

St Bede's

Catholic School
& Sixth Form College

Policy for Members of Staff/Governors for Business and Personal Interests and Published Information.

Academic Year

2019 – 2020

Governing Body Approval : 5 th July 2012	
Name: Mr D Dixon	Signature:
Date: 17 th September 2018	Finance and Audit Committee
Review Date Spring Term 2020 - 2021

Date approved by Finance Committee

Date to be reviewed:

Thursday 5th July 2012.

Spring Term 2020

25.09.14, 14.10 .15, 20.10.16 revisited by
FGB

Declaration Forms to be completed
annually in the Autumn term.

1 Introduction

Governors have a wide discretion over their use of the academies funds, which they **must** discharge reasonably and in a way that commands broad public support. It is responsible for the proper stewardship of those funds, including regularity and propriety, and for ensuring economy, efficiency and effectiveness in their use – the three key elements of value for money.

Governors must understand their statutory duties as company directors as set out in the Companies Act 2006. These comprise the duties to:

- act within their powers
- promote the success of the company
- exercise independent judgement
- exercise reasonable care, skill and diligence
- avoid conflicts of interest
- not to accept benefits from third parties
- declare interest in proposed transactions or arrangements.

These duties are especially relevant when entering into transactions with connected parties. Cross referencing the Governor Code of Conduct, Governors will uphold the Seven Principles of Public Life from the Report of the Committee of Standards in Public Life (The Nolan Report).

Governors may not receive any form of payment for their work, other than payment of reasonable out-of-pocket travel, accommodation or other expenses incurred while attending in the capacity of governor.

No governor may hold an interest in property belonging to the Academy, nor may a governor receive remuneration in respect of any contract to which the Academy is a party.

St Bede's Catholic Academy is required to establish systems of control to ensure that any business or personal interest by key / senior members of staff and governors are recorded.

The Academy Trust is required to establish a register which lists for each key / senior member of staff, governor or volunteer, any business or personal interest, pecuniary or otherwise, that they, or any member of their immediate family, have which could conflict with the School's interests; to keep the register up to date with notification of changes; to undergo an annual review of entries, and to make the register available for inspection by governors, staff, and parents.

For register purposes a close relative is defined as a spouse, parent, sibling, son, daughter or common law partner. As a general principle, individuals should err on the side of caution and declare interests that they think could be covered by the guidance above. Such a declaration must be made as soon as an individual becomes aware of the possibility of any such conflict arising or indeed that may be perceived / construed as arising. If the individual thinks this is so, or is in doubt then the information should be recorded on the register of interests.

All individuals should sign and return a statement even if they have no interests to declare. This return will be refreshed on an annual basis.

Furthermore, in line with recognised best practice, the opportunity to declare such an interest will appear as a standard agenda item at all meetings of the Governing Body.

A further explanation has been received and was incorporated into the EFA Financial Handbook, as follows:

3.10.8 The academy trust's register of interests must capture relevant business and pecuniary interests of members, trustees, local governors of academies within a multi-academy trust and senior employees, including:

- directorships, partnerships and employments with businesses
- trusteeships and governorships at other educational institutions and charities
- for each interest: the name of the business; the nature of the business; the nature of the interest; and the date the interest began

3.10.9 The register must identify any relevant material interests arising from close family relationships between the academy trust's members, trustees or local governors. It must also identify relevant material interests arising from close family relationships between those individuals and employees. Close family relationships is defined in section 3.10.12 (third bullet).

- a relative of the member or trustee. A relative is defined as: a close member of the family, or member of the same household, who may be expected to influence, or be influenced by, the person. This includes, but is not limited to, a child, parent, spouse or civil partner

3.10.10 Trusts should consider carefully whether any other interests should be registered. Boards of trustees should keep their register of interests up-to-date.

3.10.11 Trusts must publish on their websites relevant business and pecuniary interests of members, trustees, local governors and accounting officers. Trusts have discretion over the publication of the interests of any other individual named on the register. The Charity Commission offers guidance on managing potential conflicts of interest in: CC29: Conflicts of interest: a guide for charity trustees.

