



# Code of Conduct & Ethics Policy

# Document Control

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# Authorisation Control

Approved for Use			
Name	Position	Signature	Date
Andy Smith	Chair of Trustees		30-8-20

**NOTICE:**

All Cairdeas Policies and Procedures apply to Cairdeas Trustees, staff and volunteers.

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## 1 INTRODUCTION

Cairdeas International Palliative Care Trust (SCIO) provide support for development of palliative care services across resource-limited settings. We work with partners to ensure people living with serious chronic illness have access to the help they need and deserve; help that improves their quality of life, helps with pain and other symptoms but also supports them in others ways such as worry, hope, choices, goals and dignity. This is what we call holistic palliative care and Cairdeas seeks to listen to the needs of people and build up services and train people to be leaders for this care in their own setting. We work to influence policy, develop training programmes, build teams, empower communities, mentor leaders and so offer high quality, evidenced based palliative care to the most vulnerable and marginalised.

Cairdeas values caring, honesty, respect, and responsibility as well as adherence to the highest ethical standards. Each Trustee, member of staff, consultant or volunteer has the responsibility to uphold the Cairdeas mission by maintaining our Christian values and demonstrating a commitment to basic principles of integrity, lawful conduct, work ethics, and good judgment.

## 2 DUTIES OF TRUSTEES

The Charities and Trustees Investment (Scotland) Act 2005 sets out the legal duties of charity trustees to act in the interests of their charity and dictate the way in which those running a charity must behave. Section 66 of the Charities and Trustee Investment (Scotland) Act (“The 2005 Act”) sets out:

Four **general duties** which are fundamental to charity trustees

A number of **specific duties** with which charity trustees must comply

*Guidance for Charity Trustees ‘Acting with care and diligence*, published by the Office of the Scottish Charity Regulator’ (OSCR) provides specific guidance to assist Trustees to understand what is expected of them as individuals collectively under the Act.

### 2.1 WHAT IS EXPECTED OF CHARITY TRUSTEES (GENERAL DUTIES)

A Trustee of Cairdeas must:

- i. **Act in the interest of the charity:** Trustees must put the interests of Cairdeas before their own interests or those of any other person or organisation.
- ii. **Operate in a manner consistent with the charity’s purposes:** Trustees should carry out their duties in accordance with their governing document.
- iii. **Act with due care and diligence:** Trustees should take such care of Cairdeas’ affairs as is reasonable to expect of someone who is managing the affairs of another person.
- iv. Ensure that Cairdeas complies with the provisions of the 2005 Act and other relevant legislation.

### 2.2 WHAT IS EXPECTED OF CHARITY TRUSTEES (SPECIFIC DUTIES)

The duties of a Trustee of Cairdeas also include ensuring:

- i. **Updating the charity's details:** Trustees must make sure that OSCR holds the latest information about the charity on the Scottish Charity Register. Cairdeas Trustees must first seek the prior consent of OSCR before taking certain actions.

- ii. **Reporting to OSCR:** complying with the statutory duty to supply certain information to OSCR:
  - Annual monitoring: based on the submission of an annual return, a supplementary monitoring return and a signed copy of our annual accounts.
  - Charity accounting: ensuring that our receipts and payments consists of a summary of all monies received and paid via the bank and in cash during the financial year, along with a statement of balances. Trustees must also ensure that accounts are scrutinised externally by someone who is independent of Cairdeas and can produce a report that is attached to the accounts.
  - Making changes to your charity: seeking consent from OSCR for actions that we want to take specific to Sections 11, 16 and 17 of the 2005 Act.
- iii. **Financial record keeping and reporting:** section 44 of the 2005 Act states that charities must:
  - keep proper accounting records
  - prepare a statement of account, including a report on its activities, at the end of each financial year
  - have the statement of account independently examined or audited
  - send a copy of the accounts, along with the annual return, to OSCR records should be kept by the charity for a minimum of 6 years from the end of the financial year in which they were made.
- iv. **Fundraising:** Trustees are responsible for taking control of how Cairdeas performs its fundraising.
- v. **Providing information to the public:** Trustees must make sure that Cairdeas meets the statutory provisions when referring to our charitable status, e.g. in advertisements, and in our duty to provide information about Cairdeas to the public.
- vi. **Adhere to principles of good governance and leadership:** Trustees must understand the systems operating in Cairdeas for good governance:
  - the Board's responsibility for providing strong and effective leadership to further and safeguard the charitable objectives of the organisation;
  - the Operational Director responsibility to manage paid staff to implement the policy of the Board of Trustees;
  - the relationship between the Chair and the Operational Director to connect up these two systems and mediate the complex boundaries between them.

