

Document control		
Document Name	Conflict of interest Policy	
Prepared By	Quality and Innovation Directorate	
Authorised By	Board of Trustees	
Source Location	Pulse	Policy Reference: GQA
Other documents referenced	<p><i>Charities Act 2022</i>. Available at: https://www.gov.uk/guidance/charities-act-2022-guidance-for-charities</p> <p><i>Charity Commission for England and Wales. 2017. Legal underpinning. Conflicts of interest: a guide for charity trustees</i>. Available at: https://www.gov.uk/government/publications/conflicts-of-interest-a-guide-for-charity-trustees-cc29/conflicts-of-interest-a-guide-for-charity-trustees</p> <p><i>Charity Commission for England and Wales. Undated. Guidance. Conflicts of interest: a guide for charity trustees</i>. Available at: https://www.gov.uk/government/publications/conflicts-of-interest-a-guide-for-charity-trustees-cc29/conflicts-of-interest-a-guide-for-charity-trustees</p> <p><i>Companies Act 2006</i>. London. Available at: https://www.legislation.gov.uk/ukpga/2006/46/contents</p>	
Related documents	<ul style="list-style-type: none"> • Whistleblowing Policy • Professional Code of Conduct 	
Acknowledgements		
Approval & Ratification	Approval Date: 31/10/23	Ratified Date: 31/10/23
Review	Last: October 2023	Next: October 2025

Version Control

Version Number	Date issued	Author	Update information
V1.0	Aug 2020	Mike Kenward	Original
V1.1	Jan 2023	Jamie Hierscher	To reflect GambleAware changes Removal of partners Clarifying and updating the processes
V1.2	October 2023	D'Arcy Myers	Changes to reflect current contracts and processes

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1. Introduction

GamCare's overall mission is to support those affected by problem gambling and to minimise gambling-related harm. We recognise that in pursuit of this goal we will encounter conflicts of interest which have the potential to impact on the ability of our trustees and staff to act, and to be seen to act, only in the best interests of the charity and our beneficiaries. GamCare is highly alert to this risk of undue influence, and we are proactive in identifying and addressing any threat to the independence and impact of our work, including specific consideration of our work with service users, contracted delivery partners and gambling operators.

This Policy sets out our approach to managing this risk to maintain the public and professional trust required to further our mission. It details the responsibilities placed on all GamCare trustees and staff to act with integrity and transparency in furtherance of our charitable mission, and the measures we use to assure compliance.

2. Policy Scope

The aims of this Policy are to ensure that GamCare:

- Take all decisions and actions with integrity, and in the interests of reducing gambling-related harms, in line with our mission, strategic priorities and values;
- Is open and honest about any personal and professional interests and loyalties which may influence, or be seen to influence, our decisions and actions;
- Has clear, widely communicated and well-documented systems for the identification and management of actual and potential conflicts of interest, including prompt action in regard to any breach of this Policy.
- In the context of this Policy, "staff" is taken to include all employed staff, agency staff, contractors as well as any other 3rd party acting as GamCare's representative in any capacity, and also trustees. This policy also covers information on close associates of staff (as outlined in section 3)

3. Definitions

A conflict of interest is any situation in which any individual's interests or loyalties could prevent, or be seen to prevent, them from making judgements and taking actions only in the best interests of GamCare and its beneficiaries.

Conflicts of interest may occur due to:

- **Direct or indirect financial interests** where an individual, their close associate, or a company to which they are connected, may receive financial benefit, for example regards the award of funding, grants and contracts. Close associates include spouse, partner, family and close relatives, business partners.
- **Non-financial professional or personal interests** where an individual may receive professional or personal benefit, such as increased reputation, status and profile, for example regards memberships, research and advocacy roles.
- **Competing loyalties** where an individual's loyalty or duty to another person or organisation, or to their own personal, political, or religious beliefs, may prevent them from making judgements only in the best interest of the charity, for example in decisions regards recruitment, funding allocation or work planning.

GamCare are aware that some Conflicts of Interest may be perceived rather than (or as well as) actual. As such, we monitor likelihood of perceived interests and loyalties through our Charity Level Risk Register, Register of Interests and Risk Appetite statement. As a principle all staff and trustees are expected to act in a way that limits perceptions of conflict of interest (legitimate or otherwise), however the organisation accepts it has limited control over these perceptions, and as such cannot seek to mitigate completely.

