



COLLABORATIVE EDUCATION TRUST

CONFLICT OF INTEREST POLICY

CONTENTS

	<u>Page</u>
1. The Policy	3
2. Definition	3
3. Identifying conflicts of interest	3
4. Articles of Association	4
5. Interests which should be declared	4
6. Governor Benefits	5
7. Register of Interests	5
8. Declaring Interests	5
9. Removing Conflicts of Interest	6
10. Withdrawing from decision-making	6
11. Records of proceedings	7
12. Confidentiality	7
13. Monitoring and Enforcement	7
14. Appendix A – Declaration of Business Interest Form	8 - 9
15. Appendix B – Staff Pecuniary Interest Request	10
16. Appendix C – Annual Conflicts of Interest Acknowledgement Statement	11

1. Policy

This policy sets out the framework for ensuring that the decisions and decision-making processes at Collaborative Education Trust are, and are seen to be, free from personal bias and do not unfairly favour any individual or company connected with the Trust.

Governors and staff of the Trust have an obligation to act in the best interests of the Trust and in accordance with its Articles of Association in order to avoid situations where there may be a potential conflict of interest.

All governors and staff have a personal responsibility to declare conflicts of interest if they are to fulfil their legal duty to act only in the best interests of the Trust. Governors and Staff should therefore be aware of the duties specified in the Academy Trust Handbook relating to relationships with connected parties and the Register of Interests. (Academy Trust Handbook 5.34 – 5.54)

This policy is intended to ensure that governors and staff understand what constitutes a conflict of interest and that they have a responsibility to identify and declare any conflicts that may arise. Governors and staff should be aware that the Trust will record such conflict and the actions it has taken to ensure the conflict does not affect the decision-making of the Trust.

This policy will be reviewed annually by the Finance Committee of the Governing Body.

2. Definition

A conflict of interest may be defined as a conflict between the official responsibilities of a person in a position of trust and any other interests the particular individual may have, e.g. where the individual could be seen to be influencing Trust matters for actual or potential personal benefit, or seeking such a gain at the expense of the Trust.

3. Identifying conflicts of interest

A conflict of interest can potentially arise if a governor or member of staff, his/her relatives, close friends or associates are:

- i) involved in a business, initiative or financial deals which could impinge on the activities of the Trust.
- ii) undertaking work for organisations or individuals whose activities may impinge on the work of the Trust.

If a Governor or member of staff find themselves in a position where their motives could be questioned, they **must** declare any relationship that could be seen as affecting their judgment, and not be involved in any action relating to the case.

Governors and staff must ensure that any conflicts of interest do not prevent them from making a decision only in the best interests of the Trust and its pupils.

Staff should disclose on the Pecuniary Interest Form if they undertake any outside work for payment.

To avoid such conflicts, all governors and Senior Leaders **must** complete a Declaration of Business Interest Form (Appendix A) and staff members **must** complete and return the annual Pecuniary Interest Request Form (Appendix B)

It is the responsibility of governors and staff to ensure their declarations of interest are kept up to date at all times, and to amend or update them as necessary.

4. Articles of Association

The Articles of Association (para 97 and 98) state:

97. Any Trustee who has or can have any direct or indirect duty or personal interest (including but not limited to any Personal Financial Interest) which conflicts or may conflict with their duties as a Trustee shall disclose that fact to the Trustees as soon as they become aware of it. A Trustee must be absent from any discussions of the Trustees in which it is possible that a conflict will arise between their duty to act solely in the interests of the Academy Trust and any duty or personal interest (including but not limited to any Personal Financial Interest).

98. For the purpose of Article 97, a Trustee has a Personal Financial Interest in the employment or remuneration of, or the provision of any other benefit to, that Trustee as permitted by and as defined by Articles 6.5-6.8A.

