

## **Conflict of Interest Policy**

Approved by SMI Council on 11 December 2020.

Version 1, 11 December 2020.

### **1. Purpose**

The purpose of this policy is to assist the council of the Society for Musicology in Ireland (SMI) to effectively identify, record and manage any conflicts of interest in order to protect the integrity of the SMI and to ensure that members of SMI Council act in the best interest of their charity.

### **2. Objective**

SMI Council aims to ensure that the council 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 SMI.

### **3. Scope**

This policy applies to members of SMI Council.

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

A conflict of interest is any situation in which a council member's personal interests or loyalties could, or could be seen to, prevent the council member from making a decision in the best interests of the SMI. This personal interest could be direct or indirect, and could include interests of a person connected to the council member.

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

### **5. Policy**

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

The SMI will manage conflicts of interest by requiring council members to:

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

#### **5.1 Responsibility of the SMI Council.**

The Council 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 an annual basis to ensure that the policy is operating effectively. Council should ensure they are aware of their legal obligations in the management and control of their charity and should refer to the Charities Regulator's 'Guidance for Charity Trustees' for further information on this – see their website [www.charitiesregulator.ie](http://www.charitiesregulator.ie)

## **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 SMI's register of interests, as well as being raised with SMI Council. The register of interests must be maintained by the Honorary Secretary, and 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**

The SMI's register of interests will be accessible to Council. If disclosures outside of Council are required they will only be made at the discretion of the SMI President.

## **6. Action required for management of conflicts of interest**

### **6.1 Conflicts of interest of members of SMI Council**

Once a conflict of interest has been appropriately disclosed, SMI Council (excluding the disclosing council member and any other conflicted person) must decide whether or not a conflicted council 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 council member from regularly participating in discussions, SMI Council will consider if it is appropriate for the person concerned to remain as a council member.

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

In deciding what approach to take, SMI Council will consider:

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

The approval of any action requires the agreement of at least a majority of SMI Council (excluding any conflicted council 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.

## **7. Compliance with this policy**

SMI Council will investigate the circumstances behind potential breaches of this policy, upon becoming aware of such potential breaches.

If a member of SMI Council has not disclosed a conflict of interest, Council will consider a range of actions, depending on the circumstances of the conflict of interest, and its potential impact on the integrity of the SMI. In some circumstances, this may include seeking the person's resignation from SMI Council.

If a person suspects that a council member has failed to disclose a conflict of interest, they must inform the Honorary Secretary. Where a conflict involves the Honorary Secretary, the person must inform the President of the SMI.

### **Contacts**

For questions about this policy, contact the Honorary Secretary at [honsec@musicologyireland.com](mailto:honsec@musicologyireland.com)