

TAXATION DISCIPLINARY BOARD

CONFLICT OF INTEREST POLICY

1. ABOUT THIS POLICY

- 1.1** This document sets out the policy adopted for managing conflicts of interest that may arise in respect of TDB Directors, Staff and Contractors (all referred to in this policy as TDB Personnel).

2. CONFLICT OF INTEREST

- 2.1** A conflict of interest is considered to be any interest, connection, association or other set of circumstances that: (a) is (or might appear to be) likely to impair or influence a TDB Personnel's judgement in engaging in TDB business; or (b) might impede a TDB Personnel's ability to carry out their TDB role; or (c) might result (or could result) in a TDB Personnel's (or a member of their family or a related third party) receiving a personal benefit or being perceived to be using their position within the TDB to gain an unfair advantage.
- 2.2** Conflicts of interest may arise as a result of many different circumstances, including but not limited to: (a) direct or indirect financial interests; (b) non-financial or personal interests; (c) acceptance of gifts or hospitality; or (d) conflicts of loyalty where a decision maker may have competing loyalties between a person or an organisation to which they owe a primary duty, and another person or organisation. For example, conflicts of interest can include enhancement of an individual's financial or other opportunities, career, education, or professional reputation, or access to privileged information, facilities, or other benefits.
- 2.3** The TDB acknowledges that conflicts of interest are sometimes unavoidable but need not necessarily exclude TDB Personnel from participating in a discussion. TDB Personnel are

appointed for the skills and experience that they bring to the TDB and it is important to strike a balance between avoiding conflicts of interest while still allowing TDB Personnel to contribute in areas where their experience is valuable and appropriate.

- 2.4** All TDB Personnel are expected to comply with the principles of openness and integrity and are required to disclose any perceived, potential, or actual conflicts of interest when they arise or, if identified after such conflict of interest has arisen, promptly after they become aware of a conflict of interest. TDB personnel are also expected to abide by ‘The Seven Principles of Public Life’ otherwise known as the ‘Nolan Principles’: <https://www.gov.uk/government/publications/the-7-principles-of-public-life/the-7-principles-of-public-life--2>

3. MANAGING CONFLICTS AT TDB MEETINGS

- 3.1** Should a perceived, potential, or actual conflict of interest be identified during any TDB meeting in relation to a matter to be considered in that meeting, the relevant TDB Personnel shall not participate in any vote or decision regarding that matter. The Chair (or, if the Chair is conflicted, another TDB Personnel) will determine whether the TDB Personnel should participate in the related discussion.¹ The Chair will exercise their judgement with the Nolan Principles and public perception of the independence and integrity of the TDB in mind.
- 3.2** The TDB Personnel may be asked to recuse themselves for the part of the meeting where the meeting discusses, votes, or decides, that particular matter.
- 3.3** However, with the consent of the individual concerned, if the Chair concludes that the TDB Personnel’s expertise will be beneficial to the discussion, and that the conflict of interest will not: (a) result in a benefit or advantage to the TDB Personnel (or a family member or a third party with which they have a relationship); and (b) be to the detriment of the TDB, the Chair may permit the TDB Personnel to participate in the discussions. The Chair’s

¹ References to ‘the Chair’ include ‘another TDB member’ where the Chair is conflicted.

decision in the matter is final.

- 3.4** Any conflict of interest identified at a meeting will be recorded in the minutes of the meeting together with the Chair's decision regarding management of the conflict.
- 3.5** The Chair shall be responsible for ensuring that the TDB's conflict management policy and systems are functioning effectively.

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