**Yorkshire Regional Netball Association**

**Conflict of Interest Policy**

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**Related documents**

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Yorkshire Regional Netball Association (Yorkshire Netball) is charged with maintaining procedures for managing potential and actual conflicts of interest, including financial interest, and mitigating the risks resulting from them. As such, each Regional Management Board (RMB) member is required to declare to Yorkshire Netball any situation where private interests and duties may conflict with their role and responsibilities at Yorkshire Netball. Also, the professional standards of the Yorkshire Netball Independent Examiners require them to obtain an understanding of related party relationships and related party transactions.

This conflict-of-interest policy (including related parties) is designed to:

* help members of the RMB and to identify situations that present potential conflicts of interest between themselves and/or a related party and Yorkshire Netball;
* identify Yorkshire Netball’s related parties and the nature of the relationships between Yorkshire Netball and these related parties, including whether Yorkshire Netball has entered into any transactions with these related parties;
* provide Yorkshire Netball with a procedure to appropriately manage conflicts in accordance with legal requirements and the goals of accountability and transparency in Yorkshire Netball operations.

**Conflict of Interest**

A conflict of interest is any situation where a person’s personal interests could, or could appear to, prevent them from making a decision only in the best interests of Yorkshire Netball. Sometimes conflicts of loyalty can arise because, although the affected person does not stand to gain any personal benefit, their other involvements could or could be seen to influence their decision making.

Preventing conflicts of interest from affecting decision making is a legal requirement and, having identified a conflict or potential conflict of interest RMB members must consider the issue so that any potential effect on decision making is eliminated.

1. **Financial Interest:** When a member of the RMB (or a related party to them):

a) is a party to a contract or involved in a transaction with Yorkshire Netball for goods or services.

b) has a material financial interest in a transaction between Yorkshire Netball and an entity in which the RMB member (or a related party to them) is a board director, officer, agent, partner, associate, employee, trustee, personal representative, receiver, guardian, custodian, or other legal representative.

c) is engaged in some capacity or has a material financial interest in a business or enterprise that competes with Yorkshire Netball.

2. **Netball Activity:** When an RMB member (or a related party to them):

* works for Sport England,
* chairs/leads/influences another national or regional Governing Body of sport
* chairs/leads/influences a netball County within the Yorkshire Netball region
* chairs/leads/influences an international association governing netball
* chairs/leads/influences a netball superleague club which receives finance from Yorkshire Netball
* chairs/leads/influences a Regional League Franchise or a County League Franchise
* chairs/leads/influences a netball league within the Yorkshire Netball region
* could be seen to derive a competitive or financial advantage for themselves or a third party through access to Yorkshire Netball’s commercially sensitive information or association with the Yorkshire Netball brand.

3. **Gifts and Hospitality:** Accepting gifts, hospitality or other favours from individuals or entities can also result in a conflict interest. Yorkshire Netball has an Anti-Bribery Policy to which RMB members must comply when considering accepting gifts, hospitality or other favours or benefits irrespective of the value.

4. **Other:** Other situations may create the appearance of a conflict or could be interpreted as an ability to have an influence over the activities or finances of Yorkshire Netball.

**Related Party**

A related party is:

a) An individual or entity that controls, is controlled by, or is under common control with, the entity (this includes a parent company, subsidiaries and fellow subsidiaries)

b) An individual or entity that has an interest in the entity that gives it significant influence over the entity (say shareholding with more than 20%) or has joint control over the entity

c) An associate or joint venture of the entity

d) Directors and key management personnel of the entity or its parent

e) A close family member, relative or friend of any individual referred to above

f) An entity that is controlled, jointly controlled or significantly influenced by any individual referred to above

Family members or members of the same household, who may be expected to influence or be influenced by that person in their dealings with Yorkshire Netball. This would normally include a person’s spouse/partner, parent, child (adult or minor), sibling, brother, sister and the spouse of any of these (please note that this is not exhaustive).

**Identifying, Reporting and Recording a Conflict of interest**

* Each member of the RMB shall be provided with and asked to review a copy of this Policy and complete the Conflict-of-Interest Declaration Form as they become a member of the RMB.
* On an annual basis confirmation will be sought from all RMB members that their or their related parties’ circumstances haven’t changed to give rise to an actual or potential conflict of interest. The assumption of no change will be made from a non-declaration by the person concerned. The Conflict-of-Interest Declaration Form will only need to be completed if the circumstances have changed which do give rise to a potential or actual conflict of interest.
* If at any point the circumstances of an RMB member changes resulting in a conflict of interest arising, they should inform the Yorkshire Netball Regional Co-ordinator.
* In the event it is not entirely clear that a Conflict of Interest exists, the individual with the potential conflict shall disclose the circumstances to the Regional Chairperson.
* All conflicts of interest will be logged on a declaration of interests register which will be updated annually.

**Addressing a Conflict of Interest**

* Once a conflict of interest has been disclosed for an RMB member the Regional Chairperson will judge whether the interests of Yorkshire Netball could be harmed.
* If the Regional Chairperson is involved then the senior RMB member will judge.
* There are three responses following a declaration:

a) No action other than the process of open declaration.

b) Partial exclusion. The person can engage in discussions or provide advice to meetings about a specific topic, contract or transaction but is excluded from developing recommendations or influencing discussions and decision making or they are given restrictions in the activity or role that is causing the conflict.

c) Complete exclusion. The person can have no input to a specific topic, contract or transaction and must not seek to influence (in any way) other members of the RMB or they are instructed to refrain from the activity or role which is causing the conflict.

