Pecuniary Interests Policy

STATUTORY / NON STATUTORY	NON STATUTORY
MEMBER OF STAFF RESPONSIBLE	HEADTEACHER
DATE APPROVED BY SLT	SEPTEMBER 2025
TRUST BOARD OR COMMITTEE	TRUST BOARD
DATE OF APPROAL	SEPTEMBER 2025
REVISION DATE	AUTUMN 2026

1.0 OVERVIEW STATEMENT

1.1 Conflicts of interests will arise from time to time amongst the School's governing body (Members and Trustees). The governing body has a collective responsibility for the effective delivery of funded projects. This collective responsibility should override individual interests.

1.2 Noadswood School is committed to raising awareness amongst Governors and staff of their responsibility to avoid conflict of interests by acting in good faith and for the benefit of the School.

1.3 As part of the School's commitment to openness and transparency, an annually updated Register of Interests is to be maintained and made available for public inspection. The register is designed to protect both the School and individual Governors from damaging allegations of corruption and possible punitive actions.

2.0 DEFINITION AND SCOPE

2.1 A pecuniary interest can be clarified as a financial benefit. Within the context of a School, the financial benefit concerns public funds.

2.2 Interests to be declared by Trustees (and staff) can be both financial and non-financial and can include:

- Employment (including name and address of employer)
- Company directorships, business partnerships, self-employment, and significant shareholdings (defined as over 2% of shares in a quoted company or 10% in a private company)
- Positions of public responsibility
- Membership of external organisations, (including other schools), which might have a bearing on the School's work
- Any financial interest which might relate to the School's work
- Any other financial or non-financial interests (such as by kinship, friendship or membership of an organisation) which could be perceived as potentially affecting judgement or give the impression that a Governor could be acting for personal motives.

2.3 A conflict of interest will arise in any circumstance where doubt can be cast on a Trustees ability to act with complete objectivity with regard to the School's activities.
2.4 The School's Finance Manual also covers the following areas which all impacted peoples should be aware of:

- The Finance Manual clarifies what is meant by 'special payments' which include staff severance payments, compensation payments and ex gratia payments and the guidance relating to the issuing of these types of payment.

- The Finance Manual now uses the term 'related party transactions' rather than 'trading with connected parties'.

- Trusts must report all related party transactions to the DfE in advance of the transaction taking place, using the DfE's online form.

- Trusts must obtain the DfE's prior approval using their online form for contracts for the supply of goods or services to the trust by a related party where any of the following apply:
  - The contract exceeds £20,000
  - The contract, regardless of the value, would exceed £20,000 in the same financial year ending 31August
  - The contact, regardless of the value, would exceed £20,000 individually or cumulatively with the related party in the same financial year ending 31 August

- For the purpose of reporting to and obtaining the approval of the DfE, transactions with related parties do not include salaries or other payments made by the trust to a person under a contract of employment through the trust's payroll.

3.0 DECLARING AN INTEREST

3.1 On appointment and annually thereafter, Governing Body members will be provided with a Declaration of Interests form, which must be completed, signed and returned within one month. Whenever an interest changes or a new one occurs, the member is responsible for completing a revised declaration within one month.

3.2 Senior staff and staff with significant financial or spending powers, such as budget holders, are also required to declare any financial interest in companies or individuals from which the academy may purchase goods or services. Declarations should be updated throughout the year as necessary.

3.3 All forms showing declared interests will be reviewed by the Chair who will either countersign the form to indicate their satisfaction that there is no action required or will set out in writing to the member of staff/Trustee their advice on how any potential conflict is to be managed. Any such advice will also be placed on the register.

3.4 The register will be reviewed on an annual basis by the Trust Board or more frequently where significant changes have been reported.

4.0 AVOIDING PERSONAL BENEFIT AND CONFLICTS OF INTEREST

4.1 Trustees should ensure that private or personal financial interests never influences their Trust Board decisions. They should ensure that they never use their position as members for personal gain of any sort.

4.2 Trustees can make a valuable contribution to the work of the School, even though (or because) they have responsibilities to others that might sometimes bring them into conflict with the School.

4.3 All Trustees, (including parent and staff trustees), have an overriding duty to act in the interests of the School and cannot act as representatives of other bodies when undertaking their Trust Board role. Where an issue arises that conflicts with their responsibilities to another school or organisation, then they should declare their interest and withdraw from the meeting, unless invited to remain by the Trust Board.

4.4 Parent and staff Trustees are also expected to ensure that the Trust Board is aware of parental and staff views on issues, however they should not raise issues that relate mainly to their employment or child's placement at Trust Board meetings. Where an issue arises that affects them personally or as one of a small number of parents or staff then they should declare an interest and withdraw from the meeting unless invited to stay by the Trust Board.

4.5 Examples of when a trustee should withdraw from the meeting involve a person who:

- Has a financial interest in the matter under discussion
- Has any interest in the matter under discussion which creates a real danger of bias i.e. the interest affects them, or a member of their household, more than the generality affected by the decision
- Has any interest which does not create a real danger of bias, but which reasonably cause others to think it could influence their decision.

4.6 The law generally prohibits any Trustee or close relative from receiving any benefit from the School, which includes all payments except for reasonable trustee expenses or the agreed fee where the School has adopted a policy of paying some or all trustees. The only exception to this rule concerns trustees who are employed members of staff, however it should be noted that they should not receive any benefit in their capacity as a trustee beyond what is allowed in law.

4.7 Trustees should never accept gifts, (other than those of a trivial nature) and should avoid giving or receiving any extravagant hospitality to anyone connected with the work of the School. All hospitality received should be notified to the clerk so that it can be entered in the hospitality register.

5.0 HANDLING A CONFLICT OF INTEREST

5.1 It is the responsibility of individual Trustees who have any interest, however slight, in any matter about to be discussed or decided by the Trust Board to disclose this interest, (including all relevant facts), and ensure the declaration is recorded in writing in the School's records.

5.2 If the conflict is clear and substantial, the Trust Board should offer to withdraw and, if invited to remain, must refrain from voting on the matter. The Trust Board member must not attempt to influence any other member's view or vote, nor the actions of staff, on the matter by any form of communication prior to, during or after the relevant meeting(s).

5.3 Where such a conflict is likely to reoccur on a frequent basis, the trustee should offer to resign.

5.4 Parent and staff trustees are fully entitled to participate in discussions of, and where applicable vote on, all policy matters affecting all or a substantial group of parents or staff, however they must abide by the preceding paragraphs on matters affecting themselves, their relatives or close friends individually. This includes discussions of policy on issues such as arrears where the School is considering or taking action against the relevant person; or complaints etc where the individual is taking action against the School.

5.5 Any Trust Board member involved in a significant dispute with the School will automatically be suspended until the dispute is resolved and will remain suspended until final decisions, including consideration of any ombudsman's findings, have been taken by the School. This excludes parent or staff Trustees using the normal complaints procedure, who must abide fully by the preceding paragraphs in relation to consideration of their complaint by the association, however suspension will be automatic when the complaint reaches stage three (i.e. consideration by the Trust Board).

5.6 If a Trustee considers that another Trustee has a conflict of interest which has not been declared or, if declared, not dealt with appropriately as set out above, they have a duty to raise the matter immediately with the Trust Board via the Chair.

5.7 No contract or other award should be made to a Trust Board member, staff member, company etc. in respect of which an interest has been declared without the prior approval of the Trust Board.

5.8 Whenever members are unsure of the seriousness of a potential conflict of interest, they should consider the potential risks before acting. If in doubt about the application of these rules, the chair should be consulted and independent advice should be sought, where necessary.