



ENGLISH PARTNERSHIP FOR  
SNOOKER AND BILLIARDS

# **EPSB**

## **CONFLICTS OF INTEREST**

### **POLICY**

|                             |                   |
|-----------------------------|-------------------|
| <b>Version/date:</b>        | <b>16.04.2021</b> |
| <b>Board approved date:</b> | <b>23.04.2021</b> |
| <b>Next review date:</b>    | <b>01.04.2022</b> |

## **CONFLICTS OF INTEREST**

### **1. Introduction**

It is recognised and accepted that occasionally potential conflicts may arise. There is no definitive right or wrong approach to handling potential conflicts of interest. Ultimately, in most cases, the issue is about the application of common sense.

### **2. Policy Statement**

“Members of EPSB Board and other officials have an obligation to act in the best interests of the EPSB and in accordance with the EPSB’s aims and objectives. Accordingly directors, committee members, employees and others acting on behalf of EPSB must be free from conflicts of interest that could adversely influence their judgment, objectivity or loyalty to the company in conducting EPSB business.”

### **3. Why have such a policy?**

EPSB is committed to maintaining the highest standards of corporate governance and conducts its business in an open and transparent manner. The aim of this policy and process is to protect both EPSB and the individuals concerned from any appearance of improper behaviour. Conflicts of interests may arise where an individual’s personal, family or business interests and/or loyalties conflict with the objectives of EPSB.

Such conflicts may create problems and can:

- Inhibit free discussion;
- Result in decisions or actions that are not in the interests of the EPSB; and
- Risk the impression that the EPSB has acted improperly.

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety. Even the appearance of a conflict of interest can damage the reputation of the EPSB.

### **4. Conduct**

Individuals should conduct themselves with integrity, impartiality and honesty at all times and should maintain high standards of propriety and professionalism. They should avoid situations where they, or EPSB, could be open to suspicion of wrong doing and not put themselves in a position of conflict between their official EPSB duty and private interest.

EPSB accepts that people may take part in legitimate financial, business, charitable and other activities outside their EPSB roles, but any potential conflict of interest raised by those activities must be disclosed promptly following the guidelines provided on the declaration of interest form. All employees must obtain written permission from EPSB before taking on a paid or volunteer role in any other sports organisation.

This policy explains what is viewed by EPSB as a conflict of interest and the procedure to follow where a conflict of interest arises. Other policies may impact on this policy area and may need to be consulted when determining conflict, particularly the Hospitality and Gifts Policy and codes of conduct. Implementation of this policy and procedure must be clear and transparent and

not subject to any unfair discriminatory practices.

This Policy applies whenever a member of EPSB Board, an employee or other official recognises, or should reasonably recognise, that he/she has a Conflict of Interest.

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

A **Conflict of Interest** is a situation in which a person has an Interest (defined below) which may compromise that person's obligations to EPSB or to any other person or body with which EPSB has a relationship (e.g. Sport England). A Conflict of Interest includes perceived and potential conflicts as well as actual conflicts of interest. A perceived conflict of interest is one which a reasonable person would consider likely to compromise objectivity. A potential conflict of interest is a situation which could develop into an actual or perceived conflict of interest.

An **Interest** is a financial or non-financial interest involving the person, or a Connected Person (defined below). A financial interest refers to anything of non-trivial monetary value including but not limited to salary, commission, consultancy fees, contractual interest, discounts, property and royalties. A non-financial interest refers to any non-financial benefit or advantage including but not limited to access to privileged information or services, property or intellectual property rights and enhancement of a career, education or professional reputation.

A **Connected Person** is anyone with whom the individual in question has a relationship which is likely to appear to a reasonable person to influence the individual's objectivity including but not limited to close family, their partner and close personal friends.

**If an individual has a Conflict of Interest, they have a duty to disclose it under the procedure set out below.** In the case of a director disclosure is a requirement under Company Law and is clearly identified within the Company Articles of Association which take precedence over this policy.

## **6. The declaration of interests**

Accordingly, all Board Members, employees and other officials must declare their interests, and any gifts or hospitality received in connection with their role in EPSB. A declaration of interests form is provided by the EPSB for this purpose.

It is the responsibility of the Company Secretary/ Governance lead on the Board to ensure that individuals are provided with a declaration of interests form and that the completed form is received, reviewed and retained by EPSB.

The declaration of interests needs to be revised or updated at least annually and also immediately any changes occur.

If anyone is not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If anyone would like to discuss their concerns, please contact the EPSB Chair for confidential guidance.

Interests will be recorded on the EPSB's register of interests, which will be maintained by the Governance lead on the Board. The register will usually be accessible by Directors and authorised employees only.

