**Conflict of Interest Policy**

Purpose

This policy sets out the Preschool’s stance on its employees, regarding having interests or employment in other businesses, or involvement in activities which might conflict with the best interests of the Preschool.

You should not, directly or indirectly, engage in, or have any interest, financial or otherwise, in any other business enterprise which interferes or is likely to interfere with your independent exercise of judgement in the Preschool’s best interest.

Generally a conflict of interests exists when an employee is involved in an activity:

* Which provides products or services directly to, or purchase products or services from the Preschool.
* Which subjects the employee to unreasonable time demands that prevent the employee form devoting proper attention to his or her responsibilities to Old Stratford Preschool.
* Which is so operated that the employee’s involvement with the outside business activity might reflect adversely on the Preschool.

Should you be in doubt as to whether an activity involves a conflict, you should discuss the situation with your Manager.

Other Employment

The Preschool requires employees who are looking to take on other employment on a part-time basis whilst still working for the Preschool, to inform their Manager of that fact and also of the type of working the employee wishes to take on. This is required to ensure that the required tax and national insurance deductions that are made.

The Preschool may refuse a request to take on other employment if the Manager, at his/her discretion, is of the opinion that the other work would:

* create a conflict of interest with the Preschool
* cause detriment to the Preschool’s reputation
* conflict with the employee’s current working hours
* require absence from their main employment.

Process for notifying the organisation

Employees must inform their Manager of the following:

* + the role it is proposed they wish to take up
  + the company for whom the work would be done
  + how many hours it is proposed the employee will be working

If the Manager is agreeable to the proposal, he/she will inform the employee of the authorisation in writing. When considering the proposal, the Manager will consider whether there will be any potential damage to the Preschool’s reputation, conflict of interest (see next section), or any other conflict e.g. with working hours.

If necessary, the Manager will arrange to meet with the employee to discuss any concerns they may have that the additional work will have any of the unwanted effects. Once this discussion has taken place, the Manager will inform the employee of their:

* authorisation to the employee taking up additional employment or
* refusal of the request due to clear conflicts of interest in which case the employee is not permitted to take on the additional work

**Appeal**

If a request is refused, the employee may appeal the decision. The appeal should be lodged to the Manager’s superior, the Committee, who will arrange a meeting to discuss the request. The Manager’s superior will make a decision on the request and inform the employee in writing. This decision will be final and there will be no further opportunity to appeal.

Conflict of interest

When considering if the proposed additional work creates a conflict of interest with this Preschool, the employee’s Manager will take account of the following:

* + the type of work proposed
  + the limits on maximum working hours and the possibility of the combined working hours breaching those limits
  + anything else considered relevant.

Working in a second role following refusal from this organisation

The Preschool will view failure to adhere to the provisions of this policy as an act of gross misconduct entitling the Preschool to summarily dismiss the employee.

Rules on maximum working hours

In order to ensure that employees have sufficient rest periods, the Working Time Regulations 1998 provide rules on maximum working hours and minimum breaks which the Preschool will apply to its employees:

* + the maximum working hours per week are an average of 48 hours calculated over a 17-week reference period. Workers can agree to work more than this limit if they voluntarily sign an opt-out form
  + the maximum working hours in each 24 hours for night workers should not be more than eight hours if the work has any special hazards or results in physical or mental strain
  + there should be a period of at least 11 hours’ consecutive rest in any 24-hour period
  + there should be a period of 24 hours’ uninterrupted rest in every seven-day period
  + a break of at least 20 minutes is required if working hours are more than six.

Additional entitlements for any employees who are classed as young workers or children will also be provided in accordance with the Working Time Regulations 1998.

Employees are responsible for their own time management in respect of the above limits when they have secondary employment.

Working in a second role when on sick leave from the organisation

The Preschool acknowledges that if the nature of secondary employment is sufficiently different in nature to their employment at this Preschool, inability to attend work in this Preschool does not necessarily mean inability to undertake take second role.

However, in the event that the employee is absent from work at this Preschool but considers themselves fit for work at the second employment, the Preschool requires the employee to contact them **before** continuing work at the second to discuss the matter.

It is not permitted for the employee to continue working in their secondary employment if this Preschool is of the opinion that their return to work will be hampered by that secondary work.

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| **Policy Last updated:** |  |
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| **This policy was adopted by:** | Old Stratford Preschool |
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| **On:** |  |
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| **Date to be reviewed:** |  |
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| **Signed on behalf of the provider:** |  |
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| **Name of signatory:** |  |
|  |  |
| **Role of signatory:**  **(e.g. Chair, Vice Chair)** |  |