

# Norfolk Tennis Conflicts of Interest Policy

Version	Date	Review Date	Revision	Completed by
1.0	21/11/23	/11/26	First version, no revisions	Liz Gill

*Ownership of this document belongs to the Chairperson and Secretary of Norfolk Tennis. Please ensure revisions are documented in this table and the filename version and date are updated.*



**TENNIS**  
FOR BRITAIN

## Definition

Conflicts of interest are real, perceived or potential instances where a person, group or organisation could benefit from a decision or access to information. The benefit may be financial or influential in other ways.

## Overview

It is recognised that members of committees, staff, volunteers, coaches or other persons will have interests associated either directly or indirectly with Norfolk Tennis. Examples include membership of specific venues, links with certain players, associations with coaches or coaching organisations, links with suppliers or professional advisers. It is therefore possible that conflicts of interest may arise.

### 1.0 Purpose of this Policy within Norfolk Tennis

- 1.1 Norfolk Tennis “Management Committee Members” and Norfolk Tennis “Employees” have an obligation to act in the best interests of Norfolk Tennis and to avoid situations where there may be a potential conflict of interest.
- 1.2 Conflicts of interest may arise where an individual’s personal or family interests and/or loyalties conflict with those of the County Association. Such conflicts may create problems; they can:
  - inhibit free discussion
  - result in decisions or actions that are not in the County Association’s interests
  - risk the impression that the County Association has acted improperly
- 1.3 The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety.
- 1.4 Management Committee Members/Employees must declare any personal or business interests, which may conflict with their responsibilities. Such conflicts must be identified at an early stage so that appropriate action can be taken to resolve them.
- 1.5 Employees must also declare any gifts or hospitality received in connection with their role in the County Association.
- 1.6 If an individual is not sure what to declare, or whether/when a declaration needs to be updated, they must err on the side of caution. Individuals may contact the Chairperson to discuss and seek confidential guidance on any such matters.

### 2.0 Definitions

- 2.1 Interests are defined as:
  - Direct financial interests where a Management Committee Member/Employee stands to gain direct financial benefit from decision.
  - Indirect financial interests where a close relative stands to benefit financially from a decision and where the financial affairs of the member and relative in question are bound through the legal concept of ‘joint purse’.
  - Non-financial interest or personal conflicts where a Management Committee Member/Employee receives no financial benefit from the decision but continues to be influenced by external factors. This includes interests arising from membership of clubs and other organisations

- Conflict of loyalties where a Management Committee Member/Employee may have competing loyalties between the organisation to which they owe a primary duty and some other person or entity

2.2 Specific examples of the above are outlined in Appendix A.

2.3 Close family members include personal partners, parents, children (adult and minor), brothers, sisters and the personal partners of any of these.

### **3.0 Data Protection**

3.1 The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 2018. Data will be processed only to ensure that Management Committee Members/Employees act in the best interests of the County Association. The information provided will not be used for any other purpose.

### **4.0 Guidance**

4.1 In the absence of specific statutory provisions, common law requires that:

4.1.1 Members of public bodies should not participate in the discussion or determination of matters in which they have a direct financial interest: and

4.1.2 When an interest is not of a direct financial kind, Management Committee Members should consider whether participation in the discussion or determination of a matter would suggest a real danger of bias. This should be interpreted in the sense that members might unfairly regard with favour, or disfavour, the case of a party to the matter under consideration.

In considering whether a real danger of bias exists in relation to a particular decision, Management Committee Members should assess whether they, a close family member, a person living in the same household, or a forum/business/other organisation with which the Management Committee Member is connected are likely to be affected more than the generality of those affected by the decision in question. This would cover, for example, a decision to invite tenders for a contract where a firm with which a Management Committee Member was connected was significantly better placed than others to win it or where a member was a service user and involved in a decision directly affecting the service received.

4.2 For the avoidance of doubt, the above paragraph does not preclude the Chairperson of the Management Committee or an independent trustee from deciding to issue an indemnity where individual Management Committee Members/Employees have acted honestly, reasonably, in good faith and without negligence.

### **5.0 Procedures at County Association Management Committee Meetings**

The Secretary will manage a "Conflict of Interest Register".

5.1 At the commencement of each committee meeting the Chairperson will ask that any conflicts of interest be declared before a relevant matter is discussed. The Chairperson will decide the appropriate action to take.

5.2 If the conflict relates to the Chairperson of the committee a temporary Chairperson will be elected for the duration of the relevant matter.

- 5.3 As part of the induction process to any committee of Norfolk Tennis, a copy of this policy will be given to the member, and an explanation of the policy provided.
- 5.5 County coaches and captains making team selections will avoid potential conflicts by rigorously following the team selection policies in place.
- 5.6 Management Committee Members must declare their interest(s) to the Secretary of the meeting, who will record the declaration in the minutes.

Should any conflict of interest be declared or raised, the following action will be undertaken:

- 5.7 If connected with a committee meeting, the Chairperson of the meeting will decide the appropriate action when a conflict is raised from the following options:
  - 5.7.1. The Management Committee Member should leave the meeting while the item is being discussed<sup>1</sup>.
  - 5.7.2. The Management Committee Member should be allowed to remain in the meeting while the item is being discussed, but should not be allowed to take part in the discussion or vote<sup>1</sup>.
  - 5.7.3. The Management Committee Member should be allowed to speak on the item but should not vote<sup>1</sup>.
  - 5.7.4. The Management Committee Member should be allowed to speak and vote on the item.

<sup>1</sup> *A quorum must be present for the discussion and decision. Interested parties will not be counted when deciding whether the meeting is quorate.*

- 5.8 All decisions under a conflict of interest will be recorded by the Secretary of the meeting and reported in the minutes of the meeting. The report will record:
  - the nature and extent of the conflict
  - an outline of the discussion
  - the actions taken to manage the conflict
- 5.9 If a Management Committee Member fails to declare an interest that is known to the Chair, the Chairperson will declare that interest.
- 5.10 Any Management Committee Member may challenge another where they perceive that a conflict has not been declared. These challenges should be made to the Chairperson of the meeting, whose decision on the matter will be final. The Secretary of the meeting shall record the challenge and its outcome in the minutes.
- 5.11 In cases where Management Committee Members are authorised by law to represent a group likely to be affected by the Management Committee's decisions, the relevant statutory framework may permit Management Committee Members to be involved, notwithstanding any direct pecuniary interest that they may have in the decision. However, Management Committee Members should not overlook the possibility that specific statutory provisions may impose restrictions that are stricter than those described above. The Management Committee may obtain legal advice where appropriate.
- 5.12 Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

## 6.0 Managing Contracts

- 6.1 If a Management Committee Member or Employee has a conflict of interest, they will 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.
- 6.2 The conflict and action taken will be noted in the minutes of the meeting.
- 6.3. If an alleged conflict is brought to the attention of the County, the Chairperson of Norfolk Tennis (or their nominated deputy should the conflict involve the Chairperson ) will review the allegation and respond in writing to the complainant – confirming the course of action that will be taken.

## Appendix A

### Examples of conflicts of interest:

#### Direct financial interests:

- The payment of a salary or professional fees to a County Association Management Committee Member
- The award of a contract to a company with which a County Association Management Committee Member is involved
- The sale of property at below market value to a County Association Management Committee Member or related party

#### Indirect financial interests:

- The awarding of an employment contract to a County Association Management Committee Member's spouse
- Making a grant or other payment to a dependent child

#### Non-financial or personal conflicts:

- Influencing County Association Management Committee decisions on service provision to their own advantage
- Awarding contracts to friends