



Cranfa Gymunedol Fferm Wŷnt
PEN Y CYMOEDD
Wind Farm Community Fund CIC

CONFLICT OF INTEREST POLICY

Scope of policy	Applies to all PyC CIC Directors and Staff
Date Approved	24.01.22 V4 (V1 approved 17.2.17, V2 approved 21.2.19, V3 approved 11.2.20)
Review date	January 2024

1. Introduction

Purpose	<p>This policy applies to all Directors and Staff. It aims to:</p> <ul style="list-style-type: none"> • protect the CIC, Directors and Staff from any appearance of impropriety • minimise the risk of public perception that funding decisions have been influenced by the personal interest of, or by specific information available to any Director or Staff member, and to • minimise the potential for conflicts of interest arising. <p>Effectively managing potential conflict of interest is a particularly significant issue for PyC CIC, as Directors have been appointed partly because of their experience of the Fund's area of benefit. They know and have worked with organisations in the area and this knowledge is highly valued. It is therefore essential that all involved with the CIC are fully aware of potential risks at all times and follow this policy rigorously.</p>
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2. Conflict of Interest

2.1 Overview	<p>Conflicts of interest may arise where an individual's personal or family interests and/or loyalties conflict with those of the CIC. Such conflicts may create problems. They can:</p> <ul style="list-style-type: none"> • inhibit free discussion • result in decisions or actions that are not in the interests of the CIC • create the impression that the CIC has acted improperly.
2.2 Responsibility	<p>All Directors and Staff have a legal obligation to act in the best interests of Pen y Cymoedd Wind Farm Community Fund CIC and in accordance with the Company's governing document. Everyone must:</p> <ul style="list-style-type: none"> • be aware of and avoid situations where there may be a potential conflict of interest • complete and submit annual Declaration of Interests statements (see below) – including nil returns • complete and submit annual Gifts and Hospitality Declarations – including nil returns
2.3 Annual Declarations of Interest	<p>When CIC Directors or Staff members are appointed, they will be required to complete a Declaration of Interests form. All Directors and Staff must submit a Declaration annually (see Appendix 1), setting out:</p> <ul style="list-style-type: none"> • <i>all</i> their own personal or business interests or any involvement with private sector, public sector and voluntary, community or charitable organisations. These include direct or indirect pecuniary or non-pecuniary interests which members of the public might reasonably think could influence their judgement, and • those of any member of their immediate family (such as partners, parents, children, brothers, sisters and the partners of any of these) or individuals with whom they have a close relationship. <p>When declaring an interest, the rule is that, if members of the public, knowing the facts of the situation, would reasonably conclude that the interest involved might influence the approach taken to an application for funding, then it should be declared.</p>

	<p>Directors and Staff should consult the Executive Director and/or Chair if there is any doubt as to the strength of the link requiring declaration. Interests spanning the past five years should be included.</p> <ul style="list-style-type: none"> - Directors and Staff should provide any changes to their Declaration to the Executive Director at the earliest opportunity. - The Register is open to public inspection. - We would <i>not normally</i> appoint a candidate who has an active application ¹with the fund or is likely to have one during their term.
<p>2.4 Declaration of Interest at each Board Meeting</p>	<p>Directors and Staff must identify any Board Meeting agenda items which could present a potential conflict of interest or be perceived as such.</p> <p>Each meeting will start with an Agenda item asking for any interests to be declared. All declared interests will be recorded in the minutes. Directors must discuss any potential conflict of interest with the Chair and Executive Director in advance of the Board meeting and agree a course of action. In the event of the Chair identifying a personal conflict of interest, it should be discussed with the Executive Director.</p>
<p>2.5 Management of Declared Interests</p>	<p>a. Direct Interest – Declarable and Disqualifying</p> <p>Directors should not take part in discussions or decisions if they have either a direct pecuniary interest in the matter under consideration or any other clear and substantial interest (such as membership of a charity or voluntary body or links with a business, or a close relative is involved in the governance). In such circumstances, they will be required to leave the meeting while the matter is being discussed. Their departure (and return) will be recorded in the minutes.</p> <p>It is not always easy to decide whether an interest is disqualifying or merely declarable. The reasonable perception of others is the practical test which should be applied – erring on the side of caution. If possible, the issue should be discussed with the Chair and Executive Director before the meeting and actions to take agreed.</p> <p>b. Indirect Interest</p> <p>If the interest is not direct, the Director may remain in the meeting at the Chair’s discretion and participate in discussions and provide relevant information. The test should be whether a member of the public, knowing the facts of the situation, might reasonably think that a particular interest could influence the judgement of other members present. This covers both grant-making activities and any other Board activities, for example in relation to tenders or consultancies. The nature of the interest and the reasons for the Chair’s decision must be noted in the minutes of the meeting.</p>
<p>2.6 Grant Award Decisions</p>	<p>Should ‘agreed in principle’ applications need to be prioritised and ranked, provided that all interests have been declared and minuted, and all Directors are aware of the conflict of interest, then all Directors may participate in discussions and agree final grant awards.</p>
<p>2.7 Contact with Applicants</p>	<p>a. Advice to Applicants</p> <p>Directors may discuss published information about policies and procedures but, under no circumstances, should they give detailed guidance to any applicant organisation. All enquiries must be referred to Staff.</p> <p>b. Involvement in preparing applications</p> <p>Directors must not be involved in preparing applications or in acting as a signatory, contact person or referee. If a Director is still on the board or committee of an organisation which is applying to PyC CIC for funds, they must avoid being drawn into any discussions. Any involvement on the</p>

