

Perryfields Enterprise Academy Trust

Conflicts of Interest Policy



Approval and Review Details	
Approved By:	P.E.A.T Board
Approved Date:	21 st January 2020
Accepted by LGB:	21 st January 2020
Review:	Every 3 years
Next Review Date:	January 2023
Communicated to Staff	By: Email Date: 22.01.2020
Published on:	PEAT website

PERRYFIELDS ENTERPRISE ACADEMY TRUST

CONFLICTS OF INTEREST POLICY

This policy applies to directors, members, local governors and staff.

Why have a policy?

Board Members have an obligation to act in the best interests of Perryfields Enterprise Academy Trust, and in accordance with PEAT's governing document. Staff and volunteers have similar obligations. Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of PEAT.

Such conflicts may create problems; they can:

- Inhibit free discussion;
- Result in decisions or actions that are not in the interests of PEAT; and
- Risk the impression that PEAT has acted improperly.

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety and safeguard against fraud, theft and other illegal activities.

The declaration of interests

Accordingly, we are asking directors, members, local governors and staff to declare their interests, and any gifts or hospitality received in connection with their role in PEAT. A declaration of interests form is provided for this purpose, listing the types of interest you should declare.

To be effective, the declaration of interests needs to be updated at least annually, and also when any changes occur.

If you are not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the governing body clerk or School Business Manager for confidential guidance. Interests will be recorded on the governing body's register of interests, which will be maintained by the School Business Manager.

Data Protection

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that directors, members, local governors and staff act in the best interests of PEAT. The information provided will not be used for any other purpose.

What to do if you face a conflict of interest

If you are a user of PEAT's services, or the carer of someone who uses PEAT's services, you should not be involved in decisions that directly affect the service that you, or the person you care for, receive(s). You should declare your interest at the earliest opportunity and withdraw from any subsequent discussion. The same applies if you face a conflict for any other reason. You may, however, participate in discussions from which you may indirectly benefit, for example where the benefits are universal to all users, or where your benefit is minimal.

If you fail to declare an interest that is known to the clerk and/or the chair of directors, the clerk or chair will declare that interest.

Decisions taken where a board member or member of staff has an interest

In the event of the board having to decide upon a question in which a Board Member or member of staff has an interest, all decisions will be made by vote, with a simple majority required. A quorum must be present for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate.

Interested board members may not vote on matters affecting their own interests. They may participate in the discussion but not the decision-making process.

All decisions under a conflict of interest will be recorded by the clerk to directors and reported in the minutes of the meeting. The report will record:

- The nature and extent of the conflict;
- An outline of the discussion;
- The actions taken to manage the conflict.

A *de minimis* exemption applies to contracts less than £100 in value. Random checks against the register of interest will be made on the award of contracts below this value. If the cumulative value of a series of small contracts exceeds £100, the director will operate the policy used for individual contracts over that sum.

The *de minimis* exemption does not apply to contracts of employment with PEAT.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

Directors, members, local governors and staff **Managing contracts**

If you have a conflict of interest, you must not be involved in managing or monitoring a contract in which you have an interest. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.