### 3 COMMITMENT REQUIRED OF TRUSTEES, STAFF AND VOLUNTEERS

In this Cairdeas Code of Conduct and Ethics, all Trustees, staff and volunteers must be committed to:

- act responsibly towards the communities where we partner with;
- actively engage the appropriate stakeholders in meaningful dialogue before making decisions;
- model and practice recognised standards of accountability, transparency, ethical conduct, and effectiveness of the charity sector.

#### 3.1 Selflessness

The Trustees, staff and volunteers of Cairdeas must:

- have a general duty to act in the best interests of Cairdeas as a whole. They should not do so to gain financial or other material benefits for themselves, their friends or the organisation they represent, if applicable.

### **3.2 Integrity**

The Trustees, staff and volunteers of Cairdeas must:

- not place themselves under any financial or other obligation to outside individuals or organisations that might seek to influence them in the performance of their role;
- should, as well as avoiding actual impropriety, avoid any appearance of improper behaviour;
- should avoid accepting gifts and hospitality that might reasonably be thought to influence their judgement;

### **3.3 Objectivity**

The Trustees, staff and volunteers of Cairdeas must:

- in carrying out their role, including making staff and trustee appointments, awarding contracts or transacting other business, ensure that decisions are made solely on merit.

### **3.4 Accountability**

The Trustees, staff and volunteers of Cairdeas must:

- comply with the law on all occasions in accordance with the trust placed in them and in such a way as to preserve public confidence in Cairdeas;
- be accountable for their decisions and actions to the public, funders and service users and must submit themselves to what scrutiny is appropriate to their role.

### **3.5 Openness**

The Trustees, staff and volunteers of Cairdeas must:

- ensure that confidential material, including that about individuals, is handled in accordance with due care;
- be as open as possible about their decisions and the action they take and give reasons for their decisions and restrict access to information only when the wider interest clearly demands.

### **3.6 Honesty**

The Trustees, staff and volunteers of Cairdeas:

- have a duty to declare any interests relating to their role and to take steps to resolve any conflicts that may arise;
- must resolve any conflict between their private interests and their duties in favour of their role in Cairdeas;
- must make relevant declarations of interest in the different circumstances and roles they play both within and outside Cairdeas.

### **3.7 Leadership**

The Trustees, staff and volunteers of Cairdeas:

- should promote and support the principles of leadership by example;
- treat other Trustees, employees and volunteers with respect, fairness and good faith and to provide conditions of employment and service that safeguard their rights and welfare.

## **4 CONFLICTS OF INTEREST**

All Trustees, staff and volunteers should avoid any situation that involves or may involve a conflict between their personal interests and the interests of Cairdeas.

