



Conflict of Interests Policy

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Introduction

In charity law, Trustees must act in the best interests of the charity. Any situation in which another interest may conflict with this duty becomes a conflict of interest and must be managed as it arises.

As a Trust, our basis of operation stems from the conflict-of-interest section in the Trust's articles of association. Acting outside these terms of reference may not be valid and could be challenged as a breach of our legal responsibilities by the Charity Commission itself, or by another interested party, and could result in financial penalties.

The law states that Trustees may not receive a benefit from their charity (the Trust) either directly or indirectly.

The Academy Trust Handbook (ATH) provides guidance about business and pecuniary interests of Members, Trustees, Local Governors of Academies within a Multi-Academy Trust and senior employees. The Trust follows this guidance.

The Trust will ensure that all governance updates, including changes to Trustees and governance roles, are promptly reflected in GIAS (Get Information About Schools) and Companies House.

Conflicts in Procurement & Related Party Transactions

The Education and Skills Funding Agency (ESFA) requires the Trust to report related party transactions exceeding financial limits. These transactions will be declared in line with ESFA guidance and Academy Trust Handbook requirements.

Meeting minutes must formally document any related party transactions and confirm compliance with ESFA reporting requirements.

The potential for someone to benefit creates a conflict of interest. A conflict of interest usually arises where:

- There is potential financial or measurable benefit directly to an individual, or indirectly through a connected person.
- An individual's duty may compete with loyalties to another organisation or person.

This policy is applicable to all Members, Trustees, Local Advisory Board (LAB) Governors of Academies within a Multi Academy Trust (MAT) and senior employees of any of the Academies within the MAT.

One Multi Academies Trust or any of its Academies has a zero tolerance of placing transactions which represent a conflict of interest.

One Multi Academies Trust discloses in its annual accounts all remuneration (if relevant) and all benefits received by the Trustees.

Evidence of transactions involving Members, Trustees, LAB Governors of Academies within a MAT and Senior Employees or connected parties will show that such transactions have been conducted in accordance with the high standards of accountability and transparency required within the public sector.

Any conflicts of interest arising from relationships at work will be resolved through the appropriate change in line management reporting and avoiding any potential bias in performance management reviews that may favour employees involved in a relationship.

Any conflicts of interest arising from the role of Trustee/ Governor and employment within the Trust / Academy restricts the current employees, except for the roles of Staff Governor, Principal. These restrictions aim to eliminate potential conflicts of interest between governance responsibilities and professional roles within the institution. The rationale behind these measures lies in fostering transparency, ensuring the independence of decision-making, and adhering to principles of good governance. By securing this separation, the policy aims to fortify the stability of the Trust / Academy, cultivate community trust, and uphold the highest standards of ethical and effective leadership.

One Multi Academies Trust adheres to the Seven Principles of Public Life in guiding our operations, interactions, and dealings as representatives of the Trust. These principles are as follows:

The Seven Principles of Public Life

The Seven Principles of Public Life (also known as the Nolan Principles) apply to anyone who works as a public officeholder. This includes all those who are elected or appointed to public office, nationally and locally, and all people appointed to work in the Civil Service, local government, the police, courts and probation services, non-departmental public bodies (NDPBs), and in the health, education, social and care services. All public officeholders are both servants of the public and stewards of public resources. The principles also apply to all those in other sectors delivering public services.

Selflessness

Holders of public office should act solely in terms of the public interest.

Integrity

Holders of public office must avoid placing themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. They should not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. They must declare and resolve any interests and relationships.

Objectivity

Holders of public office must act and take decisions impartially, fairly and on merit, using the best evidence and without discrimination or bias.

Accountability

Holders of public office are accountable to the public for their decisions and actions and must submit themselves to the scrutiny necessary to ensure this.

Openness

Holders of public office should act and take decisions in an open and transparent manner. Information should not be withheld from the public unless there are clear and lawful reasons for so doing.

Honesty

Holders of public office should be truthful.

Leadership

Holders of public office should exhibit these principles in their own behaviour and treat others with respect. They should actively promote and robustly support the principles and challenge poor behaviour wherever it occurs

The Conflict of Interests policy is related to the sixth principle, which is honesty. The policy is to address situations where individuals in public office may have private interests that could improperly influence their decision-making or actions in their public duties. The policy outlines procedures for declaring and managing potential conflicts of interest to ensure that decisions are made in the best interests of the public rather than for personal gain. This helps uphold the principles of integrity and honesty in public service.

Purpose

The purpose of this policy is to explain the steps to be taken if a potential or actual conflict of interest arises and to ensure that the procedures outlined are followed.

Implementation

Responsibilities of Members, Trustees, LAB Governors of academies within a MAT Trust and Senior Employees

Before appointment, prospective Members, Trustees, LAB Governors, and Senior Employees will be asked about potential conflicts of interest and these will be declared to those who make the appointment.

