

CONFLICTS OF INTEREST POLICY

This section should be completed following ratification of the Policy.

Audience	All Trustees, Members, FIP Members and Senior Leaders & All staff
Ratified	July 2023
Other Related Policies	Scheme of Delegation
Policy Owner	Trust Board
Review Frequency	Every two years

Ownership

Preston Hedges Trust is responsible for the production and maintenance of this document. It is issued by the Clerk, clerk@prestonhedges.org to whom any change requests or queries should be directed.

Contents

1.	Aim
2.	Rationale
3.	The Declaration of Interests
4.	Data protection
5.	What to do if you face a conflict of interest
6.	Decisions taken where a Member, Trustee, FIP Member or Leader of the Trust has an interest
7.	Related Party Transactions
8.	Managing Contracts

1. Aim:

The aim of this policy is to ensure that there is a policy for managing conflicts of interest as part of our governance procedures.

2. Rationale:

The Trust is required to have a policy on managing conflicts of interest. Members, Trustees, FIP Members, Trust Leaders and all staff have an obligation to act in the best interests of Trust, and in accordance with Trust's policies.

Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of Trust.

Such conflicts may create problems; they can:

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

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety.

3. The Declaration of Interests

All Members, Trustees, FIP Members, Leaders with purchasing authority are required to declare their interests annually by completing the Register of Business Interests pro forma.

The original is held by the Company Secretary on behalf of the Trust.

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

Members, Trustees, FIP Members, Leaders and Staff of the Trust are advised that if not sure what to declare, or whether/when any declaration needs to be updated, that they should err on the side of caution.

The Company Secretary via the Chief Operating Officer will provide advice and it is their responsibility to ensure that professional advice (i.e. from the auditors) is sought where necessary.

Interests will be recorded on the Trust Board register of interests, which will be maintained by Company Secretary. The register will be available on request and is on the Trust website.

At each meeting, the clerk will ask for any conflicts of interest to be declared.

4. Data Protection

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 2018.

Data will be processed only to ensure that Members, Trustees, FIP Members, Leaders and Staff of the Trust act in the best interests of Trust. The information provided will not be used for any other purpose.

5. What to do if you face a conflict of interest

If you are a user of Trust's services, or the parent/carer of someone who uses Trust'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 Clerk, the Clerk will declare that interest.

6. Decisions taken where a Member, Trustee, FIP Member or Leader of the Trust has an interest

In the event of the Trust having to decide upon a question in which a Trustee 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 must absent themselves from the discussion and the decision-making process.

All decisions under a conflict of interest will be recorded by Clerk 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.

7. Related Party Transactions

The [Academy Trust Handbook](#) sets out reporting and approval requirements for academy trusts in advance of transacting with a related party.

Academy trusts must seek prior approval from ESFA when:

- a single proposed contract or agreement with a related party exceeds £20,000
- a proposed contract or agreement of any value means the total value of contracts or agreements with the same related party exceeds £20,000 in a financial year

A series of intended transactions with the same supplier can be submitted as a single request for approval, as long as sufficient detail about each transaction is included in the evidence provided.

8. 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.