



## **Declaration of pecuniary and personal interest**

### **This is a statutory document and must be completed**

It is important that members, directors, governors and staff not only act impartially, but are also seen to act impartially. The governing body and academy staff have a responsibility to avoid any conflict between their business and personal interests and affairs and those of the academy. There is a legal duty on all governors and staff to declare an interest likely to lead to questions of bias when considering any item of business at a meeting and for the governor or staff concerned to withdraw, if necessary, whilst the matter is considered.

To help put this duty into practice, Pennine Academies Yorkshire is required to establish and maintain a register of interests indicating, for all members, directors, staff and governors any business and pecuniary 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 academy.

Members, Trustees, Governors and staff completing the 'Declaration of pecuniary and personal interest' forms 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 'Declaration of pecuniary and personal interests' form should be signed by the governor/staff member and completed on an annual basis.

All completed declaration forms will be passed to the Clerk who will collate this information and enter it on to a main Pennine Academies Yorkshire register. This information is retained at Pennine Academies Yorkshire. The register is shared with governors and the board members. Some of this information will have to appear on the trust website.

The central register will enable the Academy Trust to demonstrate that in spending public money individuals do not benefit personally from decisions that they make. The register must contain, as a minimum, the elements shown on the attached sheet. It is a requirement that this register is kept up to date and signed off annually by the Trust Board.

Guidance notes are attached

## Declaration of pecuniary and personal interest

**This is a statutory document and must be completed**

**Name:** .....

**Academy:** .....

**Position:** .....

I ....., declare as a:

- Academy Trust member
- Academy Director/Trustee
- Academy Governor
- Member of staff at .....

(please cross out the above statement that is not relevant)

That I hold the following personal and/or pecuniary interest(s):

Pecuniary interests	Please provide details of the interest (the name of the business, the nature of the business and the nature of the interest)	Date interest started	Date interest ceased
Current employment			
Businesses (of which I am a partner or sole proprietor)			
Company directorships – details of all companies of which I am a director			
Charity trusteeships – details of all companies of which I am a trustee			
Membership of professional bodies, membership organisations, public bodies or special interest groups of which I am a member and have a position of general control or management			
Gifts or hospitality offered to you by external bodies while acting in your position as a governor/trustee and whether this was declined or accepted in the last 12 months			

Contracts offered by you for the supply of goods and/or services to the trust/school			
Any other conflict			

Personal interests	Name	Relationship to me	Organisation	Nature of the interest
Immediate family/close connections to other staff member/ governor/trustee				
Company directorships or trusteeships of family/close connections to governor/trustee				

**If you are a governor or trustee of any schools, academies, or other educational institutions, please provide details below:**

**Name of school/academy:** .....

**Position held:** .....

**Date appointed/elected to post:** .....

**Date of termination to post:** .....

To the best of my knowledge the information supplied above is correct and complete. I understand that it is my responsibility to declare any conflict of interest/loyalty, business or personal that relates directly or indirectly, to myself or any relation in any contract, proposed contract or other matter when present at a meeting at the academy where such contract or matter comes under consideration. I understand that I must withdraw from any meeting during the discussion of such contract or matter and must not vote in respect of it.

I agree to review and update this declaration annually and give consent for the information provided to be used in accordance with the trust/school's conflicts of interest policy.

**Signed:** .....

**Date:** .....

## Guidance notes

Staff, Governors, Members and Trustees have a legal duty to act only in the best interests of their schools/academies. If a situation arises in which they cannot do this, and this is due to a personal interest, steps should be taken to identify, prevent and record the conflict. Thus ensuring governors or trustees are acting in the best interests of the school/academy.

In reference to the declaration you must provide details relating to:

- Your ownership or partnership of a company or organisation which may be used by the trust/school to provide goods or services;
- Goods or services you offer which may be used by the trust/school;
- 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 trust/school.

Declaring your conflicts of interest is a legal requirement within the School 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.

### Important guidance

- Forms need to be completed by the person signing the form
- Boxes on the form need to be completed even if by putting n/a
- Signatures cannot be typed
- Pen must be used
- Tippex cannot be used

### Completed forms must be returned to:

Original copies to be returned to the Clerk at the attendance of the next Board Meeting

Scanned copies to the Trust Business Partner at [j.taylor@paymat.co.uk](mailto:j.taylor@paymat.co.uk) asap

Incomplete forms will be returned to amend.

### Pecuniary interests

Generally, staff and governors 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 schools or articles of association for academies).

- A direct benefit refers to any personal financial benefit;
- 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 board;
- Both direct and indirect interests must be declared.

### Non-pecuniary interests (conflicts of loyalty)

There may be a non-pecuniary interest whereby the governor does not stand to gain any benefit but a declaration should still be made. For example, this might be where a governor has a family member

working in the academy. While the governor might not benefit personally, their judgment could be impaired if something was brought up that would affect the family member.

### **Handling the conflict**

The Governing Body/Trust Board must make a decision whether or not they should take steps to remove the conflict by:

- Not pursuing the course of action it relates to;
- or
- Proceeding with it in an alternative way which does not give rise to conflict;
- or
- Not appointing the governor in question or seeking to secure their resignation.

In the minutes of the meeting, the following should be recorded:

- The nature of the conflict;
- Which governor(s) it relates to;
- Whether a declaration was made in advance of the meeting;
- A brief overview of what was discussed;
- Whether the governor(s) withdrew from the meeting;
- How the governors made the decision in the best interests of the academy.

Any new interest or ceased interest, should be reported to the Clerk as and when they occur and a new form completed. Upon completion, this signed form should be given to the Clerk whose responsibility it is to keep the register of all interests.

The Charity Commission has produced [guidance on dealing with conflicts of interests](#) which may be useful, even for schools that do not have charitable status.