

MESOTHELIOMA UK

G1 Due Diligence Policy

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Original Author:	Faye Forde
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Author of the change (Initials)	What's changed	Approved by (Initials)	Approved date	Version
FF	V2. Update to new brand. Include register of gifts	FF	06/07/2021	V2.0
BC	Merged conflict of interest with due diligence policy	FF	25/3/2022	V3.0



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1 Introduction

1.1 Mesothelioma UK aim to ensure that they have robust internal and financial controls and risk management procedures in place. They will also aim to promote the transparency and accountability of the charity and ensure that the public can have trust and confidence in its work.

1.2 Trustees, staff, volunteers and funding panel committee members of Mesothelioma UK have a legal obligation to act in the best interests of the charity and in accordance with the charities governing document to:

1.2.1 prevent conflicts of interest resulting in a possible harm to patients or the integrity of the charity. The policy seeks to promote the management of the perception of conflicts of interest as well as actual conflicts.

1.2.2 ensure that the charity's funds are used properly, lawfully and in furtherance of the charity's purpose

2 Purpose

2.1 The purpose of this policy is to:

2.1.1 encourage the disclosure of actual, potential or perceived conflicts to protect the integrity and reputation of the charity

2.1.2 protect the charity's trustees, staff, volunteers and funding panel committee members from any appearance of impropriety

2.1.3 ensure trustees are fulfilling their legal obligations

3 Scope

3.1 This policy applies to trustees, staff, volunteers and funding panel committee members and should be read in conjunction with our other governance policies.

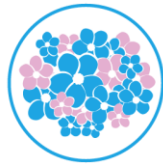
4 Due Diligence

4.1 Due diligence is the range of practical steps that need to be taken by trustees to be: -

4.1.1 assured of the provenance of charitable funds

4.1.2 confident that they know the people and organisations the charity works with

4.1.3 able to identify and manage associated risks.



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4.2 Due diligence is an important part of trustee duty and is essential in safeguarding charity assets. It means carrying out proper checks on those individuals and organisations that give money to, or receive money from, the charity, including partners, grant recipients and others that are contracted to work with it.

5. The Scale of Risk - Factors to Consider

5.1 Risks may take several forms, including operational, financial, reputational and external, as well as compliance with the law and regulations.

5.2 The risk management process will involve ensuring that:

5.2.1 new risks are properly reported and evaluated

5.2.2 risk aspects of significant new projects are considered as part of project

5.2.3 any significant failures of control systems are properly reported and actioned

5.2.4 there is an adequate level of understanding of individual responsibilities for both implementation and monitoring of the control systems

5.2.5 trustees consider and review the annual process

5.2.6 trustees are provided with relevant and timely interim reports

5.3 Mesothelioma UK will monitor the key risks to the charity and its funds by considering the following factors:

5.3.1 What activities are being carried out?

5.3.2 How are the activities going to be delivered and timescales?

5.3.3 Who will carry the activities out?

5.3.4 Is the amount of money involved substantial?

5.3.5 Is the project/contract particularly sensitive, important, complex or large scale?

5.3.6 Is the organisation/individual well known and respected, or might they hold views, undertake activities or work in an area that may potentially be problematic?

5.3.7 How much potential is there for things to go wrong and what's the worst that could happen



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6. Monitoring End use of Funds

6.1 Charity trustees will use Mesothelioma UK funds and assets only in furtherance of the charity's purposes. They will ensure that funds are properly protected so that, for example, they are not used for illegal or improper purposes, including for terrorist and other criminal purposes.

Due diligence can also prevent the consequences associated with a conflict of interest.

7. What is a conflict of interest?

7.1 A conflict of interest occurs when **an individual's personal interests** – family, friendships, financial, or social factors – could compromise his or her judgment, decisions, or actions in the workplace.

7.2 It can occur in any situation where an individual or organisation can exploit a professional or official role for personal or other benefit. The perception of competing interests, impaired judgement or undue influence can also be a conflict of interest.

