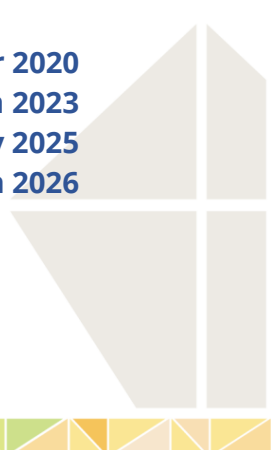


# **Conflict of Interest Policy**

**Issued: October 2020**  
**Reviewed: Autumn 2023**  
**Amended February 2025**  
**Next review due: Autumn 2026**



## **1.0 Introduction**

- 1.1 The Directors and Governors have a legal obligation to act at all times in the best interests of Birmingham Diocesan Multi-Academy Trust (BDMAT), and in accordance BDMAT'S governing instruments. All members of the Executive Team 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 BDMAT.
- 1.2 Such conflicts may create problems as they can:
- Inhibit free discussion
  - Result in decisions or actions that are not solely in the interests of BDMAT and local academy boards
  - Risk the impression that BDMAT and/or a Local Academy Board has acted improperly
- 1.3 The aim of this policy is to protect both BDMAT and individuals from any appearance of impropriety.

## **2.0 The Declaration of Interests**

- 2.1 Accordingly, all Members, Directors, Governors, the Executive Team and Headteachers and any others within the Trust involved in finance decisions or operations to declare their interests, and any gifts or hospitality received in connection with their role within the Trust. A declaration of interests' form is provided for this purpose, listing the types of interest you should declare (stakeholders with access to GovernorHub are encouraged to complete their declarations on interest online).
- 2.2 To be effective, the declaration of interests are updated annually, and also when any changes occur.
- 2.3 Where staff are unsure of whether to declare an interest they should consult with the CFO for confidential advice. Where there is uncertainty, the advice will be to declare the interest to ensure the Trust complies with its legislative duties and the Seven Principles of Public Life.
- 2.4 Interests will be recorded on the Trust's register of interests, which will be maintained by the CFO. The register will be accessible by the Chair of Directors,

Chair of Local Academy Boards and ESFA colleagues and be made available to the wider public through the BDMAT website.

### **3.0 Data Protection**

- 3.1 The information provided will be processed in accordance with data protection principles as set out in the UK General Data Protection Regulations (GDPR) and Data Protection Act 1998. Data will be processed only to ensure that Directors, Governors, CEO, Headteachers and CFO and other staff who make or enact financial decisions act in the best interests of BDMAT. The information provided will not be used for any other purpose.

### **4.0 What to do if you face a Conflict of Interest**

- 4.1 Any Member, Director, Governor, Executive team member, Headteacher or who is and also a parent or guardian of a pupil, or other “user” of Trust services, should not be involved in decisions that directly affect the service that you, or the person you care for, receives.
- 4.2 Declarations must be made at the earliest opportunity and individuals must withdraw from any subsequent discussion making process.
- 4.3 Individuals with a conflict, however, participate in discussions from which they may indirectly benefit, for example where the benefits are universal to all users, or where the benefit is minimal.
- 4.4 A Governor who is also a parent of a pupil at BDMAT should not be prevented from being involved in any meeting to consider any matter relating to the general conduct or administration of, or fees charged by the school/trust, where the Governor’s only interest is by virtue of being such a parent, or from voting on and being counted in the quorum for any such matter. The interest should be declared before such discussion commences. Any declaration not made, but known to the Chair of Governors, clerk and/or the CEO, will be declared on the individual’s behalf.
- 4.5 Governors who are also a parent of a pupil at a BDMAT School are asked to declare their interest as a parent at the start of each Governor’s meeting.

### **5.0 Decisions taken where a Governor or member of Staff has an interest**

- 5.1 Decision made where directors or governors are required to decide upon a question in which a member, director, governor, the Executive Team or a

headteacher have an interest will be made by vote, with a simple 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.

5.2 Interested board members may not vote on matters affecting their own interests. They may participate in the discussion (unless requested to withdraw by the other directors or governors) but not the decision-making process. All decisions under a conflict of interest will be recorded by the clerk and reported in the minutes of the meeting at board level and recorded by the clerk and reported in the minutes at academy level. The report will record:

- The nature and extent of the conflict
- An outline of the discussion
- The actions taken to manage the conflict and
- Where a director or governor benefits from the decision, this fact will be reported in the Directors' Annual Report.
- Where an employee of the trust benefits from the decision, this fact will be recorded by the clerk and reported to the CFO, if appropriate it will be reported in the Directors' Annual Report, this decision will be made in consultation with the trust's external auditors.

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

## **6.0 Managing Contracts**

6.1 Where a conflict of interest has been declared the individual must not be involved in procuring, managing or monitoring a contract in which they 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.

## **7.0 Gifts & Hospitality**

### **Receipt of Gifts**

7.1 The receipt of gifts from third parties during a tendering exercise is strictly prohibited irrespective of monetary value. Any offers of gift during this time should be reported to the Chief Finance Officer (CFO) for recording on the Gifts and Hospitality register within 5 days of the offer being made.

- 7.2 Outside of a tendering exercise, gifts of low intrinsic value, such as promotional calendars or diaries or small tokens of gratitude can be accepted. If there is any doubt as to whether the acceptance of such an item is appropriate the gift should be declined or the matter referred to the Chief Finance Officer ( CFO). Any other gifts should be politely refused. Where the offer of a gift exceeds £50 this should be reported to the Chief Finance Officer in writing for recording on the Gifts and Hospitality register within 5 days of the offer being made.
- 7.3 In the rare circumstances where declining a gift is likely to cause major offence the gift may be accepted and then donated to Charity.
- 7.4 Where it is impractical to decline a perishable gift and it is inappropriate to donate it to charity these gifts will be, at the discretion of the executive team, be opened and shared with all employees of the organisation at an appropriate staff event.