Where it is subsequently discovered that one or more persons involved in a decision had not declared their conflict of interest to the meeting, the Board will decide whether the matter needs to be reconsidered and may so direct. In addition, the Chair may decide that the person or person involved may have breached the Board code of conduct and further action may be necessary.

## 7. Action following Receipt of forms

On receipt of the completed forms the Company Secretary/ Governance Board Director will update the register with the information declared by each individual using the categories of:-

| Interest            | Financial | Non-Financial | Actual | Perceived | Potential | Date Listed |
|---------------------|-----------|---------------|--------|-----------|-----------|-------------|
| Self:<br>(Name)     |           |               |        |           |           |             |
| Connected<br>Person |           |               |        |           |           |             |

## 8. Data Protection

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that the Board Member, employees and officials will act in the best interests of the EPSB. The information provided will not be used for any other purpose. Processing of this data shall be undertaken in line with EPSB data control processes, with declarations made by directors being retained for at least 10 years and other individuals for at least 7 years.

## 9. Managing Conflict

The Company Secretary and the Chair shall be responsible for reviewing the declaration of interest forms and register and advising on any action required in addition to the standard management process for any particular conflict. If a conflict can be managed the management process must be clear and reported in the register.

Conflict of Interest can arise in various scenarios; the most likely is in a meeting situation, therefore EPSB has set up the following process to be followed at every meeting:-

- The Chair of the meeting is required to ask those attending, (including non-committee member invited attendees) to declare any interest(s) linked to any item on the agenda.
- All notifications must be reported in the minutes of the meeting along with the actions taken by the Chair to manage the conflict.

If a conflict decision is challenged after the meeting all information must be referred to the CEO who will be responsible for reviewing the decision made with the Chair and providing written recommendations for any action.

## **10. What to do if you face a conflict of interest?**

You should declare your interest at the earliest opportunity.

Below are examples of how an individual may manage conflict themselves or how a Chair might manage a particular meeting situation:-

- not taking part in discussions of certain matters
  - o either staying in the room or
  - o vacating the room until the particular item is finished;
- not taking part in decisions relating to certain matters
  - o either staying in the room when the decision is made or
  - o vacating the room until the decision is made having stayed for the discussion;
- if the conflict relates to the Chair of the meeting, he/she must vacate the chair and the room until the particular item is finished;
- stepping aside from any involvement in a particular task;
- declaring an interest to a particular sponsor or third party (this may be following discussion with, or recommendation of, the Chair)

If you fail to declare an interest that is known to the EPSB Chair or other Board member he/she will declare that interest for you.

## **11. Conflicts That Cannot Be Managed**

Situations may arise where the Chair decides it is not possible to manage the conflict, in these circumstances the Chair will request a meeting with the individual concerned to discuss and agree the way forward. The register should be noted accordingly with the date of the agreement; the full details may or may not be included as determined by the agreement and level of confidentiality.

If an employee's conflict is deemed non-manageable a copy in writing of the conflict, decision and signed agreement must be placed on the employee's Human Resources file. Such information shall be protected in accordance with the Data Protection Act and restricted to those who require it to fulfil their EPSB responsibilities. The register should be noted accordingly with the date of the agreement; the full details may or may not be included as determined by the agreement and level of confidentiality.

## **12. Managing contracts**

If there is a conflict of interest, (actual, perceived or potential) the interested party must not be involved in managing or monitoring a contract in which they have an interest.

## Declaration of Interest Form

Declaration of Interest:

Name:

I hereby declare an interest as set out below (whether pecuniary or other) and undertake to abide by the EPSB policy on such matters and to comply in any decisions of the board with regard to the management of said conflict(s).

Signed:

Dated:

### Nature of Interest(s)

| Interest:         | Financial                            | Non-Financial                        |
|-------------------|--------------------------------------|--------------------------------------|
| Self:             | Please write NONE if nothing applies | Please write NONE if nothing applies |
| Connected Person: | Please write NONE if nothing applies | Please write NONE if nothing applies |

### Notes

A **Conflict of Interest** is a situation in which a person has an Interest (defined below) which may compromise that person's obligations to EPSB or to any other person or body with which EPSB has a relationship. A Conflict of Interest includes perceived and potential conflicts as well as actual conflicts of interest. A perceived conflict of interest is one which a reasonable person would consider likely to compromise objectivity. A potential conflict of interest is a situation which could develop into an actual or perceived conflict of interest.

An **Interest** is a financial or non-financial interest involving the person, or a Connected Person (defined below). A financial interest refers to anything of non-trivial monetary value including but not limited to salary, commission, consultancy fees, contractual interest, discounts, property and royalties. A non-financial interest refers to any non-financial benefit or advantage including but not limited to access to privileged information or services, property or intellectual property rights and enhancement of a career, education or professional reputation.

