

Waterford Local Community Development Committee
Conflict Of Interest Declaration
RDP LEADER Programme 2014-2020 (extended)

Introduction

For the delivery of the RDP LEADER Programme 2014-2020 in Waterford, *the members and staff of Waterford LCDC / LAG and those of its partner organisations, namely Waterford Leader Partnership CLG and Waterford City and County Council and the members of the Project Evaluation Committee*, shall be aware of the rationale for having a policy on possible conflict of interest. It is essential to ensure that no member or staff of any of the above named organisations can influence decisions in any way that may be to his or her advantage. Additionally, it is necessary to reassure the public that all decision making is fair and above board. Finally, it acts as a protection to the members and staff against any possible allegation that he or she may have used their position to their own advantage.

The Operating Rules ((Draft 1.6) of the RDP LEADER Programme 2014-2020 outlines the following:

*LAG members, LAG Evaluation Committee members, and the staff of LAGs/Implementing Partners must complete an annual conflict of interest declaration **and** a register of interests declaration. The Authorised Officer is responsible for ensuring compliance with these requirements.*

Upon appointment, and where any change occurs, each LAG member shall furnish full particulars of their interests. These interests shall include their employment, all business interests and community involvement, including voluntary work for charities hereinafter referred to as 'Interests', which might involve a conflict of interest or might materially influence the LAG member in relation to the performance of their functions, or their partiality. This duty to disclose is without prejudice to the on-going obligation to make specific disclosure of interests relating to any project being considered by the LAG.

LAG and Evaluation Committee members must declare at each meeting the nature of his or her interests in –

- *any application to the LAG for financial or other support; and/or*
- *any initiative taken by the LAG; and/or*
- *any contract or proposed contract with the LAG in which a LAG member, or a connected person is directly or indirectly involved; and/or*
- *any matter from which the LAG member, or a connected person, may stand to benefit directly or indirectly from his or her position as a LAG member or from the operation of the LAG.*

Where a Conflict of Interest is declared that person must absent themselves from any deliberations where such a declaration is made. This declaration must be formally recorded in the LAG minutes.

The requirement to declare a conflict of interest applies to all persons involved in processing an application for support, as well as the evaluation of that application. In instances where there is a conflict of interest from a staff perspective, this should be noted

and the staff member should not be involved in working on the project where the conflict occurs.

A LAG member shall be deemed to have an interest in a particular matter where a person connected with that LAG member has such an interest and the LAG member could be expected to be reasonably aware of the existence of that interest. For this purpose, a person is connected with a LAG member if that person is –

- a spouse, parent, brother, sister, child or step-child, other relative or co-habitee of that LAG member; and/or*
- a body corporate controlled by a LAG member within the meaning of Section 220 (3), (4), (5), (6), (7) and (8) of the Companies Act 2014; and/or*
- a person acting as the trustee of any trust, the beneficiaries of which include the LAG members or the persons/organisations acting as a LAG partner.*

Degree of Interest

It must be recognised that there are various degrees of interest that a member may have in a project. The action to be taken should reflect this.

1. Close Personal Interest

Where a member or staff stands to gain financially from an application or is a Director or a Committee member of the organisation putting forward the project, he or she shall be considered to have a personal interest. In such circumstances, member or staff shall declare their interest and withdraw from the room while discussion on the project is ongoing.

2. Indirect Personal Interest

Where a member or staff has an indirect personal interest in a project, e.g. if a relative (immediate family) is associated with the project, the interest should be declared. The member or staff shall then take no further part in any discussion or vote on this issue. In certain circumstances, it may be appropriate for the member or staff to withdraw from the room, depending on the nature of the relationship with the project.

3. Direct Personal Interest

Where a member or staff has a private or personal interest which is clear and substantial, then that member or staff must take no further part in the proceedings and withdraw from the meeting whilst the matter is being considered.

If a member does regard his/her private or personal interest as being clear and substantial, then the member or staff shall always disclose the nature of that interest to the relevant person, who will record the reason for his/her withdrawal.

It is not prudent to seek, or accept, membership of any sub-committees if one's involvement could give rise to a perceived or real conflict of interest.

A member or staff of the LAG or of its partner organisations, namely or of the Project Evaluation Committee may acquire information that has not as yet been made public and/or is confidential. It is a betrayal of trust to breach such confidences. The member or staff must not use confidential information for the personal advantage of oneself or anyone known to the member or staff or to the disadvantage or discredit of the LAG, its LEADER Programme Partners, the Evaluation Committee members or anyone else.

The members and staff of the LAG or those of its partner organisations or the members of the Project Evaluation Committee may from time to time be offered hospitality or tokens of goodwill; for example, working lunches may be a proper way of doing business provided that no extravagance is involved. Likewise, it is reasonable for a member or staff to represent the LAG or its LEADER Programme Partner Organisations at a social function organised by outside persons or bodies. Members and staff are advised to err on the side of caution in such matters. Members and staff will be personally responsible for all decisions connected with the acceptance or offer of gifts or hospitality and for avoiding the risk of damage to public confidence in the LAG and its LEADER Programme Partner Organisations.

Areas of Uncertainty

In circumstances where a member or staff is unsure whether they have what could be perceived as an interest, the degree of their interest, or whether they should withdraw, they should seek the advice of the relevant person before the meeting begins. The Authorised Officer shall have the discretion to rule on these issues. Where the Authorised Officer feels that he or she requires guidance or if the potential conflict affects the Authorised Officer, then the advice of the Department of Environment, Community & Local Government shall be sought.

DECLARATION 2023		
I have read and fully understood the details contained within the Statement of Conflict of Interest. I agree to comply with the recommendation and condition as detailed in this document, and to abide by those principles and procedures as directed by my role as a member or staff of Waterford LCDC Local Action Group or of its partner organisations, Waterford Leader Partnership CLG and Waterford City and County Council or the members of the Project Evaluation Committee		
Organisation & Role <i>(Please tick as relevant)</i>	Organisation	Role
	LAG/LCDC ☐	Member/Director ☐ Staff ☐
	Evaluation Committee ☐	Member ☐
	Implementation Partner ☐	Member/Director ☐ Staff ☐
	Financial Partner ☐	Member/Director ☐ Staff ☐
Name:		
Signature		
Date	_____ of _____ 2023	