

CRICKET WALES LIMITED

Conflicts of Interest

Policy & Procedure

Author CEO

Approved by Board Of Directors

Approval date 4th September 2017

Review date 10th January 2019



CRICKET WALES

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Policy applies to: all persons involved in or associated with any aspect of Cricket Wales programmes or activities

Introduction

It is recognised and accepted that occasionally potential conflicts of interest 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.

Policy Statement

It is Cricket Wales's policy that:

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

Cricket Wales 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 Cricket Wales 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 Cricket Wales

Cricket Wales accepts that people may take part in legitimate financial, business, charitable and other activities outside their Cricket Wales 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 Cricket Wales before taking on a paid or volunteer role in any other sports organisation.

This policy explains what is viewed by Cricket Wales as a conflict of interest and the procedure to follow where a conflict of interest arises. Implementation of this policy and procedure must be clear and transparent and not subject to any unfair discriminatory practices.

Scope and Definitions

This Policy applies to all of the following Cricket Wales personnel:

- Directors and sub committees of the Board;
- Regional chairs and regional committee members;
- Members of committees, working groups, task forces or similar appointed by Cricket Wales for any purpose;
- Volunteer national coaches and team management;
- Full time, part time and casual employees;
- Any person contracted to undertake work for Cricket Wales who has any other voluntary role within the organisation or its affiliated bodies

This Policy applies whenever a person identified above recognises, or should reasonably recognise, that he/she has 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 Cricket Wales or to any other person or body with which Cricket Wales has a relationship (e.g. Sport Wales). 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 of Cricket Wales, disclosure is a requirement under Company Law and is clearly identified within the Company Articles of Association which take precedence over this policy.

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 Cricket Wales. A declaration of interests form is provided by Cricket Wales for this purpose.

It is the responsibility of the Company Secretary to ensure that individuals are provided with a declaration of interests form and that the completed form is received, reviewed and retained by Cricket Wales.

The declaration of interests needs to be revised or updated at least annually and also immediately any changes occur. Board members are required to disclose any new conflict of interest at the next scheduled Board meeting. Such a disclosure will be included in the minutes of that meeting.

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 Cricket Wales Chair for confidential guidance.

Interests will be recorded on the Cricket Wales's register of interests, which will be maintained by the Company Secretary. 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.

On receipt of the completed forms the Company Secretary will update the register with the information declared by each individual.

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 Cricket Wales. The information provided will not be used for any other purpose. Processing of this data shall be

undertaken in line with Cricket Wales data control processes, with declarations made by directors being retained for at least 10 years and other individuals for at least 7 years.

Managing Conflict

The Company Secretary, the Chair and CEO 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 Cricket Wales 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.

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
 - either staying in the room or
 - vacating the room until the particular item is finished;
- not taking part in decisions relating to certain matters
 - either staying in the room when the decision is made or
 - 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 Cricket Wales Chair or other Board member he/she will declare that interest for you.

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 Cricket Wales 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.

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.

Agreed by the Board	4 th September 2017
Communicated	September 2017
Version Number	Version 1
Next review date	September 2018

Conflict of Interest Form

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

**CRICKET WALES LIMITED
DECLARATION OF INTERESTS**

NAME:

Introduction

This form has been developed to capture essential information on the interests of staff, volunteers and their immediate families, with the aim of recording such interests, and thereby enabling an effective mechanism to be implemented by which potential conflicts of interest can be avoided. The reason details are sought for staff's immediate family is that allegations on conflicts of interests may extend to the influence of close relatives.

Membership of or involvement with other cricket organisations e.g. clubs, regions, coaches associations, leagues etc.

1. Self: Please specify organisation and involvement e.g. salaried employee, honorary officer, subscribing member, honorary member (if any other, please specify), for current or former membership, where discontinued in the past five years.

2. Immediate Family (spouse / partner, children and parents): as above

Membership of or involvement with other related organisations.

This category of body involves any organisation which might be eligible to apply to Cricket Wales Ltd for funding and includes:

- School governing body
 - Community association
 - Local Authority (at county, county borough or community/town council level)
 - Youth organisation (e.g. scouts, guides etc)
3. Self: Please specify organisation and involvement e.g. salaried employee, honorary officer, subscribing member, honorary member (if any other, please specify), for current or former membership, where discontinued in the past five years.

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4. Immediate Family (spouse / partner, children and parents): as above

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Declaration

I declare that the information contained herein is an accurate and up-to-date reflection of my membership of, or involvement with, organisations connected with cricket. I undertake to update the record if and when any material changes take place.

Signed: _____	Date: _____
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