

# **Solihull Parent Carer Forum**

## **Conflict of Interest Policy**

This policy and procedure is designed to ensure that any conflict of interest or potential conflict a member of the Solihull Parent Carer Forum might have in relation to their membership of any group or committee which they attend on behalf of the Forum, is declared and dealt with so as to ensure that the Forum operates in line with best practice. A conflict of interest may arise in the following circumstances:

- A Forum member (or their spouse or direct family member) is also a member, trustee, owner or employee of another organisation/company with similar objectives, particularly one with which there may be perceived to be any element of competition
- A Forum member (or their spouse or direct family member) is also a member, trustee, owner or employee of another organisation/company which stands to gain financially or otherwise from decisions made by a group which the Forum member attends on behalf of the Forum
- A Forum member (or their spouse or direct family member) is also a member, trustee or employee of another group or organisation which enables them to influence strategic decisions in relation to children and young people with Special Educational Needs and Disabilities and their families in Solihull.
- A Forum member (or their spouse or direct family member) has brought a legal challenge against the local authority or NHS Solihull, e.g. through an appeal to the First-Tier Tribunal (formerly SENDIST) or a complaint to the Ombudsman. It should be stressed that there is nothing wrong with a Forum member being in any of these situations – a problem only arises if the member is involved in any decision which could be seen to conflict with their interest, and fails to declare it.

### **RESPONSIBILITY OF FORUM MEMBERS**

It is always the responsibility of a Forum member to declare any interest referred to above. In order to help members to declare interests appropriately the Forum will:

- Ask members to declare any interests at the beginning of any meeting organised by the Forum
- Discuss conflicts of interest issues when a Forum member is considering joining the Management Committee of the Forum, a subgroup of the Forum, or a strategic/operational group which the member wants to join as a representative of the Forum
- Provide new Management Committee members with a form on which they will declare any interest which is likely to conflict with their duty as Management Committee members, and maintain a register of interests of Management Committee members. If a Forum member fails to declare an interest which is known to other

Forum members, then they will declare it. An investigation will be undertaken by the Management Committee to review any meetings attended or decisions that have been made that may have been compromised due to any unknown conflict. At the conclusion of the investigation, the Management Committee will announce the findings and confirm any actions required. The Management Committee's decision is final and must be complied with.

## **WHEN A CONFLICT OF INTEREST ARISES**

When a conflict of interest arises between a Forum member's interest in the work of the Forum and a personal or professional interest elsewhere, the member will declare that interest and this will be recorded in the minutes of the meeting in question. Attendees at the meeting will be asked if they would like to discuss the conflict of interest issue further, and the member in question may be asked to leave the meeting while this discussion takes place. Parent Carer Representatives must promptly inform the volunteer coordinator or the Chair of the Forum's Management Committee if a conflict of interest has arisen which may affect their ability to represent the Forum at the strategic/operational group(s) they attend on behalf of the Forum. They should not wait until the next meeting of the strategic/operational group(s) to declare their conflict of interest. The member will be required to abide by the decisions of the subgroup, or the Forum's Management Committee, where membership of the Management Committee or a strategic/operational group is concerned. Decisions can be challenged through the Forum's complaints procedure. A member with a declared conflict of interest will not be allowed to vote on any item to which their conflict of interest relates, nor will their attendance count towards a quorum at the meeting in question. The member will not normally be asked to leave the meeting while the item in question is being discussed, but may be asked to withdraw if the Chair considers that their presence may unduly influence the outcome of a decision. Parent Carer Representatives with a declared conflict of interest may be asked to temporarily stand down from any strategic/operational groups they attend. Once their conflict of interest has been resolved, they must review their situation with the volunteer coordinator and/or the Chair of the Forum's Management Committee before resuming their role. Any declaration of conflict of interest made by a member of the Forum will be processed in line with the Data Protection Act and the Forum's own Data Protection Policy

*Date ratified: 17<sup>th</sup> May 2018*

*Next Review 17<sup>th</sup> May 2019*