* An RMB member will be informed in writing if they are to be partially or completely excluded from meetings about a specific topic, contract or transaction or an activity or role disclosed in their Conflict of Interests Declaration Form. They will have the right to appeal the decision in writing to the senior RMB member.

**Procedure for Managing a Conflict**

* An RMB member, who plans to attend a meeting at which they have reason to believe that the meeting will act on a matter in which they have a Conflict of Interest, must declare the Conflict of Interest at the start of the meeting. Such disclosure shall be reflected in the minutes of the meeting. The individual’s level of participation in the meeting will be determined by whether they are partially or completely excluded from inputting on a specific topic, contract or transaction.
* If a conflict of interest for an RMB member arises unexpectedly during a meeting, they must declare it immediately and the disclosure should be reflected in the minutes of the meeting. The individual should have no input on the specific topic, contract or transaction.
* An RMB member, who plans not to attend a meeting at which they have reason to believe that the meeting will act on a matter for which they have a Conflict of Interest, shall disclose to the chairperson of the meeting all facts material to the Conflict of Interest. The chairperson shall report the disclosure at the meeting and the disclosure shall be reflected in the minutes of the meeting

**Confidentiality**

Each RMB member shall exercise care not to disclose confidential information acquired in connection with disclosures of conflicts of interest or potential conflicts, which might be averse to the interests of Yorkshire Netball. Furthermore, RMB members shall not disclose or use information relating to the business of Yorkshire Netball for their personal profit or advantage or the personal profit or advantage of any related parties. Any such information regarding the business interests of an RMB member, or a related party thereof, shall be treated as confidential. For RMB members, this information shall generally be made available only to the Regional Chairperson, the Regional Co-ordinator, the Governance and Finance Committee and anyone else they consider necessary to address the Conflicts of Interest, except to the extent additional disclosure is necessary in connection with the implementation of this Policy.

**Independence**

All RMB members, regardless of how they are appointed, must demonstrate independent judgement. Regardless of whether conflicts of interest have been declared or conflicts of loyalty exist, each person must demonstrate objectivity and transparency in the way they approach discussions and decisions. A person is independent if they are free from any close connection to the organisation and if, from the perspective of an objective outsider, they would be viewed as independent.

**Declaration of Interests Form**

**Guidance Notes**

Yorkshire Netball is charged with maintaining procedures for dealing with potential and actual conflicts of interest, including financial interest. Members of the Yorkshire Netball Regional Management Board (RMB) are expected to conform to the highest standard of honesty, integrity, impartiality, objectivity and independence when discharging their duties and responsibilities. As such, each RMB member is required to declare any situations where their private interests and their duties to Yorkshire Netball may conflict.

If you are in doubt about an interest which you feel may conflict, ask yourself:

* Am I or might I be in a position where my family/friends or I could gain from the connection between my private interests and my position as a member of the Yorkshire Netball RMB?
* Do I have access which could influence purchasing/selling /awarding decisions?
* Could my outside interests be in any way detrimental to Yorkshire Netball or its members’ interests?
* Do I have any other reason to think that I may be risking a conflict of interest?

A conflict of interest is considered to exist:

* whenever a reasonable person might think that an RMB member might be influenced to put her/his (or any other related party’s) personal or business or other sporting organisation interests before the interests of Yorkshire Netball;
* Whenever a reasonable person might think that the RMB member could benefit directly/indirectly from information received by, or a decision made by, the RMB, any committee, panel or working group of Yorkshire Netball;
* Where an RMB member has two or more separate and competing interests and it is unclear as to which interest they are acting in a particular case.

In assessing whether a situation of conflict of interest exists, direct as well as indirect interests must be taken into account. This includes the interests of a third person, such as a partner/spouse, parent, sibling, child or other relation or dependent.

**Declaration of Interests Form**

**Conflict of Interests**

**Tick the relevant statement**

I declare that **I have no significant interests** which the Membership and/or general public might reasonably conclude could influence the approach or actions of myself in carrying out my duties for Yorkshire Netball.

I declare that **I currently have significant connections** with organisations such that the Membership and/or general public might reasonably conclude that the interest involved might influence the approach or actions taken (please detail).

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| **Organisation** | **Nature of Involvement** |
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**Related Parties**

**Tick the relevant statement**

I declare that I have **no related parties** with significant interests which the Membership and/or general public might reasonably conclude could influence the approach or actions of myself in carrying out my duties for Yorkshire Netball.

I declare that I **do have** **related parties** with significant connections with organisations such that the Membership and/or general public might reasonably conclude that the interest involved could influence the approach or actions taken by an RMB member of Yorkshire Netball (please detail).

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| **Name** | **Relationship to You** (e.g. partner/spouse, child, working parent) | **Interest to Report** (e.g. other boards of sporting bodies the related party sits on, any businesses for which the related party is an officer or director, or a majority shareholder, and the name of your related party’s employer and any businesses they own) |
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**I hereby certify that the information set forth above is true and complete to the best of my knowledge and belief. I have reviewed, and agree to abide by the Yorkshire Netball Conflict of Interest Policy.**

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| --- | --- |
| **Signed**: | **Name**: |
| **Position**: | **Date**: |

Version 1 Approved by the RMB on 8th November 2021 ©YRNA 2021