4. Considerations

GamCare is a charity working to provide gambling-related treatment and support, and to reduce the harms associated with gambling. This Policy has been developed in specific consideration of the potential for conflicts of interest within the following areas of work:

- Our frontline work with individuals and family members affected by or at risk of problem gambling, via the delivery of specialist, evidence-based interventions;
- Our role as System Coordinator within the National Gambling Support Network (NGSN)
- Our receipt of some of our funds from the gambling industry, in line with current national funding arrangements for the delivery of prevention and support for gambling harm;
- Our work with gambling operators to provide access to the Safer Gambling Standard, our independent, assessment-based social responsibility accreditation, and training of customer facing staff in customer interaction, and other safer gambling services;
- Our strategic partnerships work to build knowledge and excellence in gambling treatment and support, in collaboration with GambleAware, the government, the NHS, gambling support providers, and individuals affected by problem gambling;
- Our role in responding to and influencing national policy initiatives and formal consultations made by government.

5. GamCare Staff and Trustees' Responsibilities

All staff are responsible for upholding GamCare's reputation, which includes recognising and acting on conflicts of interest to maintain objectivity and integrity. All staff, including trustees, employed staff, volunteers and other workers, such as agency staff and contractors, must:

- Act in line with the duties of a GamCare employee, as set out in, for example, job descriptions, contracts and Code of Conduct, which includes the responsibilities to avoid conflicts of interest, to act only in the best interests of the charity and its beneficiaries, and to comply with all required policies and procedures.
- Declare all potential conflicts of interest (using the appropriate form) as defined, acting openly, transparently and in line with all relevant management systems. Based on the level of decision-making responsibility held, trustees and Directors must declare all conflicts via the Register of Interests (managed by the Finance and Resources team); all other staff must declare conflicts to their line manager, with onward reporting to senior management where a significant risk is identified.
- Notify their line manager, the Director of Finance and Resources, or the Chair (if this is directly relating to the CEO of the organisation) if aware of any undeclared conflict of interest affecting any member of GamCare's staff.
- Not benefit financially from the charity in addition to any agreed role remuneration, for example via the exchange of assets, or payment to any closely connected company or individual, for example in the provision of services or employment.

In addition, GamCare's trustees hold a personal legal duty to avoid conflicts of interest and to act in the best interest of the charity, as per the Charities Act 2022 and the Companies Act 2006.

6. Service Users

All prevention, support and treatment work are undertaken in line with GamCare's detailed operational policies, which include management of confidentiality and professional boundaries. All staff in service user contact are required to identify and manage potential conflicts of interest, including informing line management and agreeing strategies as required. Examples include:

- **Direct Support:** where direct treatment and support is being provided staff must be alert to potential conflicts such as pre-existing relationships (staff: client and client: client), or any personal or professional interests which conflict with putting the client's interests first.
- **Service User Involvement:** where individuals are engaged in involvement activity such as volunteering and consultation, staff must be alert to potential conflicts of interest such as pre-existing relationships (including but not limited to volunteer, client), or opportunities to influence service provision to exclusive personal advantage.

7. Third Parties

GamCare undertakes joint work with delivery, research, strategic and industry partners to support delivery of our mission. We receive income via grants, donations and paid-for services. We recognise that all these relationships (both for delivery and funding) may be subject to conflicts of interest and undue influence, and our trustees and senior leaders hold the responsibility to identify and manage this. Examples include:

- **Funding, including from the Gambling Industry:** all income received by GamCare is managed in accordance with our documented strategic priorities, the evidence-base for effective treatment and support, and the interests of those affected by, or at risk of, problem gambling. The terms of any funding received are documented in contracts/grant agreements which, in addition to conflict-of-interest provisions, must include specific stipulations to prevent any gambling industry influence over the design and delivery of GamCare's activities.
- **Donations:** GamCare receives donations from businesses (including the gambling industry) and individual members of the public. In line with Charity Commission guidance, we accept all donations in order to maximise our impact, unless to do so would cause damage to the charity in excess of the donation amount, for example regards reputational damage or loss of other income. All donations, both financial and in kind, are recorded within GamCare's accounts, including our published annual accounts. Any donations above 10% of overall income must be recorded in our Register of Interests to identify and limit any undue influence over decision-making.
- **Paid for services, including the Safer Gambling Standard:** GamCare provides accreditation against the Safer Gambling Standard to gambling industry operators. The Standard uses evidence-based criteria to assess the measures an operator has in place to protect people from gambling-related harm. To maintain the Standard's integrity, operator assessment is only ever provided as a contracted, paid-for service; donations (financial or in kind) are not accepted in lieu; and accreditation is granted only on the basis of evidenced assessment against set criteria. Additionally, our Safer Gambling Standard is accredited by UKAS which independently scrutinises the integrity of the project.

