accept gifts, hospitality or benefits that could influence, or appear to influence, their judgement.

Modest gifts offered as part of local customs or hospitality in Kenya or Nepal may be accepted where refusal would be culturally inappropriate, provided they:

- are of modest value;
- are declared to the Chair;
- are recorded where appropriate.

Cash gifts or personal payments must never be accepted.

11. Confidentiality

Information obtained through the charity must only be used for legitimate charity purposes.

Confidential information must not be used for personal gain or to benefit another organisation.

12. Responsibilities

Trustees

Trustees are responsible for:

- acting only in the charity's best interests;
- complying with this policy;
- declaring interests promptly;
- supporting transparent governance.

Chair

The Chair is responsible for:

- ensuring declarations are requested at meetings;
- determining how conflicts should be managed;
- ensuring decisions are properly recorded.

Secretary (or nominated trustee)

Responsible for:

- maintaining the Register of Interests;
- collecting annual declarations;
- ensuring records are securely retained.

13. Breaches

Failure to declare or appropriately manage a conflict of interest may result in:

- exclusion from relevant decisions;
- disciplinary action (where applicable);
- removal from volunteer responsibilities;
- consideration by the Board of whether a trustee has complied with their legal duties.

Serious breaches will be dealt with in accordance with the charity's governing document and applicable Northern Ireland charity law.

14. Review

The Board of Trustees will review this policy every two years, or earlier if legislation, CCNI guidance or the charity's activities change.