

# Initiative for Nature Conservation Cymru (INCC)

Policies Document 2020

**MENTER AR GYFER**  
**CADWRAETH NATUR CYMRU**



**INITIATIVE FOR NATURE  
CONSERVATION CYMRU**

# Initiative for Nature Conservation Cymru (INCC) Policies Document 2018

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## Vision

A Wales with more wildlife in more places, created by a society that intrinsically values the natural world.

## Mission

To be the strong unconstrained voice that Welsh wildlife needs, speaking out and putting the needs of wildlife first.

## Initiative for Nature Conservation Cymru (INCC)

Science Centre

C/O National Botanic Garden of Wales

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## **INCC Anti-Bribery Policy**

- (a) The Initiative for Nature Conservation Cymru is fundamentally opposed to any acts of bribery and to the making of facilitation payments as defined by the Bribery Act 2010.
- (b) Employees and any other persons associated with INCC such as agents, subsidiaries and business partners are not permitted to either offer or receive any type of bribe and/or facilitation payment.
- (c) All employees and Trustees are encouraged to report any suspicion of corruption or bribery within INCC in accordance with the Whistleblowing Policy.
- (d) Should any employee or associated person be in doubt when receiving or issuing gifts and hospitality they must refer the issue to senior Management or a Trustee.
- (e) INCC uses its reasonable endeavours to implement the guidance principles on bribery management that are published, from time to time, by Secretary of State in accordance with Section 9 of the Bribery Act 2010.
- (f) If an employee or associated person is found guilty of giving or receiving a bribe, he/she will be personally criminally liable and may be subject to disciplinary action.
- (g) Anyone found guilty of bribery, will be responsible for bearing any related remedial costs such as losses, court fees or expenses.

# Conflicts of Interest Policy

## Definition

The Charity Commission's guidance publication defines "Conflicts of Interest as: "Any situation in which a trustee's personal interests, or interests that they owe to another body, may (or may appear to) influence or affect the trustee's decision making."

## Background

This policy applies to all persons – Trustees, Members, Staff, Associates and Volunteers – involved with the Initiative for Nature Conservation Cymru (INCC).

It is important to recognise that there is nothing wrong, immoral or illegal in regard to a conflict of interest. Indeed, within the third sector, conflicts of interest among Trustees and organisations are inevitable. Impropriety and illegality only come in when what would otherwise be entirely legitimate Conflicts of Interest are not properly declared, acknowledged and managed.

## Examples of Conflicts of Interest:

- Direct financial gain or benefit to the trustee, such as: o payment to a trustee for services provided to the charity.
- Payment to a trustee for services provided to the charity
- The award of a contract to another organisation in which a trustee has an interest and from which a trustee will receive a financial benefit.
- The employment of a trustee in a separate post within the charity, even when the trustee has resigned in order to take up the employment.
- Indirect financial gain, such as employment by the charity of a spouse or partner of a trustee, where their finances are interdependent.
- Non-financial gain, such as when a user of the charity's services is also a trustee.
- Conflict of loyalties, such as where a trustee is appointed by the local authority or by one of the charity's funders, or where a friend of a trustee is employed by the charity

## The Policy

The aim of this policy is to support honesty and integrity through the open declaration of such Conflicts of Interest that may arise and, thereby, to protect both the organisation and the individuals involved from any appearance of impropriety should such interests not be declared.

## Policy The Declaration of Interests

All trustees, staff, associates and volunteers are required to declare their interests, and any payments (including, but not limited to, benefits in kind such as gifts, hospitality shopping/travel concessions, preferential treatment, etc) received in connection with their role in INCC where such interests would, or might, conflict with, or otherwise influence their decision making in respect of the charity's activities. As the nature and issues involved in Conflicts of Interest can vary considerably there is no prescribed form for declaring a Conflict of Interest.

### **What To Do if You Face a Conflict of Interest**

If you have, or think you might have, a Conflict of Interest, as described in the section above you **MUST** write to the Board of Trustees and declare your Conflict of Interest or involvement at the earliest opportunity. If you are not sure what to declare, or whether/when an earlier declaration needs to be updated, err on the side of caution.

**Remember: declaring a Conflict of Interest is NOT, per se, a declaration any impropriety on your part or by anyone else.**

However, failing to declare a Conflict of Interest carries a significant risk of impropriety, particularly if the Conflict of Interest were to result in a failure to comply properly with charity law. If a Trustee or Member of the charity becomes aware that you have, or might have, a Conflict of Interest they are obliged to report it to the Board of Trustees even if you do not.

### **When a Conflict of Interest is Declared**

All declarations of Conflicts of Interest will be treated with appropriate confidentiality. All declarations of Conflicts of Interest will be considered by the Trustees to assess the level of risk to the charity and what actions need to be put in place to eliminate or, at least, mitigate the risk. In more complex cases, the Trustee may appoint one (or more) of their number to look into the matter in more detail. If it is felt that more information is required to assess the Conflict of Interest more fully the Trustee leading the assessment will contact the individuals involved. All declarations of Conflicts of Interest will be recorded in the charity's Register of Conflicts of Interest, even if, having considered the declaration, the Trustees conclude that the declared Conflict of Interest presents no significant risk to the charity. For further details of the Register see the section "Register of Conflicts of Interest" below.