5. Interests which should be declared

Governors and staff will be expected to declare the following interests:

- Holding another public office
- Being an employee, director, advisor or partner of another business or organisation
- Pursuing a business opportunity
- Trustee or governor at other educational institutions and charities
- Any relationship with Trust Staff
- Having a professional or legal obligation to someone else
- Having a beneficial interest in a trust
- Owning shares or some other investment or asset
- Having received a gift, hospitality, or other benefit from someone/an organisation connected with the Trust
- Owing a debt to someone/an organisation connected with the Trust
- Holding or expressing strong political or personal views that may indicate prejudice or predetermination for or against a person or issue
- Being a spouse, partner, relative or close friend of someone who has one of these interests.

6. Governor Benefits

Governors can only benefit from the Trust where there is explicit authority in place in the Trust's governing document before any decision conferring governor benefit is made.

Governor benefits include any payments or benefits to governors or a connected person, apart from their reasonable out of pocket expenses. They also cover situations where a governor could receive property, loans, goods or services from the Trust.

Where there is a proposed sale or lease of Trust land to a governor, or to a person or company closely connected with the governor, this will need to be authorised by the ESFA, even if the disposal is at market value.

The payment of reasonable expenses to governors is not a benefit, so it does not create a conflict of interest or require authorisation.

7. Register of Interest

Governors should keep an updated record of any conflicts of interest in the Trust's register of interests, which is maintained by the Governance Professional

The Trust must publish on its website the relevant business and pecuniary interests of its governors and members. (Academy Trust Handbook 1.49)

For each interest: the name of the business, the nature of the business, the nature of the interest, and the date the interest began.

8. Declaring Interests

Governors should have a standard agenda item at the beginning of the meeting of the governing body to declare any actual or potential conflict of interest.

Governors should declare any interest at the earliest possible opportunity.

If a governor is uncertain whether or not there is a conflict, they should declare the issue and discuss it with the governors.

If a governor becomes aware of an undisclosed conflict of interest affecting another governor, then they should notify the other governors or the Chair.

9. Removing Conflicts of Interests

Governors must consider the conflict of interest so that any potential effect on decision-making is eliminated.

Governors must follow any legal or governing document requirements on how a conflict of interest must be handled, but may, in serious cases, decide that removing the conflict of interest itself is the most effective way of preventing it from affecting their decision-making.

10. Withdrawing from decision-making

Where there is a proposed financial transaction between a governor and the Trust, or any transaction or arrangement involving governor benefit:

- The benefit must be authorised in advance by the Finance Committee. If there is no Finance Committee planned within the time frame of authorisation being required, then the Chair of the Finance Committee and one other finance governor can be contacted to authorise the benefit. If the person affected is the Chair of the Finance Committee, then the Chair of the full governing body plus one other finance governor must authorise the benefit.
- The affected governor must be absent from any part of any meeting where the issue is discussed or decided.
- The affected governor must not vote or be counted in deciding whether a meeting was quorate when the decision is made.

Where there is a conflict of loyalty and the governor does not stand to gain any benefit, the affected governor should declare the interest. The remaining governors must then decide at what level of participation, if any, is acceptable on the part of the conflicted governor.

In deciding what course of action to take regarding a conflict of interest, governors;

- Must when making their decision be able to demonstrate that the decisions they have made are only in the best interest of the Trust and its pupils.
- Should always protect the reputation of the Trust and be aware of the impression that their actions and decisions may have on those outside of the Trust.
- Should request the withdrawal of the affected governor from any decisions where the governor's other interests is relevant and could be seen to significantly affect the governor's decision-making at the Trust.
- Can allow the governor to participate where the interest poses a low risk to the decision-making or have an insignificant bearing on their approach to an issue.
- Should be aware that the presence of a conflicted governor can affect trust between governors, could inhibit free discussion, and might influence decision-making in some way.

Governors can, before the discussion, ask a governor who is withdrawing, to provide any information necessary to help make the decision in the best interests of the Trust and its pupils.

11. Records of proceedings

The Governance Professional should record in the minutes, details of conflicts of interests and the decisions made.

12. Confidentiality

Governors and staff cannot use information obtained in the Trust for their own benefit or that of another organisation if it has been obtained in confidence or has special value such as commercial sensitivity.

