

*The objects of the Society shall be the foundation and promotion of a benevolent or charitable fund for the purpose of affording privately, pecuniary or other relief, when practicable, to such necessitous persons who, in the opinion of the Committee of Management, may be deserving of relief, and who are or have been Dental Surgeons or Dentists, and dependents of such persons.*



# **Irish Dental Benevolent Society**

## **Conflict of Interests Policy**

**Adopted January 2020**

### **1. Purpose**

The purpose of this policy is to assist members of the Management Committee, including Trustees (the Committee), of the Irish Benevolent Society (the Society) to fulfil their legal responsibility under the Charities Act, 2009, through effectively identifying, recording and managing any conflicts of interest, to protect the integrity of the Society, thereby helping to ensure that the members of the Management Committee, including the Trustees, act in the best interest of the Society.

### **2. Objective**

The Committee of the Society aims to ensure that its members are aware of their obligations to disclose any conflicts of interest that they may have, and to comply with this policy to ensure they effectively manage those conflicts of interest as representatives of the Society.

### **3. Scope**

This policy applies to the members of the Committee of the Irish Dental Benevolent Society and also to its employees and contractors, if appropriate.

### **4. Definition of conflicts of interests**

A conflict of interest is any situation in which the personal interests or loyalties of a member of the Management Committee, including a Trustee, could, or could be seen to, prevent that person from making a decision in the best interests of the charity. This personal interest may be direct or indirect, and can include interests of a person connected to the member.

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These situations present the risk that a person will make a decision based on, or affected by, these influences rather than in the best interests of the charity and therefore must be managed accordingly.

## **5. Policy**

This policy has been developed because conflicts of interest commonly arise, and do not need to present a problem to the charity if they are openly and effectively managed. It is the policy of the Society as well as a responsibility of the members of the Committee, that ethical, legal, financial or other conflicts of interest be avoided and that any such conflicts (where they do arise) do not conflict with their obligations to the Society.

The Society will manage conflicts of interest by requiring the members of the Committee to:

- avoid conflicts of interest where possible,
- identify and record any conflicts of interest,
- carefully manage any conflicts of interest,
- adhere to this policy and respond to any breaches.

### **5.1 Responsibility of the Management CommitteeBoard of the Society**

The Committee is responsible for:

- establishing a system for identifying, disclosing and managing conflicts of interest across the charity;
- monitoring compliance with this policy; and
- reviewing this policy on a regular basis to ensure that the policy is operating effectively.

The members of the Committee shall ensure they are aware of their legal obligations in the management and control of their charity and shall refer to the Charities Regulator's 'Guidance for Charity Trustees' for further information.

### **5.2 Identification and disclosure of conflicts of interest**

Once an actual, potential or perceived conflict of interest is identified, it must be entered into the Society's Register of Interests, as well as being raised with the Board.. The Register of Interests must be maintained by the Honorary Secretary, who must record all information related to a conflict of interest (including the nature and extent of the conflict of interest and any steps taken to address it).

## **Confidentiality of Disclosures**

In order to support members of the Committee, and others as appropriate, to disclose their conflicts of interest, the level of confidentiality associated with any disclosure should be set out. The Chairperson, in consultation with the Honorary Secretary, shall act as decision-makers in any possible conflict cases about which they become aware. Following appropriate consultation, whilst maintaining confidentiality, that there is a case to answer, they should refer the matter to the Board for adjudication.

Any information provided will, in the first instance, be restricted to the Board of the Society and any others directly involved in dealing with the matter eg admin support staff or legal advisers. It may also be necessary to provide for an alternative disclosure mechanism if additional restrictions on disclosure become necessary.

## **6. Action required for Management of Conflicts of Interest**

### **6.1 Conflicts of interest of members of the Committee of the Society**

Once the conflict of interest has been appropriately disclosed, the Committee of the Society (excluding the disclosing member and any other conflicted person) must decide whether or not a conflicted member should:

- vote on the matter,
- participate in any debate, or
- be present in the room during the debate and the voting.

In exceptional circumstances, such as where a conflict is very significant or likely to prevent a member of the Committee from regularly participating in discussions, it may be worth the Committee considering whether it is appropriate for the person with the relevant conflict to resign from the Committee.

### **6.2 What should be considered when deciding what action to take**

In deciding what approach to take, the Committee will consider:

- whether the conflict needs to be avoided or simply documented,
- whether the conflict will realistically impair the disclosing person's capacity to impartially participate in decision-making,
- alternative options to avoid the conflict,
- the charity's objects and resources, and
- the possibility of creating an appearance of improper conduct that might impair confidence in, or the reputation of, the Society.

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The approval of any action requires the agreement of at least a majority of the Committee (excluding any conflicted member) who are present and voting (if applicable) at the meeting. All details regarding the conflict of interest, including the action arising, will be recorded in the minutes of the meeting.

Responsibility for compiling and maintaining the Register will rest with the Honorary Secretary who will also be responsible for its security.

## **7. Compliance with this Policy**

If the Committee has a reason to believe that a person subject to this policy has failed to comply with it, it will investigate the circumstances. This will be carried out in the first instance by the Chairperson working with the Honorary Secretary. The matter may then be referred for the attention of the Committee.

If it is found that this person has failed to disclose a conflict of interest, the Committee may take action against the person. This may include seeking the person's resignation from the charity. Other relevant sanctions may be considered which are proportionate to the seriousness of the breach, including suspension for a defined period or a number of meetings or part of a meeting etc.

If a person suspects that a member of the Committee has failed to disclose a conflict of interest, they must discuss with the person in question, notify the Committee through the Chairperson or the Honorary Secretary.

## **Contacts**

For questions about this policy, contact the Chairperson of the Committee.

**ENDS**