Any Trustee who is implicated in a Conflict of Interest, whether directly or as a connected person, may not participate in the assessment of the risk but may be called by the Trustee(s) undertaking the assessment to provide further details or answer specific questions. You may, however, participate in discussions from which you may indirectly benefit, for example where the benefits are universal to all users, or where your benefit is minimal.

### **Data Protection**

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that trustees, staff, associates and volunteers act in the best interests of INCC. The information provided will not be used for any other purpose.

### **Decisions Taken Where a Trustee or Member of Staff has an Interest**

In the event of the Board of Trustees having to decide upon a question in which a Trustee or member of staff has an interest, all decisions will be made by vote, with a simple majority required. A quorum must be present for the discussion and decision.

Any person, whether or not a Trustee will not be counted when deciding whether the meeting is quorate and may not vote on matters affecting their own interests. All decisions where there is a Conflict of Interest will be recorded in the minutes of the meeting. The report will record:

- The persons involved
- The nature and extent of the Conflict(s) of Interest
- An outline of the discussion
- The actions taken to manage the Conflict(s) of Interest.

Where it is determined that a Trustee with a Conflict of Interest may nevertheless legitimately benefit from the decision, this will be reported in the annual report and accounts. All payments or benefits in kind to Trustees will be reported in the charity's Trustees Annual Report and Statement of Financial Activity, with amounts for each Trustee listed for the year in question. Where a member of INCC's Trustees, staff or Associates are connected to a party involved in the supply of a service or product to the charity, this information will also be fully disclosed in the Trustees Annual Report and Statement of Financial Activity. Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

### **Managing Contracts**

If you have a Conflict of Interest, you must not be involved in managing or monitoring a contract in which you have an interest. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.

### **Register of Conflicts of Interest**

The Charity will maintain a Register of all reported Conflicts of Interest which will contain, as a minimum, the following information.

1. The date on which the Conflict of Interest was first reported, supplemented where appropriate by the dates on which any changes to the Conflict of Interest were reported, including the date on which the Conflict of Interest ceased to be an issue. Note: once reported, a Conflict of Interest will remain "on the record" for a minimum of 3 complete reporting years after the Conflict of Interest ceases to exist (eg: if the individual concerned, or any connected persons, ceases to be involved with the charity).
2. The name of the individual involved and, in the case of a Conflict of Interest involving one or more connected persons, the names of those connected persons and their relationships;
3. The position/role/responsibilities within the charity of the individual involved
4. The type of Conflict of Interest (eg: personal benefits, family involvement, business involvement, other)
5. Details of the Conflict of Interest, including its potential impact on the Charity
6. Mitigation of the Conflict of Interest – i.e: the steps taken by the Trustees to ensure that the Conflict of Interest does not adversely influence the charitable activities of the Charity.

This register of interests shall also be used to record all gifts of a value over £10 received by the trustees, staff and volunteers. Interests and gifts will be recorded on the charity's register of interests, which will be maintained. The register will be accessible to all the Trustees/Directors of the charity.

### INCC Register of Interests

| Date Identified | Name of Trustee/<br>Staff/<br>Volunteer | Details of Conflict | How Notified | Action Taken | Follow up Required | Date Resolved |
|-----------------|---|---------------------|--------------|--------------|--------------------|---------------|
|                 |   |                     |              |              |                    |               |
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# Environmental Policy

## Introduction

The Initiative for Nature Conservation Cymru (INCC) is committed to reducing our environmental impact and continually improving our environmental performance as an integral and fundamental part of our business and operating strategy.

It is our priority to encourage our service users, supporters, suppliers and all other associates to do the same. INCC believes that setting a high standard of environmental awareness for the organisation is not only in-keeping with its core aims and mission, but also makes the organisation more efficient and productive.

## Policy

- Meet, and where appropriate exceed, all relevant UK, European and international environmental legislation and regulatory codes of practice.
- Review all of our activities, operations and procedures to identify, quantify and evaluate their environmental impact and set priorities for addressing these.
- Minimise waste materials as part of operations and then reuse or recycle as much of it as possible.
- Minimise energy and water usage in our buildings and processes in order to conserve supplies, and minimise our consumption of natural resources, especially where they are non-renewable.
- Following guidelines in the Environmental Buying Policy, purchase, wherever possible, environmentally-preferable goods and services and influence our suppliers and contractors to ensure that goods and services procured support our environmental policy
- Assess the environmental impact of any new processes or products we intend to introduce in advance.
- Use the most resource-efficient technologies and media for communicating and maintaining records of documentation
- Establish recycling schemes and composting facilities for all appropriate waste in each of our offices
- Take measures to increase staff awareness of our environmental performance and individual environmental responsibilities, and ensure that environmental management is included within our staff induction and training programmes
- Update our Environmental Policy annually in consultation with staff, volunteers, associates and supporters.



