

# Greenshaw Learning Trust

## Declaration of Interests Policy

*Approved by the Board of Trustees, 6 September 2017.*

This Policy applies to all Members, Trustees, non-Trustee members of Trust committees and panels, local governors and non-governor members of local governing body committees, working parties and panels.

### 1 Interests

The key consideration in establishing if something qualifies as an interest is how it would be viewed by a reasonable and objective member of the public – would they see it as an interest? Interests are not limited to those listed herein; if in doubt the presumption should be to declare an interest and/or include it in the Register. If there is disagreement in a meeting over whether an interest should be declared or is a personal or prejudicial interest, the matter will be resolved by the other governors present at the meeting.

You cannot be expected to declare something of which you are unaware. However, you should not ignore the existence of interests that, from the point of view of a reasonable and objective observer, you should have been aware.

If your interest is **sensitive information**, you will need to declare the interest but will not have to give details about the nature of that interest at the meeting or in the published register. Sensitive information may include interests or information that are likely to create a serious risk of violence or intimidation against you or someone who lives with you. You should describe the interest and the reasons you think it is sensitive to the Clerk to the Trust or to the Chair of the Board of Trustees.

For further guidance, you should discuss the issue with the Clerk to the Governing Body, the Clerk to the Trust or the Chair of Board of Trustees.

### 2 The Register of Interests

Details of all interests as described below must be recorded in the Trust's Register of Interests.

You must complete a Register of Interests form and provide it to the Clerk to the Trust (or Clerk to the local governing body) immediately after your appointment to the relevant body, at or before the first meeting of the body each academic year; and within 28 days of any changes to your declared interests or to interests that you should declare.

You must make an entry in the register for each interest, giving the name of the organisation, the nature of the organisation, the nature of the interest, and date it began and the date it ended.

You must make an entry in the register:

- Of any individual, business or organisation that you are employed by, are in partnership with or have a directorship in, regardless of its relationship with the Trust.
- Of any company in which you and/or your relative(s), separately or together, hold more than 20% of the share value or exercise more than 20% of the voting power.
- Of any company which you and/or your relative(s), separately or together, control or can cause to conduct itself in accordance with your/their wishes.
- Of any directorship, trusteeship or governorship in any educational organisation or charity.
- Of any business or organisation, institution or charity that carries out activities that are or could be relevant to the functions of the Trust, from which you have received any payments – including for

employment or directorship, but excluding reimbursement of incurred expenses; in which you hold more than 5% of the share value or exercise more than 5% of the voting power; or in which you hold any unpaid trusteeship or governorship.

- If you are employed by the Trust.
- If you are a parent, carer or guardian of a student in any academy in the Trust.
- If you are 'associated with' any local authority that is responsible for education where the Trust or any of its academies operate, or has a land or planning or other relationship with the Trust or any of its academies, because:
  - You are an elected member of that local authority, or have been at any time within the preceding four years;
  - You are an officer or employee of that local authority; or
  - You are both an employee and either a director, manager, secretary or other similar officer of a company which is under the control of that local authority.
- Of any close family relationship with any member, Trustee, governor or Trust employee.
- Of any person or body other than the Greenshaw Learning Trust, that carries out activities that are or could be relevant to the functions of the Trust, that you or any close relative or close friend are under any duty to.

You must make an entry in the register for yourself or for any partner, close relative or close friend:

- Of any payments (excluding reimbursement of incurred expenses) received from any source other than the Trust that are connected with your involvement in the Trust.
- Of any gifts or hospitality received in the past 12 months, the offer of which was prompted by your or their involvement with the Trust.

You must make an entry in the register for any partner, close relative or close friend who:

- Has any employment, directorship or partnership in any business that provides goods or services to the Trust.
- Has any directorship, trusteeship or governorship in any educational institution or charity.
- Is employed by the Trust.
- Is a parent, carer or guardian of a student in any academy in the Trust.

For any payment received by yourself or for any partner, close relative or close friend from the Trust, or from any source other than the Trust that is connected with your or their involvement in the Trust, you should indicate which range the payment falls in of: >=£10,000; over £10,000 and up to £50,000; over £50,000 and up to £100,000; over £100,000 per year.

### **3 Publication of interests**

The Register of Interests will be maintained by the Clerk to the Trust and made available on request to governors on that local governing body and Trustees of the Trust. If unsure whether or not an interest should be entered in the Register, you must seek the advice of the Clerk to the Trust or Chair of the Board of Trustees.

The Register of Interests will remain confidential but will be made available on request to Trustees and to the Clerk to the Trust and the Trust's accounting officer (The Executive Headteacher); in addition interests of local governors and non-governor members of local governing body committees will be made available on request to the chair of their local governing body.

Those business and pecuniary interests that are relevant to the role of the person concerned will be published on the Trust's websites and made available to interested persons on request, as required by Government guidance and the Trust's Funding Agreement.

## 4 Declaration of interests

### 4.1 Personal interest

You have a **personal interest** in a matter if that matter affects the well-being or financial position of you, members of your family, or people with whom you have a close association, more than it would affect the majority of people who are affected by the matter or the majority of Members / Trustees / governors / committee members / students / parents / staff of the Trust and of the schools in the Trust.

This applies if the personal interest affects either:

- You, your partner, close relative or a close friend;
- Your employer, or the employer of your partner, close relatives or close friends;
- Any organisation, company or corporate body that you, your partner, close relatives or friends:
  - have a financial interest in;
  - have in the last 12 months received payment or gifts from;
  - are a partner or director or hold a management or decision-making position in;
  - separately or together, hold more than 20% of the share value in or exercise more than 20% of the voting power in; and/or
  - separately or together, control or can cause to conduct itself in accordance with your/their wishes.
- Any person or body other than the Trust that you, your partner, close relative or a close friend are under any duty to.

You should declare the interest at the beginning of the meeting or as soon as you are aware of the issue being discussed. You should also say if anything being discussed relates to anything you are required to declare on the register of interests. If you have a personal interest in an issue being considered, you must declare the interest, but can stay and take part and vote in the meeting.

### 4.2 Prejudicial interest

If a member of the public, who knows all the relevant facts, would view your personal interest to be so great that it is likely to prejudice your judgment of the public interest and may conflict with your duty to act solely in the interests of the academy and/or the Trust, then your interest is a **prejudicial interest**. You must leave the meeting and cannot seek to influence any decisions made.

There are some limited exceptions to the requirement that you withdraw. If other people, such as parents or members of staff, are allowed to make representations, give evidence or answer questions about the matter, then you can also take part in the same way. However, you cannot take part in the debate or the vote on the matter or seek to improperly influence the decision.

The mere existence of local knowledge, or connections within the local community, will not normally qualify as a prejudicial interest. There must be some factor that might positively harm your ability to judge the public interest objectively. The nature of the matter is also important, including whether a large number of people are equally affected by it or whether you or a smaller group are particularly affected.

## 5 Definitions

‘Close relative’ - a close member of the family or member of the same household; this includes, but is not limited to, a parent, brother, sister, child, and current and former spouse and/or civil partner.

‘Company’ - any registered company, business or legally constituted body including voluntary or charitable.

## Greenshaw Learning Trust Register of Interests Form

Name \_\_\_\_\_ Address \_\_\_\_\_

Is a member of (e.g. governing body/committee) \_\_\_\_\_

<i>Name of organisation</i>	<i>Nature of organisation and description of interest</i>	<i>Date commenced and date ceased / 'current'</i>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

*(Continue on another sheet if necessary)*

I declare that to the best of my knowledge the information I have given is complete and true – Signature \_\_\_\_\_ Date \_\_\_\_\_