8. Hospitality and Gifts

GamCare's work is reliant on external relationships which enable us to, for example, secure funding, deliver joint services and engage in learning and development. In the course of these interactions, our staff may be offered hospitality and, occasionally, gifts. The acceptance of these offers may create a conflict of interest and should only be considered if high standards of ethical behaviour can be maintained. Our approach to hospitality and gifts is set out in detail in our Anti-bribery and Corruption Policy and all staff must act as follows:

- **Hospitality:** consider what is reasonable before accepting any hospitality, including that offered by any individual or organisation associated with the gambling industry. A common-sense approach should be taken with hospitality accepted only where this is both appropriate to the event (such as meeting refreshments), and not provided to a level which may be perceived to influence judgement (for example, not excessively expensive or exclusive). Any hospitality received in excess of £25 must be recorded in the Register of Interests, using the actual amount, or a reasonable estimate if the value is unknown.
- **Gifts:** personal gifts should not be accepted, and gifts to the charity should only be accepted if they are judged to be not excessive (usually less than £25 in value), not made with the intention of securing influence (for example, a return favour), and appropriate (for example, small gifts around Christmas), or if to refuse would cause significant offence (for example, on religious or cultural grounds). Any gifts received must be disclosed to the Director of Finance and Resources, and any gifts with value over £25 must be recorded in the Register of Interests, using a reasonable estimate if the value is unknown.

9. Board Governance Systems

Together with the range of measures outlined above, GamCare's Board of Trustees takes overall responsibility for the identification and management of conflicts of interest, using the following systems:

- **Identification:** all conflicts of interest are recorded within the Register of Interests which lists all staff/trustee conflicts of interest, hospitality, gifts, and gifts-in-kind. The Register is held by the Director of Finance and Resources and is updated regularly, including on the appointment of trustees and senior managers, and at each board meeting. All financial information (such as staff remuneration, donations, gifts) is recorded within our accounts.
- **Prevention:** The Register of Interests is checked in advance of board discussion and decision-making. Where a conflict of interest is identified relating to a trustee, senior manager, staff member or third party, decisions regarding action are made on the basis of identified risk and are recorded as appropriate, for example regards exclusion of a conflicted individual from discussion and/or decision-making processes.
- **Recording:** all conflicts of interest are recorded within the Register of Interests. Discussion and decisions regarding conflicts of interest are recorded within meeting minutes, including board meetings. Relevant minutes must document: the nature of the conflict; those affected; any prior declarations; the discussion held, including whether anyone withdrew; what decision was taken and how this was made.

10. Breach

All GamCare staff are responsible for upholding the principles and practice set out in this Policy and for responding in line with section 6 of this Policy. Any serious concerns, for example, regards failure to act on known conflicts of interest, may be raised with the individual's line manager and, if that is not appropriate, to the CEO as outlined in the Whistleblowing Policy.

If any employee breaches this Policy, we will take disciplinary action in line with the procedures set out in GamCare's Disciplinary Policy and the employee may face dismissal on the grounds of gross misconduct.

11. Monitoring

There is a requirement as part of GamCare induction to ensure that staff are made aware of the importance of policies and procedures and their adherence to them. It is the line manager's responsibility, with assistance from HR to monitor adherence to policy and procedures outlined.

12. Dissemination

Policy owners will arrange for all ratified policies to be added to the relevant platform that GamCare staff can access and they will be notified of all relevant policy activity through GamCare internal and external communication systems as outlined in the Policy Development and Implementation Policy.

13. Review of Policy

The policy will be reviewed a minimum of every two years. The Policy may be reviewed in advance of its scheduled date if there are any significant internal or external changes that affect the policy area. All policies are to be uploaded to PULSE and the correct policy owner should be recorded.

14. Approval

Policy approval and ratification is conducted in accordance with GamCare's Policy Development and Policy Implementation Policy.