



'Christ at the centre, children at the heart'

Our Lady of Walsingham Catholic Multi-Academy Trust will deliver outstanding educational, spiritual and moral outcomes for all children regardless of their faith or backgrounds within an ethos based on full inclusion, high expectations, innovation, outstanding teaching and learning, and a relentless focus on the needs and potential of every child. Our vision is that every Academy within the Trust has a reputation for excellence in their local communities and beyond.

Our Lady of Walsingham Catholic MAT

Company No: 08444133

Registered Office: Fordham Road, Newmarket, Suffolk, CB8 7AA

REGISTER OF BUSINESS AND PECUNIARY INTERESTS POLICY

OLW CMAT (THE MAT) REGISTER IF BUSINESS AND PECUNIARY INTEREST POLICY

Introduction

The public is entitled to expect the highest standards of conduct from all Members, Governors (which includes and refers to members of the Local Governing Bodies), Directors, Trustees and employees of the MAT. They are required to disclose to the relevant Headteacher and the CEO the interests set out below within 28 days of the interest becoming apparent.

Register of Disclosure of Pecuniary Interests

Relationships with Contractors and Suppliers of Goods and Services

Award of orders and contracts

Employees, Directors and Governors should make known, in writing, to the Headteacher and the CEO all relationships of a business or private nature that they have with contractors and other suppliers of goods and services. An explanation as to the exact nature of the relationship should be made and whether or not the company or business has in the past or currently supplies goods or services to the MAT or any Academy within the MAT or has a contract with the MAT or any Academy within the MAT

Relationships in a private or domestic capacity

Employees and Governors who engage or supervise contractors or have any other official relationship with contractors and/or have had, or currently have, a relationship in a private or domestic capacity with contractors (or their senior staff) should make this known to the relevant Headteacher and the CEO.

Personal Interests Conflict of interests

Employees, Directors and Governors must declare in writing to the Headteacher and CEO any financial or non-financial interests which could reasonably be considered to conflict with the MAT or Academy's interests.

Procedures

The CEO is responsible for ensuring:

- That Employees, Directors and Governors (including temporary employees) are regularly advised of the need to make declarations of pecuniary interest.
- That Employees, Directors and Governors complete the official declaration form (Appendix 2) at the start of each Academy year and personally print and sign their name on the declaration. The register is kept centrally for the MAT, but is also kept at local Academy's for the relevant LGB to complete.
- That an opportunity to declare pecuniary interests is a standard agenda item at every Directors, Heads Operations, Local Governing Body meeting and the subsidiary Committees.

- If an interest is declared this will be recorded and minuted and that person asked to leave the meeting whilst the related item is discussed.
- That the Register is kept up to date.
- That the Directors Body is advised annually that the Register is up to date.
- Ongoing disclosures must be submitted in every return, even if they have been previously disclosed. The Register is a living document and the previous returns form part of the Register. The returns must be kept for seven years.
- The Register must be accessible for viewing during office hours centrally and where it is additionally kept by each LGB in each Academy by the following: CEO, MAT Business Manager, All Headteachers, All Local School Business Managers, MAT CFO, External Auditors and Internal Auditors.
- That relevant business and pecuniary interests of trustees and Directors are published on the MAT sections of any Academy websites and centrally. The CEO has the discretion over the publication of interests of other individuals including parent, spouse, civil partner, cohabitee and child. The CEO will balance the requirement for the MAT to be open and transparent against the requirements of the Data Protection Act 1998 and of Article 8 of the Human Rights Act, and reach a judgement in each specific case.

Appendix 1

DECLARATION OF PECUNIARY INTERESTS

Notes for Guidance to help you decide if you need to declare an interest (NB for this guidance the word Academy is interchangeable and should be understood to also read as referring to the MAT).

The Academies Financial Handbook issued by the Department for Education sets out the standards for financial administration in academies. Part of the handbook makes reference to each academy board and staff having a Register of relevant Business and Pecuniary interests.

The academy board should establish a Register of Business and Pecuniary Interests for the members, Directors, governors and staff which should be open to inspection. For example, members, Directors, governors and staff should declare any links they have with local firms from which the Academy or MAT may wish to buy goods or services. It is important for anyone involved in spending public money to demonstrate that they do not benefit personally from decisions that they make.

A member, Director, governor, or employee of an Academy who is in a position to influence a decision of the Academy, and with pecuniary interest in a personal capacity in any contract with the Academy, shall declare that interest in writing to the academy board or relevant portfolio of the academy board. Such declaration shall be recorded in the Register of Business and Pecuniary Interests.

