

# Hastings Commons Memorandum of Understanding



A Memorandum of Understanding sets out the role of each collaborating Hastings Commons entity, how potential conflicts of interests are managed, and the approach to transactions between Hastings Commons entities are managed.

In particular:

- Objectives and strategic goals across every Hastings Commons entity must be aligned with the charitable objects of the CLT and reflected in the formal constitution (articles and rules) of each entity.
- As part of this, Hastings Commons creates and adopts policies and procedures which must apply equally to every Hastings Commons entity equally and must be reviewed and approved by the joint Hastings Commons board at least annually.
- A requirement doe each entity to maintain independence (with at least 2 independent trustees/ directors from any other entity), and to ensure all financial arrangements between entities are under separately, approved agreements conducted at “arm’s length” and which meet with all procurement policies and relevant regulations.
- A requirement that all financial payments between Hastings Commons entities or any connected or related party must be under separate agreements approved by the joint Hastings Commons board, conducted at “arm’s length” and be in line with procurement policies and any relevant regulations.
- A requirement that any member of the Hastings Commons joint board identifies a potential conflict of interest between different Hastings Commons entities, the boards of each entity meet separately to consider and approve related party agreements.

Both the CLT and HCNV are currently financed for the most part by the State, regional or local authorities, or by other bodies governed by public law and as such qualify as contracting authority within the meaning of The Public Contract Regulations 2015 (“PCR 2015”) so must abide by strict public sector procurement policies. Over the past 2 years HCNV in particular has been subject to two, detailed procurement reviews by central government with no issues identified.