In the interest of transparency, the Academy will publish on the website up-to-date details of governance arrangements in a readily accessible PDF form. This will include:

- the structure and remit of the members, board of trustees, its committees and local governing bodies, and the full names of the chair of each (where applicable)
- for each member who has served at any point over the past 12 months, their full names, date of appointment, date they stepped down (where applicable), and relevant business and pecuniary interests including governance roles in other educational institutions
- for each trustee and local governor who has served at any point over the past 12 months, their full names, date of appointment, term of office, date they stepped down (where applicable), who appointed them (in accordance with the trust's articles), and relevant business and pecuniary interests including governance roles in other educational institutions
- for each trustee their attendance records at board and committee meetings over the last academic year
- for each local governor their attendance records at local governing body meetings over the last academic year
- **The academy will publish on the website, relevant business and pecuniary interests of members, trustees and local governors.**

The Seven Principles of Public Life from the Report of the Committee for Standards in Public Life (The Nolan Report)

Selflessness

Holders of public office should take decisions solely in terms of the public interest. They should not do so in order to gain financial or other material benefits for themselves, their families or their friends.

Integrity

Holders of public office should not place themselves under any financial or other obligation to outside individuals or organisations that may influence them in the performance of their official duties.

Objectivity

In carrying out public business, including making public appointments, awarding contracts, or recommending individuals for rewards and benefits, holders of public office should make choices on merit.

Accountability

Holders of public office are accountable for their decisions and actions to the public and must submit themselves to whatever scrutiny is appropriate to their office.

Openness


Holders of public office should be as open as possible about all their decisions and the actions that they take. They should give reasons for their decisions and restrict information only when the wider public interest clearly demands.

Honesty

Holders of public office have a duty to declare any private interests relating to their public duties and to take steps to resolve any conflicts arising in a way that protects the public interest.

Leadership

Holders of public office should promote and support these principles by leadership and example.



St Bede's
Catholic School
& Sixth Form College
Lancaster

REGISTER OF GOVERNORS' INTEREST
2019 - 2020

Governor Name _____

1. Employment

(i) Employer(s) _____

(ii) Nature of Employment(s) _____

2. Membership of a Local Authority

(i) Are you an elected, co-opted or appointed Member of a Local Authority in County Durham
e.g. *Darlington County / Town / Parish Council*

YES/NO
please delete as appropriate

(ii) If YES, please provide details below:

3. Business Interests

(i) Do you or any family member(s)/partner work at the school?

If ~~YES~~ please confirm position/job held in school.

(ii) Please declare if you have a personal or business relationship with a previous, current or potential external contractor or supplier to the school.

Provide the name and address of the Company.
State the nature of the relationship.

4. Other Governor Roles

(i) Are you a Governor in any other educational establishments YES/NO
please delete as appropriate

(ii) If YES, please provide the name and address of the establishment.

5. Personal or Family Interest/Loyalties

(i) Do you have any personal or family interest/loyalties that may conflict with those of the Governing Body?

YES/NO
please delete as appropriate

(ii) If YES, please confirm details.

I wish to put on record that what I have said in the past and what I may say in the future (at Governors' meetings or on other occasions in my role as Governor) is not to be taken by the Governing Body as a professional opinion or given in the capacity of a (For example solicitor, building surveyor, personal manager, accountant, etc.) to the Governing Body.

The Governing Body must in all circumstances (without further comment from me) ~~ask~~ ~~ask~~ ~~ask~~ ~~ask~~ ~~ask~~ as to whether to obtain specialist / professional advice.

Signed _____ Date _____

Governors are advised that the data held by the School may be used for cross-system and cross-authority comparison purposes for the prevention and detection of crime or to protect the public good.

Governors are reminded that the completion of the form does not remove the requirement upon you to disclose any interest at a full Governing Body or Committee meeting and to leave the meeting for their agenda item

The Register of Governors' Interests will be available in school