

# WheelPower

## Conflict of Interest Policy

## Who does this policy apply to?

The policy applies to 'employees' (including Board Members, paid staff, those designated as contracted staff, consultants, temporary staff, agency staff and volunteers). It also covers suppliers and those providing services under a contract with the organisation

## Conflict of Interest

WheelPower employees have a contractual obligation to maintain the highest standards of integrity by carrying out their work in a way that will not compromise the reputation of the organisation. This includes declaring, managing and avoiding conflicts of interest.

A conflict of interest is a situation where someone in a position of trust has competing professional or personal interests. Such competing interests can make it difficult for individuals to fulfil their duties impartially. A conflict of interest may arise even if no improper or unethical act results from it. Applying this principle to WheelPower, a conflict of interest may generally arise if a WheelPower employee engages with a person or body not connected to WheelPower or acts in a manner which conflicts with the business interests of WheelPower.

For the purpose of this policy a "business interest" is:

- holding executive and non-executive directorships
- serving on the board of a National Governing Body or sporting club or organisation
- involvement in research projects
- consultancy activities
- licensing of Intellectual Property
- involvement in recruitment activities (where friends or family apply for a position)
- delivering courses/programmes

For the purpose of this policy a "second job" is:

Any job, whether paid or unpaid, with any employer and on any type of contractual arrangement or any type of self-employment. The carrying out of public duties does not count as a second job nor do outside interests such as personal investments or being a member of a committee unless it is directly related to an area of work in which WheelPower has direct or indirect interest.

Scenarios which may constitute conflicts of interest include but not limited to:

- perception from a partner/stakeholder that an employees actions or decisions are determined by some element of personal gain (financial or otherwise)
- an employee's behaviour calls their professional objectivity/ethics into question
- the commitment of an employee's time which results in their WheelPower work being neglected or unfulfilled to the best of their abilities
- where an employees total working hours due to their outside activities exceed the Working Time Directive
- an employee utilises WheelPower resources in order to benefit their external work
- the work of WheelPower is influenced or compromised by an employee or a member of their family/close friend accepting any of the following without prior approval.

## Scope of Policy

WheelPower will consider all declarations of interest from employees in accordance with this policy.

WheelPower's policy is to:

- treat all employees fairly
- provide clarification on what constitutes a 'business interest' and 'second job'
- provide a declaration process for employees
- clearly define the boundaries within which business interests should operate
- maintain records of employee business interests via the Conflict of Interests form.

Any employee who knowingly withholds information regarding business interests may be subject to disciplinary action.

## Guidelines / Procedure

### Conflict of Interest

There are a variety of situations that could lead to a conflict of interest and employees must be fully aware of the impact which some external activities may have on the work of WheelPower. This is not to say that employees cannot take part in these activities but they should follow the correct procedure prior to doing so or, if an employee is already involved in any potential conflict of interest, they should discuss the situation with their Line Manager in the first instance.

Employees should be aware that any information regarding their outside activities which has been knowingly withheld may result in disciplinary action being taken against them.

### Unauthorised use of WheelPower resources

A conflict of interest occurs if WheelPower resources are used inappropriately. In order to avoid a conflict of interest occurring, employees must not make use of WheelPower resources without prior approval from their Line Manager, or any other relevant person, and never as a favour in an attempt to exert undue influence or for their personal gain instead of the advancement of WheelPower interests.

Inappropriate use of WheelPower's resources include but are not limited to:

- engaging other WheelPower employees in outside business or consulting activities
- granting third parties access to WheelPower resources or services for activities from which WheelPower will not benefit (financially or otherwise)
- offering inappropriate favours to third parties in an attempt to unduly influence them in their dealings with WheelPower
- using WheelPower business consultants or activities for personal gain
- providing preferential access to materials/products generated from WheelPower activities to a third party for personal gain (financial or otherwise)

- allowing third parties to have unauthorised access to confidential information acquired through the conduct of WheelPower business
- assisting an outside organisation by giving it unreasonably exclusive access to information or consulting under arrangements that impose obligations that conflict with WheelPower policies or obligations

## Requesting Approval and Disclosing Activities

Employees must work with their Line Manager to establish clear boundaries that separate their WheelPower obligations from their external activities in order to avoid any conflict of interest.

WheelPower recognises that some employees will be involved in activities outside their WheelPower work, however, in order to avoid and/or manage a conflict of interest, pre-approval of the intended task or obligation must be sought from the appropriate level i.e. Line Manager, Chief Executive or Director (if appropriate).

Prior to undertaking external tasks, activities or any other actions that could result in a conflict of interest, employees must make WheelPower aware of their intentions and allow the situation to be considered by management in accordance with this policy.

Employees must discuss their intentions with their Line Manager in the first instance, complete the Members Disclosure Form and await written approval prior to progressing their intentions.

Full consideration will be given to the action suggested by an employee and may require discussion and authorisation at a senior level.

Employees must disclose, to the best of their knowledge, their own and immediate family's/close friend's activities and financial interests in organisations outside of WheelPower where these organisations support or have input into WheelPower activities.

(Financial interests are defined as a significant potential influential shareholding for the purposes of this policy. Immediate family is defined as a spouse, parents, parents in law, dependent children and dependent stepchildren).

The information disclosed by employees will be held in confidence and will not be used for any purposes other than for compliance with this policy and will be processed in accordance with the Data Protection Act 1998.

Disciplinary action may be taken against any employee if they undertake any activity prior to receiving approval.

## Intellectual Property

In order to avoid any conflict of interest employees are reminded that WheelPower is the owner of intellectual property developed by employees under the terms of their employment.

For the purpose of this policy Intellectual Property is defined as any copyright, patent, patent application, trade mark (whether registered, unregistered or application for registration), design (whether registered, unregistered or application for registration), database right, know-how, right in confidential information or right to internet domain names.

## Managing a Conflict of Interest Situation

Any employee aware of an actual or potential conflict of interest situation should bring this to the attention of their Line Manager at the earliest opportunity. Where a potential or actual conflict of interest arises, the case will be fully investigated. Depending on the circumstances, a conflict of interest could result in disciplinary action being taken against those involved. The Chief Executive will provide further information and guidance if required.

## Appeal Procedure

If an employee is unsatisfied with the outcome of the decision regarding their continuation or commencement of outside activities in respect of conflicts of interest, then they may appeal against the decision made. Appeals should be made in writing to the Chief Executive within seven days.

## Compliance

Employees who do not support this policy and procedure may be subject to disciplinary action.

Compliance with this policy will be monitored by the Chief Executive.