- In the event that a Trustee, member of staff or a volunteer becomes involved in a situation where a conflict or a potential conflict of interest covered by this Code of Conduct and Ethics arises, the potential for or existing conflict must immediately be disclosed to the Chair (or to the Vice Chair).
- Because it is impossible to describe every potential conflict, Cairdeas relies on each Trustee, member of staff and volunteer to commit to exercise sound judgment, to seek advice when appropriate, and to adhere to the highest ethical standards in the conduct of personal and professional affairs.
- All Trustees, members of staff and volunteers shall be required to make declaration of potential conflicts at the commencement or during all meetings in which business is conducted. Such declarations should be done immediately upon recognition that conflict may exist. This may require:
  - Any Trustee, member of staff or volunteer who has a financial interest in a matter under discussion should declare the nature of their interest and withdraw from the room unless they have a dispensation to speak;
  - If a Trustee, member of staff or volunteer has an interest in a matter under discussion which creates a real danger of bias, that is, the interest affects them or a member of their household or more generally they or a member of their household would be affected by the decision, they should declare the nature of the interest and withdraw from the room, unless they dispensation to speak;
  - If a Trustee, member of staff or volunteer has any other interest which does not create a real danger of bias but which might reasonably cause others to think it could influence their decision, they should declare the nature of the interest but may remain in the room, take part in the discussion and vote, if they wish.
- If anyone is in any doubt about the application of these rules, they should consult with the Chair.

## **5 RECEIPT OF GIFTS, ENTERTAINMENT AND OTHER ITEMS**

Cairdeas is an organisation founded on Christian values. Cairdeas operates with integrity and transparency in its business dealings. Trustees, members of staff and volunteers should be aware that receipt of gifts, entertainment, and other items of value to an individual may be perceived to affect the judgment or objectivity of that individual in their dealings with vendors, contractors, suppliers, or other recipients of services provided by Cairdeas. If someone receives a gift, entertainment or other items that are significant in value or nature, they are to declare such gifts or items to the Chair (or to the Vice Chair). The limit on the value of such gifts is to be no more than £10.00 (or an

equivalent value in the local setting). Whether a Trustee, member of staff or a volunteer you should also disclose any financial dealings with family and personal relationships, where these are related to the conduct of their Cairdeas functions, to ensure proper due diligence and validation of competencies, contribution and accountability.

## **6 RESPONSIBILITY FOR POLICY**

**Operational Practice:** The Chair is responsible for monitoring the policy with a report to the Trustees through the officers on an annual basis.

**Executive Responsibility:** Trustees of Cairdeas

## **7 DECLARATION**

For each member of staff or volunteer, signing of a contract of employment or a volunteering agreement with Cairdeas IPCT shall be a declaration of compliance to this Code of Conduct and Ethics.

For all Trustees, the appended Trustee Code of Conduct and Ethics declaration form shall be signed and submitted to the Chair of the Trustees prior to taking office.

Appendix: 'Trustee Code of Conduct and Ethics Declaration' form



## TRUSTEE CODE OF CONDUCT AND ETHICS' DECLARATION

**Name of organisation in full:** Cairdeas International Palliative Care Trust (SCIO)

**Name of individual:** .....

**Role in the organisation** .....

**I, the undersigned, declare that:**

- I am willing to act as a charity trustee in respect of the above named organisation and am fully aware of the organisation's purposes as set out in its constitution and of my duties and responsibilities as a charity trustee of the organisation.
- I am not disqualified from acting as a charity trustee (see sections 69 and 70 of the Charities and Trustee Investment (Scotland) Act 2005).
- I have not been previously removed from serving as a charity trustee, or been stopped from acting in a management position within a charity.
- I undertake to fulfil my responsibilities and duties as a trustee in good faith and in accordance with the law and within Cairdeas objectives.
- I do not have any financial interests in conflict with those of Cairdeas (either in person or through family or business connections) except those which I have formally notified in a conflict of interest statement.
- I will specifically notify any such interest at any meeting where trustees are required to make a decision which affects my personal interests, and I will absent myself entirely from any decision on the matter and not vote on that decision.
- I acknowledge that I have received and read the *Cairdeas Trustee Code of Conduct and Ethics* and I understand that each Trustee is responsible for adhering to the letter and spirit of the *Code of Conduct and Ethics*, and I confirm that I will do so.

Name (Print): .....

Signature: .....

**Date:** .....

**Date when service as a Trustee with Cairdeas commenced:** .....

Please return completed declaration in a sealed envelope to the Chair