On appointment, Members, Trustees, LAB Governors, and Senior Employees will be made aware of this policy and its part in the framework of responsibilities. They will also be made aware of:

- Their responsibility not to use their connection to the Trust / Academy for personal gain or for the gain of others to whom they are connected.
- The fact that no payments will be made by the Trust / Academy to any Members, Trustees, LAB Governors, and Senior Employees connected party unless such payments are permitted by the articles of association, comply with this conflict-of-interest policy and have the Charity Commission's or Education Secretary's prior approval, where required. Any payment provided to connected parties must also comply with the Education Funding Agency's 'at cost' requirements in the academies financial handbook and will be disclosed in the Academy trust's financial statement. (The 'at cost' policy was introduced by the DFE in November 2013. It requires related party transactions to be at cost only, with no profit allowed. For the accounting period 2014/15, to reduce bureaucracy, a de minimis limit of £2,500 has been introduced, but transactions above that must be at cost.)
- Their responsibility is to declare any conflict of interest which might apply to them.
- The fact that it is a serious matter if they do not make appropriate declarations.
- The fact that the Members, Trustees, LAB Governors, and Senior Employees manage conflict of interest situations, whether relating to an individual governor/trustee/member or a connected party, in a similar way across the Academy trust if they arise, and with integrity and openness.

How the Academy deals with conflicts of interest should they arise?

Employment Restrictions for Trustees / Governors

In the pursuit of transparency, independence, and the overarching commitment to good governance, the Trust establishes a stringent Conflict of Interest Policy to uphold the stability and integrity of the Trust and its academies. This section specifically addresses the eligibility criteria for individuals seeking the role of Trustee/ Governor.

Employment Restriction:

a. Employment Limitation: No individual seeking the position of Trustee /Governor shall be employed by the Trust/ Academy in any capacity (except for the roles of Staff Governor, Principal) or be an immediate family member of an employee (siblings, parents, spouse and children). This restriction is implemented to ensure a clear boundary between the governance role and any potential professional engagements within the Trust/ Academy, thereby avoiding conflicts of interest. This prohibition is essential to maintain an unbiased and impartial perspective, fostering independent decision-making within the Trust / LAB.

Rationale:

a. Transparency: By prohibiting the employment of Trustees/Governors within the Trust /Academy, the policy aims to maintain a transparent governance structure. This restriction safeguards against potential conflicts that may arise when an individual

holds both a governance role and an employment position within the same institution.

b. Independence: The separation of the Trustee/Governor role from employment within the Trust/ Academy is crucial for maintaining independence in decision-making. This independence is essential to ensure that the interests of the Trust / Academy, its staff, students, and stakeholders are prioritised above individual affiliations.

c. Good Governance: The imposition of employment restrictions aligns with the principles of good governance. It mitigates the risk of undue influence, promotes fair representation, and enhances the credibility of the decision-making processes.

Secure Stability:

a. Stability: Upholding the separation between Trustees / Governors and employment within the Trust/ Academy contributes to the overall stability of the institution. By preventing potential conflicts, the policy aims to create an environment conducive to effective governance, strategic planning, and sustained growth.

b. Community Trust: By adopting this employment restriction, the Trust/ Academy demonstrates a commitment to fair and unbiased governance. This commitment builds trust within the community, assuring stakeholders that decisions are made in the best interest of the institution and its mission.

In summary, the Employment Restrictions for Trustees / Governors outlined in this policy serve as a foundational pillar for the Trust's commitment to transparency, independence, and good governance. It is through these measures that the Trust seeks to secure its stability and maintain the highest standards of ethical and effective leadership.

Register of Members, Trustees, LAB Governors, and Senior Employees

One Multi Academies Trust holds an up-to-date register of relevant business and pecuniary interests of Members, Trustees, LAB Governors, and Senior Employees within the Trust.

The Trust has considered whether to include the interests of other individuals in the register, with a presumption in favour of disclosure to support transparency and accountability. All relevant individuals have the responsibility to identify in this register the nature of any interest that they may have which could affect any decision making. These interests will include:

- Formally reviewed annually by the Trust Board to ensure accuracy and compliance.
- Updated immediately when changes occur to ensure ongoing transparency.

- Business interests and those of their spouse, partner, family, and close relatives' Personal interests and those of their spouse, partner, family, and close relatives.
- Interests with suppliers from which the Academy may wish to buy goods or services (e.g. directorships, partnerships, and employment).
- Interests in the appointment, salary, promotion, or conditions of service of members of staff.
- Loyalties to other organisations which may conflict with loyalties to the Academy (e.g. trusteeships/governorships at other educational institutions or charities – whether or not the Academy has a trading link).
- They are required to inform the Trust / Academy of any changes in their interests as these arise so that they can be entered in the register. The register is also updated annually. Nil returns are obtained as appropriate. Any relevant individual who is unwilling to declare their interests or complete a nil return is not permitted to influence any buying or staffing decision.
- When a situation of potential conflict of interest arises **One Multi Academies Trust** is aware that certain transactions, or those involving people in a particular position of control and influence, will need to be regarded with greater scrutiny by auditors and potentially by members of the public. Examples of such transactions include:
 - Transactions involving the board of trustees, particularly the Chair and Principal / Principal (connected party/related party transactions).
 - Payments to commercial profit-motivated companies rather than those in the voluntary sector.
 - Relationships with external auditors.

