TRIMLEY ST. MARTIN

Pecuniary and Business Interest Policy

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Trimley St Martin Primary School

Pecuniary and Business Interests Policy

INTRODUCTION

Schools manage a significant proportion of public funds and must demonstrate that no governor, employee or related party benefits personally from the use of funds.

Financial decisions must be seen to be made in accordance with the Seven Principles of Public Life:

Selflessness:	No financial gain or other material benefits for self/family
Integrity:	Independent of outside influence
Objectivity:	Decisions made on merit
Accountability:	Accountable for decisions/actions to the public
Openness:	Open about decisions and actions taken wherever possible
Honesty:	Declare private interests, resolve conflicts to protect public interest
Leadership:	Promote and support principles by leadership and example.

Section 2.9 of Suffolk's Scheme for the Financing of Schools states:

> The governing body of each school is required to establish a register which lists for each member of the governing body, the Headteacher and school staff:
>
> - Any business interests they or any member of their immediate family* have
> - Details of any other educational establishments that they govern
> - Any relationships between school staff and members of the governing body
> - The register must be kept up to date with notification of changes, through annual review of entries and reviewed annually by the Governing Body
> - The register must be available for inspection by governors, staff, parents, and the LA
> - The register must be published, for example on a publicly accessible school website
> - N.B business interests/nil returns of school staff may be omitted from the published copy unless they are also governors or the Headteacher, in which case they must be included in the published copy
>
> *immediate family to include other relatives and individuals who may exert influence
>
> Staff and governors must be given an opportunity to declare an interest in any item on the agenda of a meeting and must withdraw from the meeting for relevant agenda items.

The purpose is to ensure that decisions made in terms of appointing staff, spending the school's money etc. are in no way influenced by personal interests; and also, to provide openness and transparency to parents and the wider public. Without such a framework of accountability the actions of staff and governors could be open to question

By registering and declaring interests, individuals are ensuring that other people involved in decision making know from the outset that there could be a potential conflict of interests and can ensure that the individual concerned takes no part in the process.

This Policy requires the approval of the full governing body; it cannot be delegated to a Committee. It will be reviewed annually.

The Policy conforms to the requirements set out in the local authority's Finance Regulations and will be updated promptly whenever the local authority notifies the school of any changes to the Regulations.

This Policy will be issued to all new staff and governors and will be readily accessible to all existing governors and staff.

SCHOOL POLICY

The governing body has adopted a policy which includes all the requirements set out in the local authority's Finance Regulations.

The governing body will maintain a register which lists for each member of the governing body, the Headteacher and school staff:

- Any business interests they or any member of their 'immediate family'* have
- Details of any other educational establishments that they govern
- Any relationships between school staff and members of the governing body
- The register will be kept up to date with notification of changes, through annual review of entries and reviewed annually by the Governing Body
- The register will be available for inspection by governors, staff, parents, and the LA
- The register will be published on www.trimleystmartinprimaryschool.com website (a publicly accessible website)

**'immediate family' to include other relatives and individuals who may exert influence*

Business interests/nil returns of school staff may be omitted from the published copy unless they are also governors or the Headteacher, in which case they must be included in the published copy.

Staff and governors must be given an opportunity to declare an interest in any item on the agenda of a meeting and must withdraw from the meeting for relevant agenda items.

INDIVIDUAL DECLARATIONS

Each governor and member of staff is responsible for:

- making complete declarations at least annually, and for ensuring that their declaration is up to date
- disclosing an interest and withdrawing from meetings/activities where appropriate

Each member of the governing body and school staff must complete and sign the local authority *'Declaration of Pecuniary and Business Interest'* form annually. The form must be completed in ink.

'Nil' should be used to indicate where no interest exists.

All interests and connections which could influence the school's reputation with the public should be registered, including:

- details of any other educational establishment where the individual is a governor, associate member, or trustee
- personal relationships with other members of staff or governors of the school, including spouses, partners, and relatives
- details of charities where the individual is a trustee
- details of membership of professional bodies, membership organisations, public bodies or special interest groups where the individual is a member and has a position of general control or management

Relevant business interests where the individual, or an immediate family member (to include other relatives and individuals who may exert influence) have a financial, or other, interest in a business or organisation which could feasibly be in a position to supply goods/services to the school should be registered, including:

- building, catering, and other premises/grounds contractors
- suppliers of stationery and equipment
- transport contractors
- service providers (including audits for school funds)

Relevant business interests where the individual is a director, partner or shareholder should be registered.

Only relevant interests need to be included but not for example being a small shareholder in a large national company.

Declarations should be clearly recorded so that there can be no potential for misunderstandings. Everyone must use the 'Declaration of Pecuniary and Business Interest' form provided by the local authority; the school will print copies when needed. The forms must be completed annually; and more frequently whenever changes in circumstances have taken place.

If a new interest becomes applicable during the school year, then it is the responsibility of the individual governor or member of staff to request a new *'Declaration of Pecuniary and Business Interest'* form from the school office.

It may be appropriate that the requirement to complete the Declaration goes beyond just staff and governors. The Headteacher will decide who else should be considered as an interested party in order to extend the requirement to additional individuals who have significant contact and/or influence with the school.

The local authority recommends that interests are declared if the individual is unsure. Specific issues can be discussed with the Headteacher/chair of governors or the Schools' Accountancy Team (telephone number: 0300 123 1420 sat@suffolk.gov.uk).

