



THE PATHWAY ACADEMY TRUST

Registered address: c/o Culverstone Green Primary School,
Wrotham Road, Meopham, Kent DA13 0RF

Registered Company N° 9782388

CONFLICT OF INTERESTS POLICY

Author	Trust Business Manager
Approved by	Trust Board
Version	1.0

1.0 Trust Statement

- 1.1 Conflicts of interests will arise from time to time amongst members of the Board of Directors. The Board of Directors has a collective responsibility for the effective delivery of funded projects. This collective responsibility should override individual interests.
- 1.2 **The Pathway Academy Trust** is committed to raising awareness amongst Directors, Governors and staff of their responsibility to avoid conflict of interests by acting in good faith and for the benefit of the Trust.
- 1.3 As part of the Trust's commitment to openness and transparency, an annually updated Register of Interests is to be maintained and made available for public inspection. The register is designed to protect both the Trust, as well as Directors and Local Governors from damaging allegations of corruption and possible punitive actions.

2.0 Definition and Scope

- 2.1 Interests to be declared by Directors and Local Governors can be both financial and non-financial 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 organisations, (including other schools), which might have a bearing on the Trust's work
 - Any financial interest which might relate to the Trust'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 Director or Governor could be acting for personal motives.
- 2.2 A conflict of interest will arise in any circumstance where doubt can be cast on a Director's or Local Governor's ability to act with complete objectivity with regard to the Trust's activities.

3.0 Declaring an interest

- 3.1 On appointment and annually thereafter, Directors and Local Governors 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.
- 3.2 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 their advice on how any potential conflict is to be managed. Any such advice will also be placed on the register.
- 3.3 The register will be reviewed on an annual basis by the Board of Directors or more frequently where significant changes have been reported.

4.0 Avoiding personal benefit and conflicts of interest

- 4.1 Directors and Local Governors should ensure that private or personal financial interests never influence their decisions taken on behalf of the Trust. They should ensure that they never use their position as Directors / Local Governors for personal gain of any sort.
- 4.2 Directors and Local Governors can make a valuable contribution to the work of the Trust, even if they have responsibilities to others that might sometimes bring them into conflict with the Trust.
- 4.3 All Directors and Local Governors (including parent and staff Directors), have an overriding duty to act in the interests of the Trust and cannot act as representatives of other bodies when undertaking their Board of Directors or Local 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 Board of Directors or Local Governing Body.
- 4.4 Parent and Staff Directors / Local Governors are also expected to ensure that the Board of Directors or Local 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 Board of Directors or Local 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 Board of Directors or Local Governing Body.
- 4.5 Examples of when a Director or Local 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 could reasonably cause others to think it could influence their decision.
- 4.6 The law generally prohibits any Director, Local Governor or close relative from receiving any benefit from the Trust, which includes all payments except for reasonable governor expenses as agreed by the Board of Directors. The only exception to this rule concerns directors who are employed members of staff, however it should be noted that they should not receive any benefit in their capacity as a director beyond what is allowed in law.
- 4.7 Directors should never accept gifts, (other than those of a trivial nature) and should avoid giving or receiving any extravagant hospitality to anyone connected with the work of the Trust. All hospitality received should be notified to the Trust Secretary so that it can be entered in the hospitality register.

5.0 Handling a conflict of interest

- 5.1 It is the responsibility of individual Directors or Local Governors who have any interest, however slight, in any matter about to be discussed or decided by the Board of Directors or Local Governing Body to disclose this interest, (including all relevant facts), and ensure the declaration is recorded in writing in the Trust's records.
- 5.2 If the conflict is clear and substantial, the Director or Local Governor should offer to withdraw and, if invited to remain, must refrain from voting on the matter. They 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).
- 5.3 Where such a conflict is likely to reoccur on a frequent basis, the Director or Local Governor should offer to resign.
- 5.4 Parent and Staff Directors / Local Governors are fully entitled to participate in discussions of, and where applicable vote on, all policy matters affecting all or a substantial group of parents or staff, however they must abide by the preceding paragraphs on matters affecting themselves, their relatives or close friends individually. This includes discussions of policy on issues such as areas where the Trust is considering or taking action against the relevant person; or complaints etc where the individual is taking action against the Trust.
- 5.5 Any Director or Local Governor involved in a significant dispute with the Trust will automatically be suspended until the dispute is resolved and will remain suspended until final decisions, including consideration of any ombudsman's findings, have been taken by the Trust. This excludes parent or staff Directors / Local Governors using the normal complaints procedure, who must abide fully by the preceding paragraphs in relation to consideration of their complaint by the Trust, however suspension will be automatic when the complaint reaches stage three (i.e. consideration by the Board of Directors).
- 5.6 If a member of the Board of Directors, Local Governing Body or staff member considers that a director or 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 Board of Directors via the Chair.
- 5.7 No contract or other award should be made to a Director, Local Governor, staff member, company etc. in respect of which an interest has been declared without the prior approval of the Board of Directors.
- 5.8 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.