13. Monitoring and Enforcement

The governing body of CET will carry out continuous monitoring of its activities to ensure that any conflicts of interest are identified and mitigated as soon as possible.

Governors or staff who fail to declare an interest and are found to be in conflict, will be expected to explain to the governing body their reasons for their omission.

Governors may decide to terminate the membership of the relevant governor from the governing body, if they are found to have knowingly and deliberately failed to declare an interest and has brought the Trust into disrepute.

This policy will be circulated to every governor and staff member, who shall annually sign a statement (Appendix C) which affirms that they have:

- Received a copy of the policy
- Have read and understood the policy
- Have agreed to comply with the policy



COLLABORATIVE EDUCATION TRUST

Declaration of Business Interest Form for Trust Board Governors, Local Board Governors & Senior Management of Collaborative Education Trust

Declaration of Interest

I declare that the interests recorded below include each and every interest, which might be considered to have a potential to influence the execution of impartial judgement by me in connection with Collaborative Education Trust and or Trust Schools.

Name

.....

Signature Date

Please record your interests under the appropriate heading in the tables below

1. Employment

List your present employer if it is likely to do business with Collaborative Education Trust and or Trust Schools.

2. Directorships/Partnerships

List the names of any companies of which you are currently a director or a partner and state the nature of that relationship.

3. Significant Share-Holdings

List the names of companies or businesses – whether private or publicly-quoted in which you hold a significant share-holding

4. Relationship with Trust staff

Please declare any relationships you may have with Collaborative Education Trust employees

5. Holding another public office or trustee/governor of another education establishment or charity

List the establishments where you hold public office or are a trustee/governor and state your current role.

6. Family Interests

List any interests you have through your members of your family having interests which may be considered to have a potential to influence the exercise of impartial judgement in your connection with Collaborative Education Trust and or Trust Schools.

7. Other Declaration

List here any other interest to be declared as per Collaborative Education Trust's Conflict of Interest Policy

Office Use Only

Details entered on Collaborative Education Trust's **Register of Pecuniary interests**

...../...../.....

Entered by

Appendix B – Staff Pecuniary Interest Request

September 2025

Dear Member of Staff

As you may be aware, it is recommended by the Charities Commission and the Department for Education that each Trusts/schools maintain a register of pecuniary interests covering its Governors and Staff, as it is important for anyone involved in spending public money to demonstrate that they do not benefit personally from decisions that they make. I hope you appreciate that this transparent probity protects all staff and Governors.

To ensure that our register is up to date, I would be grateful if you could complete the section below and declare any interests that are deemed to be a conflict as per the attached Conflict of Interest Policy. The Register is open for inspection should our auditors/DfE inspectors or OFSTED Inspectors require sight of it.

Please complete the section at the bottom of this letter along with appendix C from the attached policy and return it to the Central Finance Team as soon as possible.

Thank you for your assistance in this matter.

Yours sincerely

Chair of Collaborative Education Trust

Name: Job Title.....

*Please delete as applicable**

*I do not have interests to register.

*I wish to register the following interests:

Other employment (including tutoring).....

Directorships/partnership or other business interest.....

Trustee or governorships at other educational institutions.....

Holding another public office.....

Voluntary activities undertaken.....

Relationship with members of the Trust school's staff/governors

.....

Other conflict as defined in the Conflict of Interest Policy.....

Please confirm if any close family member has a relevant business and pecuniary interest in the Trust, and provide details on the reverse of this form. Yes / No

Signed: Date:.....



Appendix C

COLLABORATIVE EDUCATION TRUST

Annual Conflicts of Interest Acknowledgement Statement

In accordance with section 13 of the Conflicts of Interest Policy ("the Policy", I, the undersigned governor / member of staff with powers delegated by the governing body of Collaborative Education Trust confirm that I have:

- Received a copy of the Policy
- Read and understood the Policy
- Agreed to comply with the Policy.

Print Name

Signature

Dated ____/____/____

Please return this form to the Central Finance Team c/o Langley School.