



NEWHAM COMMUNITY
SCHOOLS TRUST

Business and Pecuniary Interests Policy

Last updated: January 2021

Applies to: NCST and all schools

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1. OVERVIEW OF THE POLICY MANAGEMENT PROCESS

1.1. Document history

Date	Document title	Version
Nov 2020	Initial release as a NCST, Finance policy	1.0
		2.0

1.2. Review and approval

The NCST trustees have overall responsibility for the policy.

The CEO is responsible for the operation of the policy within the schools, as well as for the maintenance of a record of concerns raised in accordance with this policy and the outcomes.

This policy is reviewed every 3 years by the Resources Committee, and is then approved by the Trust Board. Please note that the associated Declaration Form MUST be completed annually by all categories of trust and school governance members and leaders as outlined in Appendix 1.

2. THE POLICY

2.1. Introduction and purpose

The members, trustees, governors and school staff have a responsibility to avoid any conflict between business and personal interests and the interests of their school. To assist in achieving this responsibility and to meet legal requirements, the NCST must maintain a Register of Pecuniary or Business Interests.

Disclosures of interests should include not only interests of individual members, trustees, governors and staff, but should also include interests of relatives, personal associates or any other person known to the members, trustees, governors or members of staff who may exert influence.

The business and pecuniary interest declaration forms part of the Trust's internal controls, helping ensure that our corporate governance requirements are met. It is designed to provide assurance that the Trust has adopted best practice in this area and fulfils its legal obligations.

2.2. Aims

It is important that members, trustees, governors and staff not only act impartially, but are also seen to act impartially. There is a legal duty on all to declare an interest likely to lead to questions of bias when making decisions.

The business and pecuniary interest declaration aims to ensure that the Trust complies with disclosure of interests best practice and legal obligations. Therefore, the members, trustees, governors and staff acknowledge the need and responsibility for maintaining a register of pecuniary and business interests.

2.3. Objectives

The objectives are:

- To comply with legal requirements
- To ensure any business and pecuniary interests are identified and appropriately documented

2.4. Business interests

A business interest is the involvement of an individual or their family members in any trade or professions, along with any direct interest they may have in any company providing goods or services to any school that is part of the NCST, or indeed to the Trust itself. 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 any school part of the NCST.

Example: If a Governor runs their own building company or provides training courses for teaching staff.

2.5. Business interests declaration

When making a decision about what or what not to declare, the individual should consider how he/she may be challenged about their decision not to disclose.

All members, trustees, governors and the staff who influence financial decisions (see Appendix 1 for a list of positions that the Trust considers to be in this position), are expected to declare (by completing Business and Pecuniary Interests Declaration form: a Google Form which will be provided to all relevant persons on an annual basis in September, as well as on taking up their position at the Trust) any business interests that they or any family member or other individuals known to them who may exert influence. Even if they have no such interests (No interest to Declare), they are still required to complete the relevant part of the Business and Pecuniary Interests Declaration form - Section B.

Members, trustees, governors and the staff are reminded that completion of a business interest declaration form does not remove the requirement to disclose orally any interest at any specific meeting and to leave the meeting for that agenda item.

2.6. Pecuniary interests

Pecuniary interests include personal financial interests, such as involvement in a trust fund or investment, as well as potential interests.

Example: Where a member of staff's husband is applying for a vacancy in the school or where a teacher governor is involved in the decision over the promotion of a colleague, and where they may be a potential candidate for the post made available.

2.7. Pecuniary interests declaration

When making a decision about what or what not to declare, the individual should consider how he/she may be challenged about their decision not to disclose information.

All members, trustees, governors and the staff who influence financial decisions (see Appendix 1 for a list of positions that the Trust considers to be in this position), are expected to declare (by completing the Business and Pecuniary Interests Declaration form: a Google Form which will be provided to all relevant persons on an annual basis in September, as well as on taking up their position at the Trust) any pecuniary interests that they or any family member or other individuals known to them who may exert influence. Even if they have no such interests (No interest to Declare), they are still required to complete the relevant part of the Business and Pecuniary Interests Declaration form - Section B.

Because of the nature of these interests, they cannot only be declared annually. All members, trustees, governors and members of staff should be made aware at board meetings of the need to declare these interests.

Members, trustees, governors and the staff are reminded that completion of the pecuniary interest declaration form does not remove the requirement upon them to disclose orally any interest at any specific meeting and to leave the meeting for that agenda item.

2.8. Withdrawal from meetings

The general principle is that no-one should be involved in a decision where his or her personal interests may conflict with those of the trust board or governing body, as appropriate.

Any member, trustee, governor and the staff who is employed to work in any capacity at the NCST (other than the Head teacher), must withdraw from a meeting where the pay or performance appraisal of any particular person employed to work at the school is under discussion.

The Head teacher must withdraw from any meeting where his/her own pay or performance appraisal is under discussion.

If a person has any business or pecuniary interest, direct or indirect in any contract, proposed contract or any other matter under discussion at a meeting s/he shall at the meeting disclose the fact and:

- withdraw from a meeting during the consideration or discussion of the meeting;
- not vote on any question with respect to that matter.

A person has an indirect business or pecuniary interest if:

- s/he, or any nominee of hers/his, is a member of a company or other body with which a contract is under consideration or has been made;
- s/he is a partner in business with, or in the employment of, a person with whom the contract is made or under consideration.

A person has a direct or indirect business or pecuniary interest in a matter if a relative (including a spouse) living with her/him, has a direct or indirect pecuniary interest.

2.9. New appointments

New members, trustees, governors or members of staff whose role includes the ability to influence financial decisions will be asked to complete a form on joining the Trust. This will form part of the online induction process in place.

2.10. Register of business and pecuniary interests

To ensure compliance with the regulatory requirements, the Trust is required to establish and maintain a register of business and pecuniary interests, which indicates, for all members, trustees, governors and staff, any business and pecuniary interests.

The register will enable the Trust to demonstrate that in spending public money, no one involved with the governance of the Trust, or its schools, or employed by its schools, benefits personally from decisions that they make.

The information provided in the Declaration Forms is stored on Google Drive and can, at any stage, be downloaded as a report, available for inspection. The Register is signed at all trust board and local governing body meetings.

2.11. Updates and ownership of the process

The trust board and local governing bodies should ensure the business and pecuniary interests declaration forms and register is up to date, complete and includes all members, trustees, governors and members of staff who may have any influence over any financial decisions. **Making changes to the declaration is the responsibility of the individual**, who is simply required to complete another copy of the form (available on the [Trustee and Governors page/Staff page](#) of the NCST website, as applicable).

2.12. Review

The business and pecuniary interests declaration forms and register are reviewed annually, but members, trustees, governors and the staff are reminded that they should declare any changes as and when they occur as described in 2.11. Authorised personnel are able to review/report on all declarations at any point. This Policy is reviewed every three years.

Records of the completed forms are retained on Google Drive. These records are able to be made available on request to members of the trust board, the local governing bodies, the Head teacher, staff, parents and the Director of Children's Services.

2.13. Publication of information

The registers for the members and trust board, as well as those for the school local governing bodies, are all published on the Trust website and school websites respectively.

2.14. Appendix 1 - list of position all trustee, governor and staff positions required to complete the Google Form Declaration annually

Group	Position
NCST members	All members of the Trust
NCST trustees AND members of all delegated committees	All trustees, all Resources Committee members, all Standards Committee members
Local governing body members at NCST schools	All members of the relevant local governing body
Trust leaders	CEO CFO
Executive Heads/Head teachers	Executive Heads/Head teachers at all schools