

## **REGISTER OF DECLARED INTERESTS GUIDANCE AND MODEL FORM**

It is important that Members/Trustees/Governors and staff not only act impartially, but are also seen to act impartially. The Board (Trustees and Governors) and school staff have a responsibility to avoid any conflict between their business and personal interests and affairs and those of the school/academy. There is a legal duty on all to declare an interest likely to lead to questions of bias when considering any item of business at a meeting and for the person concerned to withdraw, if necessary, whilst the matter is considered.

To help put this duty into practice, a board is required to establish and maintain a register of interests indicating, for all, any interests. This should include, if appropriate:-

- The company by whom they are employed, directorships, significant shareholdings or other appointments of influence within a business or other organisation which may have dealings with the school. They should include their own interest and those of any member of their immediate family (including partners) or other individuals known to them who may exert influence.
- Any relationship in regard to any member of staff within the school/academy or academies in a multi-academy trust for example spouse and family member.
- If they are a parent of a young person attending the school/academy or academies in a MAT.

The register sheet should be signed by the member/trustee/governor. The register will enable demonstration that in spending public money no-one benefits personally from decisions that they make. The register must contain, as a minimum, the elements shown on the attached sheet.

Boards should ensure the register is up to date, complete and includes all associated with governance within the school/academy or academies. Dated nil returns are also required. There should be notification of changes, as appropriate, and through an annual review of entries. To ensure evidence of completeness it should be signed off annually by the chair.

The completed register should be retained by the clerk and made available on request to members of the board, headteacher/principal, staff, parents and the Director Children's Services as well as being published on the school/academy website.

There is often some confusion around what information needs to be declared on the declared interests form and whether spouses/partners possible interest is relevant. It may be helpful to clarify the situation to members/trustees/governors with a covering letter when sending out the form and a suggested letter is attached. This letter also gives a bit more guidance on how to fill in the form.

It is specifically the clerk's responsibility to maintain the register of declared interests; however it is the responsibility of each individual to declare their interest. The register is not a substitute for declaring an interest at meetings.

### **SUGGESTED ACCOMPANYING LETTER TO MEMBERS/TRUSTEES/GOVERNORS**

Dear Colleague

### **Register of Declared Interests**

Please find attached the Register of Declared Interests form which I should be grateful if you would complete and return to me at your earliest convenience.

This is a statutory document for the Board and you should give careful consideration to it when completing. It is important that members/trustees/governors [*delete as appropriate*] and staff not only act impartially, but are seen to act impartially. The board and school/academy [*delete as appropriate*] staff have a responsibility to avoid any conflict between their business and personal interests and affairs and those of the school/academy [*delete as appropriate*]. There is a legal duty on all to declare an interest likely to lead to questions of bias when considering any item of business at a meeting and for the person concerned to withdraw, if necessary, whilst the matter is considered.

To help put this duty into practice, a board is required to establish and maintain a register of declared interests indicating, for all serving on the board, any declared interests. This should include, if appropriate, the company by whom they are employed, directorships, significant shareholdings or other appointments of influence within a business or other organisation which may have dealings with the school. They should include their own interest and those of any member of their immediate family (including partners) or other individuals known to them who may exert influence. The register sheet should be signed and will enable those in governance to demonstrate that in spending public money they do not benefit personally from decisions that they make.

The register is reviewed annually, but members/trustees/governors [*delete as appropriate*] are reminded that they should declare any changes as and when they occur.

If you require any assistance with this, please do not hesitate to contact me.

Yours sincerely

Clerk to the Board

## FORM - Register of Declared Interests for Members/Trustees/Governors

Name of Member/Trustee/Governor \_\_\_\_\_

Date of Appointment \_\_\_\_\_ Date of Resignation/Retirement \_\_\_\_\_

Name of Organisation	Nature of Interest	Date from which involved	Signature	Date of signature	Date interest ceased	Signature	Date of signature	Notes

**Notes: 1. Use the notes column to indicate relationships. 2. One page for each Governor or more if required. 3. Make all entries in ink.**

Record of Reviews (Clerk to the board to distribute amendment and signature annually)

Date											
Initials											

Members/Trustees/Governors are reminded that completion of this form does not remove the requirement upon them to disclose orally any interest at any specific meeting and to leave the meeting for that agenda item.