GENERAL INTERESTS REGISTER

The Headteacher will maintain an up-to-date General Interests Register.

The Register must contain individual entries from each governor and member of staff, each entry will be sequentially numbered.

The Register will include:

- the name of the governor or member of staff
- their position(s) (governor, job title etc)
- names of potential interests/businesses

  e.g., name of a close relative who works at the school
- nature of interest(s) and business

  e.g., 'spouse employed as Bursar' or 'company director'
- trading address of business
- date interest(s) start and end
- date the form was signed
- details of who countersigned the form
- confirmation as to whether the information can be withheld from the published copy
- details of who updated the Register and the date

The Register will be recorded using Excel in order that declared interests & nil returns can be filtered to assist at meetings.

PUBLISHING THE REGISTER

The governing body is responsible for publishing the Register; the Headteacher will ensure that the statutory information is prepared ready for publication on a publically accessible website.

- The Register will be available for inspection at the school by members of the public, parents, and staff.
- The Register will also be made available on www.trimleystmartinprimaryschool.com website in a readily accessible form (i.e., not in a document that has to be downloaded). It will be expanded to include other governor details that must be published.
- Business interests/nil returns of school staff may be omitted from the published copy unless they are also governors or the Headteacher, in which case they must be included

WITHDRAWING FROM MEETINGS

The general principle is that no-one should be involved in a decision where his or her personal interests may conflict with those of the governing body or the school:

- The regulations apply to all members of the governing body and the headteacher and any others in attendance at meetings.
- If a matter is to be voted upon, then no-one with a pecuniary or business interest should be present when the vote is taken.
- Governors nominated for Chair of Governors must withdraw when the election of Chair is being considered and voted upon. The same principles apply for the election of the Vice-Chair.
- Governors must withdraw where their own appointment, reappointment, or removal as a member of the governing body is under consideration.
- The Headteacher must withdraw from any meeting where his/her own pay or performance appraisal is under discussion.
- Any governor who is employed to work at the school (other than the headteacher), must withdraw from a meeting where the pay or performance appraisal of any particular person employed to work at the school is under discussion.
- Any governor who has a child at the school must withdraw from any meeting where the outcome of discussions/decisions could potentially directly affect their child.

  An example would be for a parent governor to withdraw from a Pupil Discipline Committee meeting where discussions will concern a child in the same class as the governor's child.

Disclosing an Interest and withdrawing

If a person has any pecuniary or business interest, direct or indirect, in any contract, proposed contract or any other matter under discussion at a meeting or an activity that the school is undertaking, or planning to undertake then they must disclose the fact and:

- Withdraw from a meeting during the consideration or discussion of the matter

  An example would be for a governor to withdraw from a selection panel where the governor has disclosed links to a potential candidate
- Not take part in the vote on any question related to the matter
- Not take part in any financial activity connected to the matter

  An example would be a school employee with disclosed links to a local coach company not becoming involved in any part of the process of hiring and paying for coaches for school trips.

  An example would be a governor with a pecuniary interest in a potential contract not taking part in drawing up the specification and/or tender document

An entry must be recorded in the Specific Events Register each time a withdrawal has occurred.

How to disclose

If the person making the declaration is only one of a number participating in the decision, the declaration must be made to the other participants.

If the person making the declaration is the only person making the decision, the declaration must be made to the Headteacher.

If the person making the declaration is the Headteacher, the declaration must be made to the Chair of Governors.

The declaration must be made in writing unless made at a meeting where official minutes are being taken.

SPECIFIC EVENTS REGISTER

The governing body will maintain a Specific Events Register; the administration of this is delegated to the headteacher.

An entry must be made each time an event occurs, each entry should be sequentially numbered and the minimum information that must be recorded includes:

- The date of the event

  e.g., date of governor meeting, date an order was raised
- A description of what was disclosed and in what circumstances

e.g., at the governing body meeting on ……

- A cross-reference to an entry in the General Interests Register (if applicable)
- Date the entry was made in the Specific Events Register
- The Head and Business Manager or Chair must sign and date each entry

There may be occasions where participation is unavoidable. In these situations, the risks will be considered by the chair of governors (or the whole governing body if the situation relates to the chair or the headteacher) and advice will be sought from the Schools' Accountancy Team.

An entry will be made in the Special Events Register to record the outcomes of the consideration. The outcome will also be recorded at the next governors' meeting.

WHOLE GOVERNING BODY REVIEWS

The governing body will review the General Interests Register on an annual basis. The headteacher will maintain a record to show when the reviews took place.

The General Interest Register will be available at every meeting of the whole governing body, and for committee meetings where appropriate.

NON-COMPLIANCE

The school is potentially at risk of considerable damage to its reputation should anything go wrong and fall into the public domain as a result of an individual failing to declare an interest or failing to withdraw from meetings or activities where they have an interest.

The school's Whistleblowing Policy must be followed where there are concerns that a pecuniary or business interest has not been declared and an individual or their 'immediate family' may have subsequently benefitted.

It is the responsibility of all taking part in meetings and/or activities to ensure that no-one with an interest are present.

Any governor failing to reveal information to enable the governing body to fulfil its responsibilities may be in breach of the Code of Conduct and as a result be bringing the governing body into disrepute. In such cases the governing body will consider suspending the governor.

Any member of staff found to be withholding information may be subject to disciplinary action.