# Equal opportunities policy

## The policy's purpose is to:

1. Provide equality, fairness and respect for all in our employment, whether temporary, part-time, full-time or voluntary.
2. Not unlawfully discriminate because of the Equality Act 2010 protected characteristics of age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race (including colour, nationality, and ethnic or national origin), religion or belief, sex (gender) and sexual orientation.
3. Oppose and avoid all forms of unlawful discrimination. This includes in pay and terms and conditions of employment, dealing with grievances and discipline, dismissal, redundancy, leave for parents, requests for flexible working, and selection for employment, promotion, training or other developmental opportunities.

## INCC's Commitment

The Initiative for Nature Conservation Cymru (INCC) is committed to encouraging equality and diversity among our employed and volunteer workforce, and eliminating unlawful discrimination. The aim is for our workforce to be truly representative of the communities that benefit from our services and for each employee and supporter to feel respected and able to give their best.

## The organisation commits to:

- Recognising that for an equal opportunities policy to be effective it must encompass all areas of its activities.
- Achieving an active membership and support base, which reflects the composition of the communities it serves.
- Ensuring that membership activities, events and literature produced by the organisation attract people from all sectors of the community and such activities do not discriminate against members of disadvantaged groups.
- Create a working environment free of bullying, harassment, victimisation and unlawful discrimination, promoting dignity and respect for all, and where individual differences and the contributions of all staff are recognised and valued. This commitment includes training employees about their rights and responsibilities under the equality policy. Responsibilities include staff conducting themselves to help the organisation provide equal opportunities in employment, and prevent bullying, harassment, victimisation and unlawful discrimination. All staff should understand they, as well as their employer, can be held liable for acts of bullying, harassment, victimisation and unlawful discrimination, in the course of their employment, against fellow employees, customers, suppliers and the public.
- Take seriously complaints of bullying, harassment, victimisation and unlawful discrimination by fellow employees, volunteers, Trustees, customers, suppliers, visitors, the public and any others in the course of the organisation's work activities. Such acts will be dealt with as misconduct under the organisation's grievance and/or disciplinary procedures, and any

appropriate action will be taken. Particularly serious complaints could amount to gross misconduct and lead to dismissal without notice. Further, sexual harassment may amount to both an employment rights matter and a criminal matter, such as in sexual assault allegations. In addition, harassment under the Protection from Harassment Act 1997 – which is not limited to circumstances where harassment relates to a protected characteristic – is a criminal offence.

- Make opportunities for training, development and progress available to all staff, trustees and volunteers (including students and placement) who will be helped and encouraged to develop their full potential, so their talents and resources can be fully utilised to maximise the efficiency of the organisation in achieving its mission.
- Decisions concerning staff being based on merit (apart from in any necessary and limited exemptions and exceptions allowed under the Equality Act).
- Review employment practices and procedures when necessary to ensure fairness, and also update them and the policy to take account of changes in the law.
- Monitor the make-up of the workforce and Board of Trustees regarding information such as age, gender, ethnic background, sexual orientation, religion or belief, and disability in encouraging equality and diversity, and in meeting the aims and commitments set out in the equality policy. Monitoring will also include assessing how the equality policy is working in practice, reviewing it annually, and considering and taking action to address any issues.

## Implementation

- Trustees and staff will periodically review membership and staff recruitment strategies to ensure that people from all sectors of the community are encouraged to join and that no particular individuals or groups are at a disadvantage.
- INCC will endeavour to ensure that the make-up trustee board have a balanced composition. Consideration will be given to the co-option onto the board of individuals representing groups who are presently under-represented.
- INCC will strive to translate membership information and other relevant material into appropriate languages.
- We will ensure that the policy is circulated to any agencies responsible for our recruitment and a copy of the policy will be made available for all employees and made known to all applicants for employment.
- INCC's policy on equal opportunities will be displayed on all premises used by INCC and distributed to all management committee groups if established.
- Staff, supporters, trustees, volunteers and visitors to INCC (and events/ activities run by INCC) will be expected to adhere to the equal opportunities policy and comply with the rules of behaviour as outlined below.

- The rules of behaviour should be viewed in the light of INCC's commitment to the elimination of discrimination and harassment against individuals and particular groups. The following types of behaviour are unacceptable:
  - Attacks on individuals or groups on the basis of their race, gender, ethnic origin, disability or sexual orientation
  - Discriminatory name calling, insulting remarks, jokes or threats
  - Writing such remarks on walls or other places.
  - Encouraging other people to harass or discriminate against another individual or group.
  - Provocative behaviour, such as the wearing of racist/sexist or fascist insignia or the introduction of similar literature to the site.

Any person breaking these rules may be excluded from the organisation and staff will face disciplinary action.