**Register of Business Interests for Governors at ?????? (Maintained School)**

<b>Surname</b>	<b>First Name</b>	<b>Type of Governor</b>	<b>Date of Appointment</b>	<b>Name of Business</b>	<b>Nature of Interest</b>
<i>Example</i>	<i>Anyone</i>	<i>Co-opted</i>	<i>1.9.14</i>	<i>Cleaning Services Ltd</i>	<i>Partner of owner of company that provides cleaning services to school</i>

**Dated.....**

**Signed by Chair of Governors.....**

**Register of Business Interests for Members/Trustees/Governors of ????? (Academy or Multi-academy Trust)**

<b>Name</b>	<b>Post</b>	<b>Other remunerated employment</b>	<b>Financial Securities</b>	<b>Contracts with the Academy</b>	<b>Personal Relationship Interests</b>	<b>Additional Trustee Responsibilities</b>
<i>Example 1</i>	<i>Governor/Trustee</i>	<i>President of ABC</i>	<i>None</i>	<i>None</i>	<i>Husband of head of English</i>	<i>Trustee of NSPC</i>
<i>Example 2</i>	<i>Principal</i>	<i>None</i>	<i>None</i>	<i>None other than employment contract</i>	<i>None</i>	<i>None</i>
<i>Example 3</i>	<i>Governor/Trustee</i>	<i>Self-employed builder</i>	<i>50% in Bodged and Scarpered Ltd</i>	<i>None</i>	<i>None</i>	<i>None</i>

Dated.....

Signed by chair of governors.....

**FOR THE GUIDANCE OF THOSE IN GOVERNANCE, A SUMMARY OF THE PRINCIPLES ABOUT WITHDRAWAL FROM MEETINGS AND DISCLOSURE OF INTEREST ARE SET OUT BELOW.**

**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 board.**

- The guidance applies to all members of the board and the headteacher and any others in attendance at the meeting, though if a matter is to be voted upon, then only to the members of the board.
- The clerk to the board shall only be required to withdraw when the board is discussing the clerk's pay/contract or disciplinary action against the clerk.
- Trustees/Governors have to withdraw when their own appointment, reappointment or removal as a member of the board or a committee is under consideration.
- Any trustee/governor who is employed to work at the school/academy (other than the headteacher), must withdraw from a meeting where the pay or performance appraisal of any particular person employed to work at the school/academy is under discussion.
- The headteacher must withdraw from any meeting where his/her own pay or performance appraisal is under discussion.
- If a person has any declared interest, direct or indirect in any contract, proposed contract or any other matter under discussion at a meeting s/he shall at the meeting disclose the fact and:
  - (a) withdraw from a meeting during the consideration or discussion of the meeting;
  - (b) not vote on any question with respect to that matter.
- A person has an indirect declared interest if:
  - (a) s/he, or any nominee of hers/his, is a member of a company or other body with which a contract is under consideration or has been made;
  - (b) s/he is a partner in business or in the employment, of a person with whom the contract is made or under consideration.
- A person has a direct or indirect declared interest in a matter if a relative (including a spouse), has a direct or indirect pecuniary interest.
- The headteacher (whether a trustee/governor or not), a trustee/governor who is a teacher or member of the non-teaching staff, or any teacher who is in attendance in an advisory capacity should not have an interest that is greater than the interest of the generality of teachers at the school.
- A person present at a meeting of a selection panel at which the subject for consideration is that person's appointment (or that of his/her relative or spouse) to a post as a teacher or otherwise at the school/academy, a transfer or promotion or retirement or shall be a candidate for the resulting vacancy, s/he shall be deemed to have an interest.