#### **Receipt of Hospitality**

- 7.5 The Trust expects its' representatives to use their judgement when accepting business meal hospitality from third parties. In doing so the individual should consider the appropriateness and regularity of any hospitality offered and the motives of the third party in offering the hospitality.
- 7.6 If in any way an individual is uncomfortable with the hospitality being offered by a third party this should be raised with the CFO or Board of Directors as appropriate.
- 7.7 Hospitality from third parties involved in a tendering process should only be accepted where essential e.g. during a scheduled full day meeting at the third parties' offices.
- 7.8 A gauge of what is acceptable in terms of hospitality is whether this trust or one of its schools would offer a similar level of hospitality in similar circumstances.
- 7.9 All receipts of hospitality accepted or declined over £20 should be reported to the CFO for recording on the Gifts and Hospitality register within 5 days of the offer being made or the hospitality being received.
- 7.10 Invitations to corporate hospitality events must each be judged on their merit. Provided the general rules have been taken into account, it may be acceptable to join other company/organisation guests at:
  - a) sponsored cultural and sporting events, or other public performances, as a representative of the trust or its schools
  - b) special events or celebrations

Consideration should be given to the number of these events and always public perception of the attendance and regularity of attendance.

- 7.11 Offers to speak at corporate dinners and social gatherings, or events organised by, for example, a professional body, where there is a genuine need to impart information or represent the trust or its schools must be agreed in advance with the CEO. Where a spouse or partner is included in the invitation, and approval has been given for you to attend, it will be acceptable for the spouse or partner to attend as well, but if expenses are incurred, these will be met personally.
- 7.12 Paid holidays or concessionary travel rates are not acceptable. Neither are offers of hotel accommodation nor the use of company villas/apartments.

### **Gifts and Hospitality Register**

- 7.13 The CFO is responsible for monitoring the Gifts and Hospitality Register and ensuring that it is maintained throughout the year.
- 7.14 The CFO will ensure that the register is reviewed on an annual basis and discussed with the Governance, Risk and Audit Committee during one of their meetings each year. Any concerns will be reported to the Executive Team so that appropriate action can be taken.

### **Giving Gifts**

- 7.15 From time to time it will be appropriate for the Trust and its schools to make gifts to its employees, Directors, Governors or third parties.
- 7.16 All gifts made should be appropriate to the recipient and should reflect the occasion. Professional judgement will be expected to be exercised in this area by the Chair, Executive Team and Headteachers in line with the Academy Trust Handbook.
- 7.17 Where staff collections are held and/or where individual gifts are to be made these fall outside of the scope of this policy.
- 7.18 Any gifts made on behalf of the Trust or its schools to third parties should be discussed and approved by the CEO.
- 7.18 Alcohol must not be purchased from school or trust funds.

## DECLARATION OF INTERESTS FORM

I ..... **(name)** as a Member/Director/Governor/  
Headteacher/member of school staff/member of central staff **(delete as appropriate)**  
of the Birmingham Diocesan Multi-Academy Trust have set out below my interests in  
accordance with the Trust's Conflict of Interests Policy.

CATEGORY	<i>Please give details of the interest and whether it applies to you or whether it applies to a close relative or close personal connection</i>
<ul style="list-style-type: none"> <li>• Current role</li> <li>• Start date of current role</li> </ul>	
<ul style="list-style-type: none"> <li>• Name of institution where there is an interest</li> <li>• Nature of business</li> <li>• Date interest began</li> </ul>	
<ul style="list-style-type: none"> <li>• Any previous employment in which you continue to have a financial interest.</li> <li>• Date interest began</li> <li>• Date of leaving</li> </ul>	
<ul style="list-style-type: none"> <li>• Current or previous Local Authority connections</li> <li>• Date interest began</li> </ul>	

<p>Any personal relationships between the trust's Members or Directors.</p> <ul style="list-style-type: none"> <li>• Date interest began</li> </ul>	
<p>Appointments (voluntary or otherwise) e.g. trusteeships, directorships, local authority membership, tribunals, etc.</p> <ul style="list-style-type: none"> <li>• Date interest began for each one</li> </ul>	
<p>Membership of any professional bodies, special interest groups or mutual support organisations.</p> <ul style="list-style-type: none"> <li>• Date interest began</li> </ul>	
<p>Investments in unlisted companies, partnerships and other forms of business, major shareholdings and beneficial interests.</p> <ul style="list-style-type: none"> <li>• Date interest began</li> </ul>	
<p>Gifts or hospitality offered to you by external bodies and whether this was declined or accepted in the last twelve months.</p>	



<p>Do you use the school / MAT's services (e.g. as the parent or guardian of a pupil)?</p> <ul style="list-style-type: none"> <li>Date interest began</li> </ul>	
<p>Any contractual relationship with the School / MAT?</p> <ul style="list-style-type: none"> <li>Date interest began</li> </ul>	
<p>Any other conflicts that are not covered by the above?</p> <ul style="list-style-type: none"> <li>Date interest began</li> </ul>	

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. I understand that some of these details I have given will be published on the Trust's website as required by the Academies Financial Handbook and in line with General Data Protection Regulation.

SIGNED	NAME	DATE

**Please return the completed form to [finance@bdmat.org.uk](mailto:finance@bdmat.org.uk)**