

Khalsa Academies Trust



Declaration of Pecuniary Interest Policy & Register

Approved on	Approved By	Next Review
Oct 2019	Board of Directors	Oct 2021

1.0 ACADEMY STATEMENT

1.1 Conflicts of interests will arise from time to time amongst members of the Governing Body/ Board of Directors. The Board has a collective responsibility for the effective delivery of funded projects. This collective responsibility should override individual interests.

1.2 The Khalsa Academies Trust is committed to raising awareness amongst Board members and staff of their responsibility to avoid conflict of interests by acting in good faith and for the benefit of the respected schools.

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 Trust and individual Board members 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 the Khalsa Academies Trust, the financial benefit concerns public funds.

2.2 Interests to be declared by Board members can be both financial and nonfinancial 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 organizations, (including other schools), which might have a bearing on the Schools work.
- Any financial interest which might relate to the Trust'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 Governing Body/Board member could be acting for personal motives.

2.3 A conflict of interest will arise in any circumstance where doubt can be cast on Board member's ability to act with complete objectivity with regard to Khalsa Academies Trust's activities.

3.0 DECLARING AN INTEREST

3.1 On appointment and annually thereafter, Board 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 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/ Board their advice on how any potential conflict is to be managed. Any such advice will also be placed on the register.

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

4.0 AVOIDING PERSONAL BENEFIT AND CONFLICTS OF INTEREST

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

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

4.3 All Board members, (including parent and staff members), have an overriding duty to act in the interests of the Khalsa Academies Trust and cannot act as representatives of other bodies when undertaking their 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 Board of Directors.

4.4 Parent and staff members are also expected to ensure that the 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 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 Board of Directors.

4.5 Examples of when a Board member should withdraw from the meeting involve a member 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 Board member or close relative from receiving any benefit from the Khalsa Academies Trust, which includes all payments except for reasonable board/ governor expenses or the agreed fee where the Trust has adopted a policy of paying some or all Board members. The only exception to this rule concerns Board members who are employed members of staff, however it should be noted that they should not receive any benefit in their capacity as a Board member beyond what is allowed in law.

4.7 Board members 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 Khalsa Academies Trust. 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 Board member who have any interest, however slight, in any matter about to be discussed or decided by the Board of Directors to disclose this interest, (including all relevant facts), and ensure the declaration is recorded in writing in the Khalsa Academies Trust's records.

5.2 If the conflict is clear and substantial, the Board of Directors should offer to withdraw and, if invited to remain, must refrain from voting on the matter. The 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 Board member should offer to resign.

5.4 Parent and staff members 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 Trust is considering or taking action against the relevant person; or complaints etc. where the individual is taking action against the Khalsa Academies Trust.

5.5 Any Board member involved in a significant dispute with the Trust 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 Khalsa Academies Trust. This excludes parent or staff members 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 Board of Directors).

5.6 If a Board of Directors or staff member considers that a Board member 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 Board of Directors via the chair.

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

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.

6.0 REVIEW

This will be reviewed every two years by the Board of Directors.

Signed _____ Dated _____

Signed _____ Dated _____
(Chair of The Trust)

For each Academy

Name of Governing Body	Declared Interest	Date of Declaration	Action to be taken	Signature of Governor