¹ Normally a Vision Grant or Loan whereby funded project / loan repayments are still underway. If a Board member wished to apply to the fund during their term of office they would need to discuss this with Chair/Executive Director. We would not normally allow an application from a group or business that a PyC Board member owns / manages.

	<p>Board or Committee of an organisation applying or likely to apply for funds would be a declarable and disqualifying interest.</p> <p>c. Lobbying In this context, lobbying is defined as being the act of attempting to influence the award of a grant to a specific organisation. Directors should never lobby PyC CIC Staff or other Directors about an application. If Directors themselves are lobbied by applicants or grant holders, they should advise the Chair and Executive Director that this has happened. Directors should not take up a case on behalf of an organisation.</p> <p>d. Application Decisions Directors must not inform applicants of grant award decisions. This is a matter for Staff.</p>
3. Anti-Bribery	
3.1 Bribery Act 2010	<p>The CIC's policy is in line with the 2010 Act.</p> <p>The CIC takes any act of bribery very seriously and this policy sets out the responsibilities of employees and Board members and the action necessary. Bribery constitutes the following:</p> <ul style="list-style-type: none"> • the offer, gift or acceptance of bribes • the acceptance of hospitality or expenses that clearly intend (or may intend) to influence the outcome of business transactions • the acceptance of any political and charitable donations and the payment of donations to political parties or charities that are directly linked to obtaining new business or gaining a business advantage
3.2 Action Required	If you suspect that bribing has occurred or is likely to occur, or you are offered a bribe, you should immediately inform the Executive Director and/or Chair of the CIC, who will undertake an investigation and take appropriate action.
4. Gifts and Hospitality	
4.1 Monthly Returns	<p>All Directors and Staff must complete Gifts and Hospitality returns when requested and necessary, detailing all personal gifts and hospitality over the value of £20. Returns must be made even when the value is nil. For gifts over £20 staff and Board should discuss with ED before accepting and ED must discuss with Chair.</p> <p>Gifts and Hospitality received will be recorded on the CIC's Register, which will be maintained by the Executive Director. The declaration of interests register should be updated at least annually, and when any material changes occur.</p>
5. Failure to Follow the Conflict of Interest Policy	
5.1 Staff	If staff are found to be in breach of any aspect of this Policy, appropriate disciplinary action will be taken.
5.2 Directors	If Directors are found to have failed to follow the guidelines set out here, disciplinary proceedings may be instigated.
6. Data Protection	
6.1	<p>All information provided will be processed in accordance with the CIC's Data Protection Policy and UK GDPR requirements.</p> <p>The information may also be recorded in the CIC's accounts to accord with relevant accounting requirements. The information provided will not be used for any other purpose.</p>

APPENDIX 1

Declaration of Interest Form

Name: _____

Position (Employee / Director): _____

Please describe below any relationships, transactions, positions you hold (volunteer or otherwise), or circumstances that you believe could contribute to a conflict of interest between Pen y Cymoedd Wind Farm Community Fund CIC and your personal interests, financial or otherwise:

Category	Please give details of the interest and whether it applies to yourself or, where appropriate, a member of your immediate family, connected persons or some other close personal connection
Current employment and any previous employment in which you continue to have a financial interest.	<i>Including past 6 mths for new Board members</i>
Appointments (voluntary or otherwise) e.g. trusteeships, directorships, local authority membership, tribunals etc.	
Membership of any professional bodies, special interest groups or mutual support organisations.	
Investments in unlisted companies, partnerships and other forms of business, major shareholdings and beneficial interests.	
Gifts or hospitality offered to you by external bodies and whether this was declined or accepted in the last twelve months.	
Have you or any organisation you work for or belong to, received any loan, grant monies or financial support from Pen y Cymoedd Grant Fund	
Any other conflicts that are not covered by the above.	

_____ I have no conflict of interest to report

I hereby certify that the information set forth above is true and complete to the best of my knowledge. I have reviewed, and agree to abide by, the Policy of Conflict of Interest of Pen y Cymoedd Wind Farm Community Fund CIC.

I note that the information supplied will be recorded in the register of Interests maintained by the Company Secretary of Pen y Cymoedd Wind Farm Community Fund CIC. I also note this information may also be recorded in the CIC's accounts to accord with relevant accounting requirements. I consent to the use of the information supplied for these purposes.

Signature: _____

Date: _____