

Declaration of Interests and Potential Conflicts of Interest Policy

This guidance has been produced to enable the trust to have a clear policy on the declaration of interest for The Trust and applies equally to all staff and trustees.

The trust employees are subject to the Code of Conduct for Employees and the seven principles of public life promulgated by the Nolan Committee. The seven principles are:

-  selflessness
-  integrity
-  objectivity
-  accountability
-  openness
-  honesty and
-  leadership

General Principles

Trustees and relevant (that is, those with an influence on expenditure decisions) staff must conduct themselves in a manner appropriate to their position as the senior decision makers within the trust.

Judgements must be made on an individual basis, taking account of the situation.

It is important to:

-  Ensure that no member of staff or trustee is involved in taking a decision or participates in a discussion on any matter where they have a conflict of interest.
-  Avoid any impression that any member of staff or board has used their position to their personal advantage

Each member of staff or board should ensure that, before they become involved in taking a decision, or participate in a discussion on any matter, there are no conflicts of interests that, in the opinion of a fair-minded and informed observer, would suggest a real possibility of bias.

Where members of staff or board come into possession of confidential information in the course of their role, they must not use or disclose that information in order to benefit themselves or to benefit any other person.

Individual members of staff and board are responsible for their own compliance with these guidelines and with the law.

In the interests of transparency and accountability, members of the board are required to register **in advance** interests that are capable of causing conflicts. In addition, in relation to specific decisions, disclosure should be made of any interest that might conflict with their duties.

Register of Interest

All relevant staff and trustees shall register appropriate information by making a written declaration in the Register of Interests.

Staff and Trustees should update their entry in the register once a year, but update the register as soon as any change is reasonably known. The form should be signed even if there is nothing to declare.

The register is available to the public on request but will not be generally available.

Disclosing Interests

From time to time staff and trustees may have or become aware of interests which do not have to be registered by which might, nonetheless, conflict with their duties. As well as keeping their entry on the register up to date, disclosure must be made as soon as he or she becomes aware that they may cause a conflict.

Such interests must be disclosed whether or not they are entered on the register and there should always be the opportunity for such disclosures to be made at the start of meetings of the full trustee meetings, or committee.

Procedures for Handling Interests

Where a member of staff has a declared interest the Chairperson should assess the impact of that interest on the individual's autonomy and ability to fulfil their role. The chairman should ensure that the member of staff is not compromised, by being involved in any matter where they have a conflict of interest.

Similarly, where the Chairperson has a declared interest, the trustee should consider the impact of that interest and ensure that the chairman is not compromised, by being involved in any matter where s/he has a conflict of interest.

In the event that a member of staff or trustee receives a written paper or agenda on a matter on which they have a conflict of interest, they must immediately inform the clerk to governors/trustees and disclose their interest at the start of the meeting.

If a member of staff or trustee becomes aware of a conflict during the course of any discussion, their interest should be disclosed immediately.

In most cases where a relevant interest has been disclosed or registered, the individual must withdraw from all involvement in discussion or decisions relating to that matter.

However, in some circumstances the individual may, if agreed by the full governing body or relevant committee, participate in decisions and/or discussions. This is likely to be where the individual's relationship is so slight or historic that it would be unreasonable to suppose any significant interest, or where the decision and discussion will have no foreseeable implications for the individual's interest.

Which interest should be disclosed?

In considering whether to disclose an interest, those affected by this policy should ask whether, in the opinion of a fair-minded and informed observer, the interest would suggest a real possibility of bias.

The following questions may be useful:

-  do you have, or have you recently (within the past two years) had, any material business or other financial relationships with a relevant party?
-  do you have, or have you recently had, any other (non-financial) relationships with a relevant party, the existence of which might suggest a real possibility of bias on your part?
-  in considering whether to disclose an interest, you should also ask whether, in the opinion of a far-minded and informed observer, the interest of close family members or friends would suggest a real possibility of bias

Staff and Trustees must regard themselves as having a personal interest in any matter if that matter directly relates to, or impacts on, their interests or any

decision they are asked to take that would affect the well-being or financial position of themselves, a relative* or friend.

In relation to:

-  any employment or business carried on by such persons
-  any organisation in which such persons have a beneficial interest
-  any organisation in which such person hold a position of general management

The following list illustrates specific situations where interests should be recorded:

-  **Paid employment, office or profession**
-  **Paid employment, office or profession of relatives**, other regular significant sources of payment from an organisation or investment which might be considered relevant
-  **Directorships**, whether paid or not, of any organisation
-  **Membership of other public bodies** (e.g governing bodies of universities, colleges and schools, and local authorities), **trusteeships** (e.g museums, galleries and similar bodies) **and acting as an office holder or trustee for pressure groups, trade unions and voluntary or not-for-profit organisations**
-  Relevant securities which are not placed in a Blind Trust

In this section

-  Relative* means spouse, partner, parent, parent-in-law, son, daughter, step-son, step daughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew, niece, or the spouse or partner of the above)
-  "Blind Trust" means an arrangement by which an individual gives a stockbroker or other professional investment manager absolute discretion to manage investments in Relevant Securities and under which the Board Member is not consulted before any dealing takes place, does not instruct the investment manager with regard to any specific securities, and is not informed of changes in specific investment or the stake of the portfolio other than in an aggregated form or as required for tax returns
-  "Relevant Securities" means shares, debt securities, including debentures, bonds and gilts, options, rights or future rights to shares or other securities but does not include units in Unit Trust or equivalent managed fund

Confidential information

The Criminal Justice Act (CJA) 1993 makes it a criminal offence for an individual who has information as an insider to deal in securities (including shares, debentures, warrants and options) on a regulated market. Individuals who gain access to price-sensitive information through their employment or by virtue of an office they hold will be considered an, "insider" under CJA 1993. Individuals in these circumstances who have unpublished price-sensitive information on any company, and either deals in the securities themselves, arranges for someone to deal in these securities on his/her behalf or passes the information on to someone or encourages someone else to deal will be committing an offence. The insider dealing offence under CJA 1993 is punishable by up to seven years' imprisonment and/or and unlimited fine.

Particular care should be taken to avoid disclosing to any person (or otherwise acting on) any discussions relating to decisions that have not yet been made public: for example, the award of significant new contracts that have yet to be publicly announced.

The Principal Finance Officer has overall responsibility for the maintenance and operation of this policy. That person maintains a record of concerns raised and the outcomes and will report as necessary to board.

The Education Fellowship Trust

Register of Interests

In the interest of transparency and accountability, relevant members of staff and the trustees are required to register in advance interests that are capable of causing conflicts.

Staff and Trustees must regard themselves as having a personal interest in any matter if that matter directly relates to, or impacts on, their interest or any decision they are asked to take that would affect the well-being or financial position of themselves, or close friend.

A full detail of the Trust's **Policy on Declaration of Interests for Staff and Governors** is available for inspection from the Finance Office.

Name:

Position:

Name of Company or Organisation	Nature of Interest	Paid (Y/N)

I declare the above information, to my knowledge, represents all information that may potentially compromise my impartiality as a member of school staff/governor.

Signed: _____

Date: _____