



**Bishop  
Hogarth**

Catholic Education Trust

**POLICY FOR MEMBERS OF STAFF, MEMBERS, DIRECTORS &  
MEMBERS OF LOCAL GOVERNING COMMITTEES**

**REGISTER OF BUSINESS AND PERSONAL INTERESTS**

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Change Log	
<b>Update:</b>	<p>Updated to include new section on Legal Framework</p> <p>Updated section on Related Parties to accord with latest iterations of the Academy Trust Handbook.</p> <p>Updated to replace ESFA with DfE throughout.</p>
<b>Location:</b>	<p>1. Legal Framework</p> <p>5. Related Parties</p>
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<b>Completed by:</b>	Julian Kenshole – Director of Governance

## Policy for Senior Staff, Members, Directors and Members of Local Management Committees for Business and Personal Interests

### 1. **[New]** Legal framework

This policy has due regard to all relevant guidance including, but not limited to, the following:

- DfE (2024) 'Academy Trust governance guide'
- The Charity Commission (2022) 'Conflicts of Interest: a guide for charity trustees'
- The Charity Commission (2020) 'Managing conflicts of interest in a charity'
- **Amended** DfE (2025) 'Academy trust handbook 2025' (effective from 1 September 2025)

This policy operates in conjunction with the following school policies:

- Finance Policy
- Tendering and Procurement Policy
- Reserves and Investment Policy
- Gifts, Hospitality & Prizes
- Anti-Fraud, Bribery & Corruption Policy
- Whistleblowing Policy
- Assets & Disposal Policy
- Anti-fraud and Corruption Policy
- Register of Interests
- Data Protection Policy
- Director / Governor / Staff Codes of Conduct
- Disciplinary Policy and Procedure

### 2. Introduction

The Trust **must** keep a register of any relevant business and financial interests, including governance roles in other educational institutions, for (as a minimum) members, trustees, local governors and senior employees, serving at any point over the past 12 months.

### 3. The Register

The register **must** include their full names, date of appointment, term of office, date they stepped down (where applicable), who appointed them and relevant business and financial interests including:

- directorships, partnerships and employments with businesses that provide goods or services to the Trust;
- trusteeships and governorships including at other educational institutions and charities irrespective of whether there is a trading relationship with the Trust; and,
- for each interest: the name of the business, the nature of the business, the nature of the interest, and the date the interest began.

The register **must** identify any relevant material interests arising from close family relationships between the academy trust's members, trustees or local governors. It **must**

also identify relevant material interests arising from close family relationships between those individuals and employees. A relative is defined as: a close member of the family, or member of the same household, who may be expected to influence, or be influenced by, the person. This includes, but is not limited to, a child, parent, spouse or civil partner. The Trust must keep the register up to date with notification of changes; to undergo an annual review of entries, and to make the register available for inspection.

The Trust **must** publish on its websites relevant business and pecuniary interests of Members, Directors, Local Governors and the Accounting Officer. The Trust will exercise discretion over the publication of the interests of any other individual named on the register. The Charity Commission offers guidance on managing potential conflicts of interest in: CC29: Conflicts of Interest - A Guide for Charity Trustees

#### **4. Conflicts**

For register purposes a close relative is defined as a close member of the family, or member of the same household, who may be expected to influence, or be influenced by, the person. This includes, but is not limited to, a child, parent, spouse or civil partner of the member of staff, Member, Member of Local Governing Committee, Director or any person living with the affected individual as his or her partner. As a general principle, and if in doubt individuals should err on the side of caution and declare interests that they think could be covered by this guidance. Such a declaration must be made as soon as an individual becomes aware of the possibility of any such conflict arising or indeed that may be perceived / construed as arising. A good test is for the individual to ask himself/herself whether others would think that the interest is of a kind to make this possible. If the individual thinks this is so, or is in doubt then the information should be recorded on the register of interests.

Conflicts of interest may arise where either:

- there is a potential financial or measurable benefit directly, or indirectly through connected person; or
- the individuals duty to the Trust may compete with a duty or loyalty they owe to another organisation or person

Examples of benefits are where the Directors decide to:

- sell, loan or lease Company assets to a Director
- acquire, borrow or lease assets from a Director for the Trust
- pay a Director for carrying out their Director role
- pay a Director for carrying out a separate paid post within the Trust, even if that Director has recently resigned as a Director
- pay a Director for carrying out a separate paid post as a director or employee of any subsidiary trading company
- pay a Director, or a person or company closely connected to a Director, for providing a service to the Trust. This covers anything that would be regarded as a service and includes legal, accountancy or consultancy services through to painting or decorating the Trust's premises, or any other maintenance work
- employ a Director's spouse or other close relative (or at the Trust's subsidiary trading company)
- make a grant to a Director, or a service user who is a close relative of a Director
- allow a Director to influence service provision to their exclusive advantage

Conflicts of loyalty may arise because although the affected individual does not stand to gain any benefit, their decision making for the Trust could be influenced by his or her other interests. For example, an individual's loyalty to the Trust could conflict with his or her loyalty to:

- another organisation, such as their employer
- another charity of which they are a trustee
- a close member of their family
- another connected person or organisation

Only relevant interests will be declared. Any interests that do not directly benefit individuals or their relatives do not need to be declared – for example, being a small shareholder in a large national company rather than a significant shareholder.