At any meeting where there will be a discussion on a subject which may cause a conflict of interest, the individual in question should declare his/her interest in the subject at the beginning of the meeting. If this is not forthcoming, but another suspects that there might be a conflict of interest, then that person should inform the group.

At that point, and in the absence of the conflicted person, decisions will be made on whether the subject would be a conflict of interest.

A note in the minutes of the meeting will be recorded to explain:

- The nature of the conflict.
- Who was involved.
- Whether the conflict of interest was declared in advance.
- An outline of the discussion.
- Whether anyone was asked to withdraw from the discussion.

- How the Members, Trustees, LAB Governors, and Senior Employees took the decision in the best interests of the Trust / Academy.

Process for Declaring Conflicts in Meetings

At any meeting where a conflict of interest may arise, the individual in question must declare their interest at the start of the meeting. If a conflict is identified:

- The conflicted individual must withdraw from the discussion and decision-making process.
- The meeting minutes must formally record:
 - The nature of the conflict.
 - The individual involved.
 - Whether the conflict was declared in advance.
 - A summary of the discussion (if applicable).
- Confirmation that the conflicted individual withdrew from the discussion and decision-making process.

Policy Review Statement:

This policy will be reviewed to ensure it remains up-to-date, relevant, and aligned with the Trust's strategic objectives, regulatory requirements, and best practices. The review process will be conducted as follows:

- **Policy Owner Review**

The Policy Owner will conduct an initial review to assess any necessary updates or amendments.

- **Executive Team Policy Committee**

The revised policy will be presented to the Executive Team Policy Committee for further evaluation and recommendations.

- **Trust Board Approval**

Following review and necessary revisions, the policy will be submitted for formal approval by the Trust Board in accordance with the scheduled review cycle.

For details on the specific review schedule, please refer to the review table on the front page.

Appendix A

Declaration of business and pecuniary interests

- Members, Trustees, Governors and Senior Trust Employees are required to complete this declaration and should **advise the governance professional of any changes** during the year.
- Detail any interests that you have in connection with the trust, its Academies or the trust board that might sway your decision making or affect your ability to act in an impartial way.
- This information will be recorded and published on the trust's website (this is a statutory requirement).
- State '**NONE**' in all boxes that do not apply.

Full name: _____

I declare that I hold the following interest(s):

Directorships, partnerships and employment with businesses

Business name	Nature of interest	Date interest began

Links to other educational institutions and charities

(Including trusteeships and governorships)

Establishment name	Nature of link	Date interest began

Your personal relationships with Trustees or Members of Staff

(Including, but not limited to, a child, parent, spouse or civil partner)

Name of trustee/ staff member	Nature of relationship	Nature of interest	Date interest began

Relevant interests of close relatives

Name of relative	Nature of relationship	Nature of interest	Date interest began

Signature: _____

Date: _____

Notes:

The form must be completed by the Members, Trustees, Governors, and Senior Employees, Other etc. If there are no interests, record "NONE" and ensure that all entries are signed and dated.

Use one form per Members, Trustees, LAB Governors, and Senior Employees, Other etc.

Complete all sections of the form, do not leave blank sections.

Please note: 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.

Guidance notes

Trustee/Members/LAB Governor/Principal/CEO/Trust Central Staff, Other, etc. have a legal duty to act only in the best interests of the Trust Where a situation arises in which they cannot do this due to a personal interest they have, steps should be taken to identify, prevent and record the conflict. This ensures

Trustee/Members/LAB Governor/Principal/CEO/Trust Central Staff, Other, etc. In the declaration above, you must provide details relating to:

Your ownership or partnership of a company or organisation which may be used by the Academy to provide goods or services;
Goods or services you offer which may be used by the Academy;
Any close relation you have to someone who satisfies either of the above;
Any close relationship you have to someone who is employed by the Academy.

Declaring your conflicts of interest is a legal requirement within the Academy Governance (Roles, Procedures and Allowances) (England) Regulations 2013 and for academies, in the Articles of Association and Academies Financial Handbook. However, making an annual declaration does not remove your requirement to make an oral disclosure of the interest and temporarily leave the meeting, where the interest is relevant to something being discussed.

Pecuniary interests

Generally, Members, Trustees, LAB Governors, and Senior Employees should not participate in any discussions in which they may directly or indirectly benefit from a pecuniary interest, except where the relevant authority has authorised this i.e. legislation for maintained Academies or articles of association for Academies. A direct benefit refers to any personal financial benefit and an indirect benefit refers to any financial benefit you may have by virtue of a relationship to someone who stands to gain from a decision of the governing body. Both direct and indirect interests must be declared.

Non-pecuniary interests (Conflicts of loyalty)

There may be a non-pecuniary interest whereby the Members, Trustees, LAB Governors, and Senior Employees does not stand to gain any benefit, but a declaration should still be made.