There is a requirement on any person who is present at a meeting of the academy board to declare a direct or indirect business or pecuniary interest. This relates to any contract, proposed contract or other matter that is being considered. The person must disclose the fact as soon as is practical at the meeting and take no part in the consideration or discussion of the contract or matter concerned. The person must withdraw from the meeting during consideration or discussion unless the academy board allows otherwise. In addition, the person cannot vote on any question with respect to the contract or matter.

Pecuniary Interests

There is not a comprehensive definition of what constitutes a pecuniary interest. In all cases, the natural meaning of the words has to be put in the particular context of the contract or other matter being discussed.

Direct Pecuniary Interests

The following are examples of a direct pecuniary interest:-

- actual payments
- receipts in cash or in kind

- benefits or losses arising from the value of assets (e.g. land owned by a governor or member of staff that might be affected by proposals about the Academy's land or buildings).

Indirect Pecuniary Interests

A number of matters can be treated as an indirect pecuniary interest. Some examples are as follows:-

- a governor, director or member of staff own shares in or is a member of a company or another body which has a direct pecuniary interests;
- a governor, director or member of staff is a business partner of a person or company who has a direct pecuniary interest;
- a governor, director or member of staff is employed by a person or company which has a direct pecuniary interest;
- a governor, director or member of staff has a spouse or is living with another person who has an interest in the contract or matter being discussed;
- the contract or matter relates to an appointment at the Academy which could result in another vacancy for which the governor, director or member or staff could be a candidate.

Interests that are not Pecuniary

Some matters are not considered as creating a pecuniary interest. Some examples are as follows:

- being a Councillor on a local authority;
- being a rate payer or Council Tax payer in the area of the Academy;
- for members of Academy staff, having an interest that is no greater than the interest of the generality of staff in a matter;
- having interests that are non-pecuniary;
- having an interest that is so remote or insignificant that it cannot reasonably be regarded as likely to influence a governor, director or member of staff.

Duty to Declare

Governors, Directors, Headteachers and members of staff are bound by Financial Regulations and, therefore, must declare in the Register any business or pecuniary interest they have in a personal capacity in any contract relating to the Academy. The declaration must be in writing and be recorded in the Register.

In addition to any written declaration in the Register, a governor, director or any other person attending a meeting of the academy board or one of its committees must declare orally their pecuniary interest in any matter as required by the academy's Articles of Association and take no further part in discussion or decision on that matter.

Observance of these rules is the responsibility of the individual director, governor or staff employee.

There is a legal requirement for the MAT and each Academy to maintain a Register of Business and Pecuniary Interests. In declaring any interests you have, you are protecting yourself from any false accusation of bias or corruption.

In considering whether you have an interest, you should ask yourself whether a member of public, knowing the facts of the situation, could reasonably think that a relationship or interest you have, might conflict with the interests of the MAT or Academy. The list below is not exhaustive and it is also important to note that you may not always need to declare an interest. For example, the answer to one of the questions below may be “yes”, but the relationship or connection does not impinge on the type of work you do, so you may not need to declare an interest. Conversely, there may be other circumstances not listed below where you do need to declare an interest. If in doubt, please speak to the MAT CFO in the first instance.

Interests may include, but are not limited to

- 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

Think about the following questions:

- Are you related to a county or district councillor?
- Are you a member of a parish, town or community council? Are you related to a member?
- Are you a MAT/Academy governor or related to a MAT/Academy governor?
- Are you a partner, company secretary or non-executive chairman of a company which does business with the Academy or MAT?
- Are you employed by a body which carries out work for the Academy or MAT, or were you recently so employed, or are you related to someone who is so employed?
- Do you do part-time or occasional work for a company which undertakes work for the Academy or MAT or which competes with the Academy or MAT for work?
- Are you undertaking any business ventures in your own time that could conflict with the MAT or Academy’s interests?
- Are you related to or friends with anyone who tenders for work from the MAT or Academy?

Appendix 2

OLW CMAT

RETURNS (INCLUDING NIL RETURNS) ARE REQUIRED EACH YEAR

PLEASE READ THE INFORMATION ATTACHED BEFORE COMPLETING THIS FORM

DECLARATION OF PECUNIARY INTERESTS

NAME POSITION Trustee / Governor or Director / Headteacher / Other Employee

ADDRESS

Name and address of Business	Nature of the Business	Nature of the Interest	Date the Interest began	Details of any Interests of parent, spouse, civil partner, cohabitee or child

SIGNED DATE