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TILBROOK PARISH COUNCIL

**Conflict of Interest Policy**

**Introduction:**

**A conflict of interest is any situation where either of the following may influence, or appear to influence, a member’s (councillor’s) decision making:**

* **the member’s personal interests**
* **interests or loyalty that the member owes to another person or body**

**Principles**

Amongst others, a member has a statutory duty:

* to act in the best interests of the Council
* to exercise independent judgment
* to avoid conflicts of interest
* not to accept benefits from third parties
* to declare any interest in an existing or proposed transaction or arrangement with the Council or between the Council and a third party

Except where legally authorised, members must not gain financial or other material benefit for themselves, their families, friends or associated organisations from their membership of the Tilbrook Parish Council.

Members have an obligation to act in the best interests of the Tilbrook Parish Council, and in accordance with the Council’s Standing Orders and the Code of Conduct for councillors. Conflicts of interests may arise where an individual’s personal or family interests and/or loyalties conflict with those of the Council.

Such conflicts may create problems; they can:

* Inhibit free discussion;
* Result in decisions or actions that are not in the interests of the Council; and
* Risk the impression that the Tilbrook Parish Council has acted improperly.

How do I identify a conflict of interest?

Conflicts of interest may come in a number of different forms:

* direct financial gain or benefit to the trustee, such as:
  + payment to a member for services provided to the Council
  + the award of a contract to another organisation in which a member has an interest and from which a member will receive a financial benefit
* indirect financial gain, such as employment by the Council of a spouse or partner of a member, where their finances are interdependent
* non-financial gain, such as when a user of the Council’s services is also a member of the Council.
* conflict of loyalties, such as where a member is appointed by the Council as its representative on another body or where a friend of a member is employed by the Council

Councillors must bear in mind that when they are dealing with the business of the Council, their overriding duty is to act in the best interests of the Council. There may be situations in which a member’s loyalty to the Council conflicts with his/her loyalty to another body or to a member of his/her family.

Due regard should be had to the provisions of the Localism Act 2011, particularly relating to the disclosure of pecuniary interests.

The aim of this policy is to protect both the Council and the individuals involved from any appearance of impropriety.

**Managing Conflict of Interest/Loyalty**

1. Member of the Council who have a conflict of loyalty must declare this and it should be included in the register of interests. The information provided by memberswill be processed in accordance with data protection principles as set out in the Data Protection 1998. Data will be held only to ensure that members act in the best interests of the Council. Information provided to the Council will not be used for any other purpose.
2. Members must also declare any interest at the appropriate point in any meeting at which an issue is to be discussed that is subject to a conflict of interest and should take no further part in the discussions or decision making on the issue. This will help to ensure transparency and avoid any accusations of impropriety.