## 5. **[Updated]** RELATED PARTIES

The Trust will be even-handed in its relationship with related parties by ensuring:

- Directors' compliance with their statutory duties to avoid conflicts of interest, not accept benefits from third parties, and declare interest in proposed transactions or arrangements.
- All member, Directors, governors of Local Governing Committees and senior employee complete the register of interest.
- No member of the trust uses their connections to the trust for personal gain.
- All payments are permitted by the articles of association or by authority from the Charity Commission.
- The Charity Commission approves payments to a trustee where there is a significant advantage to the trust.
- Any payment provided to a person satisfies the 'at cost' requirement.

**[Updated]** All related party transactions will be reported to the DFE in advance of transactions taking place, using the DFE's [online form](#). This will be applied to all contracts and agreements made on or after 1 September 2023. The DFE's prior approval will be obtained, using the online form, for contracts for the supply of goods or services to the trust by a related party where any of the following limits apply:

- **[Updated]** A contract exceeding £40,000
- **[Updated]** A contract or other agreement of any value that would mean the cumulative value of contracts and other agreements with related party exceeds, or continues to exceed, £40,000 in the same financial year ending 31 August

**[New]** Prior DFE approval will not be required where contracts and other agreements for the supply of goods or services are with:

- Colleges, universities and schools which are sponsors of the academy trust.
- State funded schools and colleges, including academies.
- **[Trusts with a religious designation]** The religious authority for the provision of services for essential functions fundamental to the trust's religious character and ethos which can only be provided by the religious authority.

A body is related to another individual or organisation if it: is controlled by the individual or organisation; or controls the organisation; or is under common control with the individual or organisation. For these purposes control means:

- holding more than 20% of the share capital (or equivalent interest), or
- having the equivalent right to control management decisions of the body, or
- having the right to appoint or remove a majority of the board or governing body

This includes parent companies and their subsidiaries, key management personnel including company directors, their close family members and other entities in which these parties have a controlling interest. The Trust **must** pay no more than 'cost' for goods or services provided to it by related parties ('services' do not include services provided under a contract of employment). The 'at cost' requirement applies to contracts for goods and services from a connected party exceeding £2,500, cumulatively, in any one financial year of the Trust. For these purposes, where a contract takes the Trust's cumulative annual total with the connected party beyond £2,500, the element above £2,500 must be at no more than cost.

The at cost requirement applies to the following:

- any member or trustee of the Trust
- any individual or organisation connected to a member or trustee of the academy trust. For these purposes the following persons are connected to a member, or trustee:
- a relative of the member or trustee. A relative is defined as: a close member of the family, or member of the same household, who may be expected to influence, or be influenced by, the person. This includes, but is not limited to, a child, parent, spouse or civil partner
- an individual or organisation carrying on business in partnership with the member, trustee or a relative of the member or trustee
- a company in which a member or the relative of a member (taken separately or together), and/or a trustee or the relative of a trustee (taken separately or together), holds more than 20% of the share capital or is entitled to exercise more than 20% of the voting power at any general meeting of that company
- an organisation which is controlled by a member or the relative of a member (acting separately or together), and/or a trustee or the relative of a trustee (acting separately or together). For these purposes an organisation is controlled by an individual or organisation if that individual or organisation is able to secure that the affairs of the body are conducted in accordance with the individual's or organisation's wishes
- any individual or organisation that is given the right under the trust's articles of association to appoint a member or trustee of the academy trust; or anybody related to such individual or organisation
- any individual or organisation recognised by the Secretary of State as a sponsor of the academy trust; or anybody related to such individual or organisation

For the purposes of reporting to the DFE, transactions with related parties will not include salaries and other payments made by the trust to a person under a contract of employment through the Trust's payroll.

In relation to organisations supplying legal advice or audit services to the Trust, the 'at cost' requirement applies where the organisation's partner managing the service is a member or trustee of the Trust but not in other cases for those organisations.

In relation to the Diocese, the contributions made by the Trust for services it receives associated with securing the Trust's religious character and ethos, which only the diocese can provide, are regarded as meeting the 'at cost' requirement.

