

Sport England Main Board

Conflicts of Interest Policy

- 1 Board members must declare any personal or business interests, which may conflict with their responsibilities as board members. Such conflicts must be identified at an early stage and that appropriate action can be taken to resolve them.

Register of Interests

- 2 Sport England maintains a Register of Interests appropriate to Sport England's activities, which includes the interests of close family members. New members are required to complete a Register of Interests Declaration on appointment, and must inform their Board Secretary, who should then inform the Director of Governance, Risk and Assurance, as changes occur. Their declaration is sent to all members to update on an annual basis.
- 3 The Register of Interests is open to the public, unless individual members have specifically requested that their interests not be disclosed. Information on how access to the register can be obtained is included in the Annual Report.

Definitions

- 4 Interests are defined as;
 - 4.1 **Pecuniary interests:** These arise from connections with bodies, which have a direct pecuniary interest, or from being a business partner of, or being employed by, a person with such an interest.
 - 4.2 **Non-pecuniary interests:** These include those arising from membership of clubs and other organisations.
- 5 Close family members include personal partners, parents, children (adult and minor), brothers, sisters and the personal partners of any of these.

Guidance

- 6 In the absence of specific statutory provisions, common law requires that:
 - 6.1 Members of public bodies should not participate in the discussion or determination of matters in which they have

a direct pecuniary interest; and

6.2 When an interest is not of a direct pecuniary kind, 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, Members should assess whether they, a close family member, a person living in the same household as the Member, or a firm, business or other organisation with which the 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 Member was connected was significantly better placed than others to win it.

7 For the avoidance of doubt, the above paragraph does not preclude the Board from deciding to issue an indemnity where individual Members have acted honestly, reasonably, in good faith and without negligence.

Procedures At Meetings

8 Members must declare as soon as practicable after a meeting begins whether they have an interest, pecuniary or other, in a matter being considered. Agendas for meetings of the board must include an item to provide a clear opportunity for them to do so.

9 Members must also disclose any interest of which they are aware on the part of close family members and persons living in their household. In addition, Members must consider whether they need to disclose relevant interests of other persons or organisations, which members of the public might reasonably think, could influence their judgement.

10 Members must declare their interest to the Chair and the Secretary of the meeting, who will record the declaration in the minutes.

11 The Chair, will decide which of the following options should be followed:

11.1 The Member should leave the meeting while the item is being discussed.

- 11.2 The 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.
 - 11.3 The Member should be allowed to speak on the item, but should not vote.
 - 11.4 The Member should be allowed to speak and vote on the item.
- 12 Any Member may challenge another where they perceive that a conflict has not been declared. These challenges should be made to the Chair 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.
- 13 In cases where Members are authorised by law to represent a group likely to be affected by Sport England's decisions, the relevant statutory framework may permit Members to be involved, notwithstanding any direct pecuniary interest that they may have in the decision. However, Members should not overlook the possibility that specific statutory provisions may impose restrictions that are stricter than those described above. The Council may obtain legal advice where appropriate.

Accounting Practice

- 14 Because Sport England is required, other than exceptionally, to follow generally accepted accounting practice, Council Members must facilitate compliance with the need under Financial Reporting Standard 8 for material transactions with related parties to be disclosed in financial statements. "Related parties" in FRS 8 include close members of the family of an individual, who are defined for the purposes of the standard as those family members, or members of the same household, who may be expected to influence, or be influenced by, that person in their dealings with the reporting entity.