

# Orchard Community Primary School



## Pecuniary Interests Policy

This policy was approved by the Governing Body of Orchard Primary School at their meeting on.....

Signed  Chair of Governors

Version	Date	Author	Reason for Change
0.1	1/2019	FS	New Policy

Review Frequency	Next Review Date
Every 3 years	1/2022

## **INTRODUCTION**

A pecuniary interest can be clarified as a financial benefit. Within the context of a school, the financial benefit concerns public funds. It is important for all people involved in spending public money to demonstrate that they do not benefit personally from decisions they make.

As part of Orchard Primary School's commitment to openness and transparency, an annually updated 'Register of Pecuniary and business Interests' in which governors and senior school staff (Heads & Deputies) should record, among other things, any links they may have with local firms from which the school may wish to purchase goods and services, is to be maintained and made available for public inspection

The register is designed to protect both the school and individual Governing Body members from damaging allegations of corruption and possible punitive actions.

## **DEFINITION AND SCOPE**

Interests to be declared by Governing Body 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 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 Governing Body member could be acting for personal motives.

A conflict of interest will arise in any circumstance where doubt can be cast on a Governing Body member's ability to act with complete objectivity with regard to the school's activities.

Additionally, if any member of staff who is responsible for proposing a course of action in relation to spending the school's designated budget or is responsible for ordering goods and services on behalf of the school has links with local firms, organisations or clubs that the school may wish to purchase from, or provide services to, then these links should be disclosed to the Headteacher.

## **WHAT INFORMATION SHOULD BE DECLARED**

This is the information which should be declared by all members of the governing body and relevant staff members:

**Employment:** Everyone in paid employment (including self-employment) should provide details of the name of the employer, type of business and the job they do. If the Head receives remuneration from any other interests, these should also be declared.

**Contracts:** It may be that a contract could be made or proposed between the school and a member of staff or a governor, or a company or other body in which a governor or staff member has an interest (including as a shareholder). In this case, the governor or employee must provide full details of the contract, including its duration, the good or services to be provided or the works to be executed. Similarly, if there is to be a contract between the school and a club, society or organisation of which a staff member or governor is a member, this link must also be declared.

Securities: Governors and staff should provide details of any company in which they hold securities (stocks and shares).

### **DECLARING AN INTEREST**

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.

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/Governor their advice on how any potential conflict is to be managed. Any such advice will also be placed on the register.

All Governors, (including parent and staff Governors), have an overriding duty to act in the interests of the school and cannot act as representatives of other bodies when undertaking their Governing Body 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 Governing Body.

### **AVOIDING PERSONAL BENEFIT AND CONFLICTS OF INTEREST**

Parent and staff Governors are also expected to ensure that the Governing Body 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 Governing Body 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 Governing Body.

Examples of when a governor 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.

A governor who is to be the subject of any discussion at a governors' meeting should also leave the room. This would include the governor's appointment to a post at the school and, for example existing staff members, consideration of that person's transfer from one post to another; promotion; retirement; suspension or dismissal, or if the governing body's decisions may lead to a staff vacancy being created for which that governor could apply.

Any governor with previously expressed views or direct involvement in a staff or pupil disciplinary, grievance or admissions matter must leave the room when the subject is discussed.

### **HANDLING A CONFLICT OF INTEREST**

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

If the conflict is clear and substantial, the Governing Body should offer to withdraw and, if invited to remain, must refrain from voting on the matter. The Governing Body 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).

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

If a Governing Body or staff member considers that a governor 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 Governing Body via the chair.

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

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.

## **REGISTER OF PECUNIARY INTERESTS**

The register will be reviewed on an annual basis by the Governing Body or more frequently where significant changes have been reported. It is the responsibility of the individual governor and staff member to ensure the information is accurate and up to date.

The information is kept secure and is available to the governing body, the Headteacher, the Clerk to the Governors, representatives of the LA and anyone who has a right to see it under the Education Acts as part of the inspection of the school. The information is otherwise confidential and may be used by those with access to it only in carrying out their statutory duties.