7.3 Conflicts of interest can arise from a range of issues: -

7.3.1 Pecuniary interest: either a direct or indirect financial interest in the charity

7.3.2 Procurement interest: where individuals have relationships with a company that has or may bid for work with the charity

7.3.3 Personal relationships: close relationships with a person or people who engage in some way with the charity

7.3.4 Acceptance of gifts and hospitality

7.3.5 Employment interest: when employees have additional outside interest and when they move on to other roles

7.3.6 Recruiting staff

7.3.7 Information: when an author or the author's institution has a financial or other relationship with other people or organisations that may inappropriately influence the author's work. For example, what may be perceived as unwarranted promotion of a particular drug in a leaflet looking at a range of treatment options.

8. Declaration of Interests

8.1 We ask the trustees, staff, volunteers and funding panel committee members to declare



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- 8.1.1 any conflicts of interests between the interests of the charity and personal, professional and business interests
- 8.1.2 any gifts or hospitality received in connection with their role in the charity.
- 8.2 For trustees, an annual declaration must be submitted even if there are no conflicts to declare. This is normally requested in June of each year.
- 8.3 For all trustees, staff and volunteers any gifts or hospitality must be entered onto the register within 5 working days of being received. This should be done by emailing the Director of Operations with the relevant details.
- 8.4 For staff members, this policy will be issued upon joining the charity and it is up to the staff member to complete a declaration form if necessary. If during the course of their employment a situation arises that creates a conflict, it is the responsibility of the staff member to submit a declaration at that point.

9. Managing Conflicts

- 9.1 Trustees, staff, volunteers and funding panel members should not participate in any discussions or decisions that directly benefit or affect themselves. They should declare their interest at the earliest opportunity and withdraw themselves from the discussion
- 9.2 They may, however, participate in discussions from which they may indirectly benefit, for example where the benefits are universal to all users, or where the benefit is minimal
- 9.3 Mesothelioma UK will: -
 - 9.3.1 Ensure employees understand conflicts of interest and know how to identify and report them
 - 9.3.2 Be transparent, including having arrangements to declare and register gifts and other benefits
 - 9.3.3 Ensure all employees and contractors declare routinely all private, personal and financial interests relevant to decision-making and management of contracts
 - 9.3.4 Have proportionate oversight and detection mechanisms, such as external audit and regulator checks and reporting systems, such as whistleblowing arrangements
 - 9.3.5 Have proportionate, enforceable sanctions for non-compliance, including personal consequences (such as disciplinary action, dismissal or prosecution) and management actions (for example retrospective cancellation of a decision or contract



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9.3.6 Manage conflict of risks to an acceptable level of risk

10. Decisions

10.1 In the event of the board having to decide upon a question in which a trustee has an interest, all decisions will be made by vote, with a simple majority required. A quorum must be present for the discussion and the decision; interested parties will not be counted when deciding whether the meeting is quorate. Interested trustees may not vote on matters affecting their own interests.

10.2 All decisions under a conflict of interest will be recorded and reported in the minutes of the meeting.

10.3 Where a trustee benefits from the decision, this will be reported in the annual accounts.

11. Review

11.1 This policy will be reviewed at least annually



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CONFLICT OF INTEREST SELF DECLARATION

I, _____, as a Trustee/Employee/Volunteer of the Mesothelioma UK Charitable Incorporated Organisation (“the Charity”) have set out below my interests in accordance with the organisation’s Conflict of Interest Policy.

Category	<i>Please give details of the interest and whether it applies to yourself or, where appropriate, a member of your family, or another close personal connection.</i>
Current employment and any previous employment in which you continue to have a financial interest.	
Appointments, memberships and/or trusteeships of any local authority, relevant professional bodies, special interest groups or other organisations.	
Investments or other financial interest in any companies, consultancies or other organisations which have or may enter into a contractual relationship with the Charity.	
Gifts or hospitality offered to you by relevant external bodies or persons connected to the Charity in any way and whether this was declined or accepted in the last 12 months.	
Have you agreed to employ or are you related to (or otherwise care for) a beneficiary of the Charity?	
Do you employ or are you related to anyone who is an employee or consultant to the Charity?	
Do you, a relative, or anyone in your employment have any other contractual relationship(s) with the Charity?	
Do you wish to declare any other conflicts that are not covered by the above?	

To the best of my knowledge, the above information is complete and correct. I undertake to update as necessary the information provided, and to review the accuracy of the information on an annual basis. I give my consent for it to be used for the purposes described in the conflicts of interest policy and for no other purpose.

Signed:		Date:	
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