A **Connected Person** is anyone with whom the individual in question has a relationship which is likely to appear to a reasonable person to influence the individual's objectivity including but not limited to close family, their partner and close personal friends.

Interests to be disclosed may be pecuniary or other (the expression "other" interests applies in a very general way and includes any form of potential benefits). "Pecuniary Interest" for this purpose is not restricted to direct financial benefit and includes any financial loss or increased personal charge, expenses or disadvantage but excludes members' expenses. Interests apply to the individual and any limited Company or commercial business in which he or a connected person may have an interest.

## Conflict of Interest Form

This form must be completed at least annually by all identified EPSB personnel, it complies with the requirements of the Conflict of Interest Policy of the EPSB as amended from time to time.

The Conflict of Interest policy states:

**“Members of EPSB Board and other officials have an obligation to act in the best interests of the EPSB and in accordance with the EPSB’s aims and objectives. Accordingly directors, committee members, employees and others acting on behalf of EPSB must be free from conflicts of interest that could adversely influence their judgment, objectivity or loyalty to the company in conducting EPSB business.”**

The full policy document must be read prior to completion of this form and your completion confirms that the full policy has been read and understood. If you have any queries about the policy or this form please contact Nigel Mawer, Chair, prior to completion.

|   |  |
|---|--|
| <b>Name (Block Capitals)</b>              |  |
| <b>Main Position within EPSB</b>          |  |
| <b>Additional Position(s) within EPSB</b> |  |

EPSB accepts that people may take part in legitimate financial, business, charitable and other activities outside their EPSB roles, but any potential conflict of interest raised by those activities must be disclosed promptly.

In addition, other EPSB policies may impact on completion of this form and may need to be consulted when determining conflict, particularly the Hospitality and Gifts Policy and codes of conduct.

N.B. A Conflict of Interest includes perceived and potential conflicts as well as actual conflicts of interest – please answer accordingly. If you answer yes to any question, please provide further details below.

|    | PLEASE ANSWER THE FOLLOWING QUESTIONS   | YES | NO |
|----|---|-----|----|
| 1. | Is there any relationship, either internal or external, which you feel could cause actual, perceived or potential conflict of interest with your EPSB activities?                       |     |    |
| 2. | Have you or any connected person performed voluntary or paid work in the last 12 months that might cause actual, perceived or potential conflict of interest with your EPSB activities? |     |    |
| 3. | To your knowledge, do you or any connected person have a significant or influential relationship with, or any financial interest in,  |     |    |

|    |  |  |  |
|----|--|--|--|
|    | any company with which EPSB has a relationship, financial or otherwise?  |  |  |
| 4. | In the last 2 years have you or any connected person, had any personal dealings with any EPSB existing or know a potential sponsor?        |  |  |
| 5. | Do you hold any elected position or appointment as a Director (Executive or Non-executive) or Company Secretary in any other organisation? |  |  |
| 6. | Are you or any connected person, currently or in the last 2 years, a member or honorary member of a English Snooker League?                |  |  |
| 7. | To your knowledge, do you or any connected person have any other interest that may constitute a conflict of interest?                      |  |  |

**Please complete the table below for all questions answered YES.**

|   | Details of conflict | Self | Connected person / name | Actual conflict | Perceived Conflict | Potential Conflict |
|---|---------------------|------|-------------------------|-----------------|--------------------|--------------------|
| 1 |                     |      |                         |                 |                    |                    |
| 2 |                     |      |                         |                 |                    |                    |
| 3 |                     |      |                         |                 |                    |                    |
| 4 |                     |      |                         |                 |                    |                    |
| 5 |                     |      |                         |                 |                    |                    |
| 6 |                     |      |                         |                 |                    |                    |

An **Interest** is a financial or non-financial interest involving yourself or a Connected Person.

A **Connected Person** is anyone you have (or had) a relationship which is likely to appear to a reasonable person to influence your objectivity including but not limited to close family, partner and close personal friends.

- I acknowledge that I have read and understood the EPSB policy on Conflict of Interest.
- I confirm that I have completed the answers to the best of my knowledge and that the information supplied is true and correct.
- I confirm that I will update EPSB with any changed or new information promptly.
- I understand that if any information is later found to be false I may be subject to disciplinary action.
- I understand that some or all of this information may be used by EPSB to compile a conflict register.



|               |                                |  |
|---------------|--------------------------------|--|
| Signed:       |                                | EPSB use only<br>Form checked by EPSB and details transferred to Conflict Register |
| Dated:        |                                |  |
| Appended Note | Yes/No (delete as appropriate) | Conflict Decision:<br>Date Decision confirmed to individual:                       |

This information is collected **only for the purpose of managing conflict**, it may in certain circumstances be deemed sensitive personal information and shall be managed in line with the EPSB data management policy.