

S. Y. KILLINGLEY MEMORIAL TRUST

Registered Charity No. 1111891

Supporting part-time students in the arts and humanities in the North-East of England

Policy on Conflict of Interest

The Trust Deed (§7.2) provides that “No Trustee may receive any payment of money or other material benefit (whether direct or indirect) from the Charity,” except for out-of-pocket expenses incurred in the administration of the Charity (§7.2.2), and some other exceptions which do not apply in the present or the foreseeable future. It also provides (§7.4) that “Whenever a Trustee has a personal interest in a matter to be discussed by a meeting of the Trustees or any committee, the Trustee concerned must:

(§7.4.1) declare an interest before the meeting or at the meeting before discussion on the matter begins

(§7.4.2) be absent from the meeting for that item unless expressly invited to remain in order to provide information

(§7.4.3) not be counted in the quorum during that part of the meeting

(§7.4.4) be absent during the vote and have no vote on the matter.”

Conflict of interest would arise if a Trustee was a party to a decision on a grant, and the Trustee, or a person connected to the Trustee, was the applicant, or was the teacher or provider of the proposed course, or stood to benefit in any way from the award of a grant to applicant. Such benefit need not be in money terms; for instance, if there was a possibility of a course not running for lack of students, and the award of a grant to the applicant would make the required number of students complete, then any other prospective student on the course would benefit from the fact that the course would run. Conversely, if places on a course were limited, the award of a grant to one prospective student could be contrary to the interests of another.

The Trust Deed (§13.1) defines a connected person as “any spouse, partner, brother, sister, child, parent, grandchild or grandparent of a Trustee, any firm of which a Trustee is a member or employee and any company of which a Trustee is a director, employee or shareholder having a beneficial interest in more than 1 per cent of the share capital”. (As we give grants to persons, not firms, the last phrase is only likely to be relevant if a Trustee is part of a teaching business or institution.)

In accordance with the above provisions of the Trust Deed, a Trustee must declare an interest if he or she, or any person connected (as defined above) with him or her:

applies for a grant;

is a teacher on a course for which an application has been received, or has a business interest in the running of the course;

is a prospective student on a course for which an application has been received.

A Trustee who has declared an interest shall withdraw from the consideration of the application concerned, and shall not be present at the interview, unless expressly invited. The Trustee may continue to act in connection with the application in an administrative capacity, so long as such activity is not such as to affect the decision.

A Selector who has an interest in an application shall not be asked to take part in the consideration of that application.

Any doubt as to the interpretation of this policy shall be resolved by a decision of a quorum of the Trustees, in the absence of the Trustee concerned.