The trust recognises that some relationships with related parties may attract greater public scrutiny, such as:

- Transactions with individuals in a position of control and influence, including the chair of the board and the accounting officer.
- Payments to organisations with a profit motive, as opposed to those in the public or voluntary sectors.
- Relationships with external auditors beyond their duty to deliver a statutory audit.

The trust will keep up-to-date records and make sufficient disclosures in their annual accounts to show accordance with the high standards of accountability and transparency required within the public sector.

## **6. Declaring Interests**

On their appointment all individuals must complete, sign and return the Register of Interests Questionnaire even if they have no interests to declare. Once a questionnaire has been returned the details will be added to the Trust's Register of Interests and be published on its websites. Furthermore, and in line with recognised best practice, the opportunity to declare such an interest will appear as a standard agenda item at all meetings of Directors and Local Governing Committees where the current register will be included for reference and individuals reminded of their responsibility to inform of any changes to their interests. Where changes are declared then a new questionnaire must be completed and returned to the Clerk.

Where a conflict of interest arises at any point it must be declared and the register updated. Individuals should not participate in any decisions where they stand to gain, whether directly, or indirectly through a connected person.

A copy of the Register of Interests Questionnaire is attached at **Appendix 1**.

## Appendix 1

### Register of Interests Questionnaire

To ensure compliance with the Education & Skills Funding Agency (DFE) guidance on related party transactions, please complete the following form.

Please note:

- 1 A summary of related party transactions that the Trust has entered into will be included on our website.
- 2 Details of related parties including children under the age of 18 years and other close family members will only be included on our website if the Trust has entered into a transaction with them
- 3 Failure to complete this form accurately could lead to the Trust entering into transactions with related parties which could have significant financial implications for the Trust.

**Q1. Are you currently employed in a senior position, are a director or a partner in an organisation/business which has, or may have, dealings with the Trust?**

**If 'yes' please provide the name and activities of the organisation and the position held, including date of appointment.**

#### Details

Name of organisation /business:	Nature of business:	Nature of Interest/position held:	Date the interest began/date of appointment:	Date of cessation of interest

**Q2. Do you hold the position of director/trustee/governor or company secretary in any other company, charity or educational institution?**

**If 'yes' please provide the names and activities of all companies, charities and educational institutions and the position held, including date of appointment.**

**Details**

Name of organisation /business:	Nature of business:	Nature of Interest/position held:	Date the interest began/date of appointment:	Date of cessation of interest

**Q3. Do you have a controlling\* interest in any organisation listed above or any other organisation not already listed?**

**If 'yes' please provide the names and activities of the businesses and, if applicable, the full name of any business partner(s).**

**Details**

Name of organisation /business:	Nature of business:	Nature of Interest/position held:	Date the interest began/date of appointment:	Date of cessation of interest

**\*Control:** the ability to direct the financial and operating policies of an entity with a view to gaining economic benefit from its activities. The DFE Academy Trust Handbook refers to control as

- holding more than 20% of share capital (or equivalent)
- having the equivalent right to control management decisions of the body, or
- having the right to appoint or remove a majority of the board or governing body

**Q4. Do you have an interest in any non-corporate businesses such as a partnership/sole trader or an unincorporated charity?**

**If 'yes' please provide the names and activities of the businesses and, if applicable, the full name of any business partner(s).**

**Details**

Name of organisation /business:	Nature of business:	Nature of Interest/position held:	Date the interest began/date of appointment:	Date of cessation of interest

**Q5. Please provide the full names of individuals that would be classed as close family members\* under the definition provided who hold a directorship or controlling interest in any company or non-corporate businesses such as a partnership/sole trader or an unincorporated charity, including that entities name.**

**\* Close family members:** those family members, or members of the same household, who may be expected to influence, or be influenced by, that person in their dealings with the reporting entity. Close family would therefore normally include a person's spouse or partner, all children, siblings and parents.

**Q6. Please identify below any other interests or potential conflicts of interests deemed relevant but not already identified (see section review .**

**Details**

Name of organisation /business:	Nature of business:	Nature of Interest/position held:	Date the interest began/date of appointment:	Date of cessation of interest

I confirm that the above information is complete and correct and that I will notify the Clerk to the Board of Directors / Local Governing Committee immediately if any of the organisations above enter into discussions with the Trust that may lead to transactions being entered into.

I confirm that I will notify (in writing) the Clerk to the Board of Directors / Clerk to the Local Governing Committee of any changes to this information and to immediately declare where a conflict of interest arises so this register may be updated.

Name .....

Position in Trust (job title if a member of staff) .....

Signature.....Date .....

Relevant school(s)