

## **Conflict of Interest Policy**

This policy sets out the Commissioner's approach to managing real and potential conflicts of interest.

### **What is a Conflict of Interest?**

A conflict of interest arises when the interests of the Commissioner or those that work on the Commissioner's behalf are, or could be perceived to be at odds with the best interests of the organisation.

### **Examples of conflicts of interest:**

- Using your position to gain a direct or indirect financial interest.
- Procuring services from companies or individuals with whom you have some kind of non-financial or personal interest or relationship.
- Competing loyalties – where your duties to FGC conflict or could be perceived as being in conflict with a duty owed to another person or organisation
- Accepting gifts or hospitality – accepting gifts or hospitality creates a perception of biased decision making, even if the gift has no bearing on judgement.

### **Procedure for handling conflicts of interest**

All those who work on behalf of the Commissioner are required to complete the Registrable Interest Form when they join the organisation. Any conflicts or potential conflicts will be considered by the Director of Finance and Corporate Governance at the time of appointment and a recommended course of action will then be made to the Commissioner.

If you are unsure what to declare, err on the side of caution and discuss the matter with the Director of Finance and Corporate Governance for confidential guidance.

If at any time after your appointment you have a potential conflict of interest, update the Registrable Interest Form.

### **Management of Conflicts**

Conflicts of interest are common and unavoidable. We recognise the importance of maintaining and building effective networks, collaborations and partnerships as we embody the Well being of Future Generations (Wales) Act 2015 into our working arrangements. It is not reasonable to completely eliminate the risks of such conflicts. Measures will be put in place to manage conflicts of interest when they do arise. In some cases, an ongoing conflict may affect your ability to participate in decisions so often or so much, that it is impractical for you to continue in post but all reasonable steps will be taken to find a resolution to avoid the need for such action.

**Procurement of Goods and Services**

You must be free of all personal interests which may conflict, or appear to conflict, with the best interests of FGC. If you have business or other relationships with outside organisations these must be declared and you must not take part in any procurement exercise in which they are involved.

**Competing Loyalties - Political influence and participation in outside and political activities**

The FGC operates as an independent of Government, politically neutral organisation. It is essential that the public has confidence that personal views do not affect the discharge of FGC official duties.

Our aim is to allow those that work for FGC the greatest possible freedom to participate in public affairs without infringing this fundamental principle.

There will be some necessary restrictions on activities at the Commissioner's discretion so that the organisation's impartiality is beyond question.

You should not actively participate in outside or political activities without making a request for assessment.

Requests to actively participate will be assessed on a case by case basis by the relevant member of the Senior Management Team and a recommendation made to the Commissioner using the following as a guide:

- Consider if engagement in this work/role presents any real or perceived conflicts of interests
- Political neutrality - what, if any, limitation would this place on the individual being able to fulfil the remit of their role? What measures are needed to ensure a distinction between what the member of staff may say or do in their role in public life versus their role with FGC?
- If so, how can these be managed to avoid reputational damage to the organisation and potential undermining of public confidence in the integrity of the Organisation? (For example could the individual's work portfolio be reorganised? If yes, is this practicable and manageable for FGC, how will we incorporate time commitments into work programme?)

**Gifts and hospitality**

The Commissioner's Executive Assistant maintains a register of all gifts and hospitality, offered and received whether accepted or declined in the course of official duties.

The Director of Finance and Corporate Governance will be responsible for reporting on the register to the Audit Committee once a year in order to facilitate regular review of the policy. The register could also be disclosed under the Freedom of Information Act.

A 'gift' is defined here as any item, cash or goods, or any service which is offered for personal benefit at a cost, or no cost, that is less than its commercial value.

'Hospitality' is defined here as any generous or material welcome or reception that is more than an incidental kind, such as a beverage or light refreshment. It is generally acceptable to receive light refreshments, or a light lunch (e.g. on a site visit) or a lunch or dinner if attending, or speaking at a conference.

It is each individual's responsibility to record in the register any gifts and hospitality received or that is offered but subsequently declined. In brief, you should: consider carefully whether it is appropriate to accept a gift or hospitality; decline gifts or hospitality unless to do so would cause serious embarrassment; and discuss the position with your line manager or Director of Finance & Corporate Governance if the gift is accepted and clearly has a value in excess of £20. If you are invited to a reception as a partner or spouse, then this should still be disclosed in the same way. In effect, the rules would apply as they do to staff attending functions in their own right.

We encourage staff to donate any gifts to the Annual Christmas Staff Raffle. If you wish to donate a gift, please contact the Director of Finance and Corporate Governance.