



St Peter & St Paul
CofE Primary School

Business and Pecuniary Interests Policy

2019 - 2020

(This policy has been drafted having regard for the school's Christian ethos.)

	Date	Signed
Agreed by Staff:	January 2019	Mr Steve Ginn Head Teacher
Agreed by Governors:	January 2019	Mrs N Ford Chair of Governors
Lead:	Finance & Resources Committee/ Strategic Leadership Committee	
Review date:	January 2020	

Our School Mission Statement

We see it as our mission to grow the whole child - intellectually, emotionally, physically, socially and spiritually. To provide them, within a Christian environment, with every learning opportunity possible and to empower them to be the leaders of tomorrow.

Business and Pecuniary Interests Policy

Rationale:

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.

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.

Aim:

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.

Framework:

The Governing Body will maintain a register which lists for each member of the Governing Body and school staff, and the Head Teacher:

- Any business interests of themselves or any member of their 'immediate family'
- Details of any other educational establishments where they are governors
- Any relationships between school staff and members of the governing body

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

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 public inspection.

The register will be published on the school's website. Business interests/nil returns of school staff may be omitted from the published copy unless they are also governors or the Head Teacher, 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.

This Policy conforms to the requirements set out in the Trust's Finance Regulations and will be updated promptly whenever the Trust 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.

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

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 School's '*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 School. The forms must be completed upon appointment and thereafter, 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 Head Teacher 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 Trust recommends that interests are declared if the individual is unsure whether to include them. Specific issues can be discussed with the Head Teacher/Chair of Governors or the Trust's Chief Finance Officer/Chief Executive Officer.

General Interests Register:

The Head Teacher will maintain an up-to-date General Interests Register. The Register must contain individual entries from each governor and member of staff.

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

Publishing the Register:

The Governing Body is responsible for publishing the Register.

The Head Teacher will ensure that the statutory information is prepared ready for publication on the school website.

The Register will be made available on the school's website in a readily accessible form (i.e. not in a document that has to be downloaded).

The Register will also be available for inspection at the school by members of the public, parents and staff.

Business interests/nil returns of school staff may be omitted from the published copy unless they are also governors or the Head Teacher, 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 Trust, the Governing Body or the school:

- The regulations apply to all members of the Governing Body and the Head Teacher 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 Head Teacher 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 Head Teacher), 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.

a) 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
- Not take part in the vote on any question related to the matter
- Not take part in any financial activity connected to the matter

b) 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 Head Teacher.

If the person making the declaration is the Head Teacher, 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.

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 Head Teacher) and advice will be sought from the Chief Executive Officer.

Whole Governing Body Reviews:

The Governing Body will review the General Interests Register on an annual basis. The Head Teacher 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 significant 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.

Period of Review:

This policy will be reviewed annually by the full Governing Body.

Document History

Version	Date	Comments
Issue 1	February 2016	Prepared in line with County model template.
Issue 2	February 2017	Reviewed and updated in line with County guidance.
Issue 3	January 2019	Updated with reference to the Trust