



OLD BUCKENHAM HALL

Brettenham Park
Ipswich, Suffolk, IP7 7PH
Website: www.obh.co.uk

Conflict of Interest Policy



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INTRODUCTION

The Governors have a legal obligation to act at all times in the best interests of Old Buckenham Hall School, and in accordance with the School's governing instrument. Staff and volunteers have similar obligations. Conflicts of interests may arise where an individual's personal, professional or family interests and/or loyalties could potentially conflict with those of the School.

Such conflicts may create problems as they can:

- Inhibit free discussion;
- Result in decisions or actions that are not solely in the interests of the school and the governing body; and
- Risk the impression that the governing body has acted improperly.

The aim of this policy is to protect both the school and individuals from any appearance of impropriety.

THE DECLARATION OF INTERESTS

Accordingly, we ask Governors and all members of the Senior Leadership team to declare their interests, and any gifts or hospitality received in connection with their role in the school (save for Christmas/leaving/other similar presents received by Staff from pupils as a token of appreciation). A declaration of interests form is provided for this purpose, listing the types of interest you should declare.

To be effective, the declaration of interests is updated annually, and also when any changes occur. Governors will be asked to declare any potential conflicts at each Governors meeting.

If you are not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the Business Manager for confidential guidance. Interests will be recorded on the governing body's register of interests, which will be maintained by Business Manager. The register will be accessible by the Board of Governors and the Headmaster.

DATA PROTECTION

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that Governors

and affected staff act in the best interests of the School. The information provided will not be used for any other purpose.

WHAT TO DO IF YOU FACE A CONFLICT OF INTEREST

If you are a Governor, member of the Senior Leadership Team at the School, or the parent or guardian of a pupil, or other “user” of the School’s services, you should not be involved in decisions that directly affect the service that you, or the person you care for, receive(s). However, it was agreed by the Governing Body that Governors, whose children attend OBH may take part in fee discussions. For other discussion you should declare your interest at the earliest opportunity and withdraw from any subsequent discussion. The same applies if you face a conflict for any other reason.

You may participate in discussions from which you may indirectly benefit, for example where the benefits are universal to all users, or where your benefit is minimal. Nevertheless, you should declare your interest before such discussion commences. If you fail to declare an interest that is known to Chairman of Governors and/or Clerk to the Governors, one of them will declare that interest on your behalf.

DECISIONS TAKEN WHERE A GOVERNOR OR MEMBER OF STAFF HAS AN INTEREST

In the event of the Governors having to decide upon a question in which a Governor or relevant member of staff has an interest, all decisions will be made by vote, with a two thirds majority required. A quorum must be present for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate.

Interested Governors may not vote on matters affecting their own interests. They must absent themselves from the discussion and the decision-making process.

All decisions under a conflict of interest will be recorded by Clerk to the Governors and reported in the minutes of the meeting. The report will record:

- The nature and extent of the conflict;
- An outline of the discussion;
- The actions taken to manage the conflict.

Where a Governor benefits from the decision, this fact will be reported in the Trustees’ Annual Report in accordance with SORP 2005.

A *de minimis* exemption applies to contracts less than £100 in value. Random checks against the register of interests will be made on the award of contracts below this value. If the cumulative value of a series of small contracts exceeds £100, the Governors will operate the policy used for individual contracts over that sum.

The *de minimis* exemption does not apply to contracts of employment with the School.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

MANAGING CONTRACTS

If you have a conflict of interest, you must not be involved in managing or monitoring a contract in which you have an interest. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.

MONITORING AND REVIEW

This policy will be monitored by the Headmaster and Governance Committee. It will be reviewed annually by the Governance Committee

A Shropshire
Business Manager

Oct 2011

(ISBA contributed policy)

CONFIDENTIAL WHEN COMPLETED

DECLARATION OF INTERESTS FORM

Name:

Position

Address

As a Governor/member of the Senior Leadership Team of Old Buckenham Hall School, I have set out below my interests in accordance with the school's conflict of interests policy.

| CATEGORY | <i>Please give details of the interest and whether it applies to you, yourself or where appropriate, a close relative or close personal connection</i> |
|---|--|
| Current employment and any previous employment in which you continue to have a financial interest. | |
| Appointments (voluntary or otherwise) e.g. trusteeships, directorships, local authority membership, tribunals, etc. | |
| Membership of any professional bodies, special interest groups or mutual support organisations. | |
| Investments in unlisted companies, partnerships and other forms of business, major shareholdings (eg more than 25% of issued capital) and beneficial interests. | |
| Gifts or hospitality offered to you by external bodies and whether this was declined or accepted in the last twelve months. | |
| Do you use the school's services (e.g. as the parent or guardian of a pupil)? | |
| Any contractual relationship with the charity or any subsidiary? | |
| Any other conflicts that are not covered by the above? | |

I declare that to the best of my knowledge the above information is complete and correct. I undertake to update as necessary the information provided, and to review the accuracy of the information on an annual basis. I give my consent for it to be used for the purposes described in the conflict of interest policy and for no other purpose.

| SIGNED | DATE |
|--------|------|
| | |

Please return the completed form in the envelope provided to the Business Manager at the School.