

Scheme to record the interests of school governors, senior staff and staff involved in procurement

Introduction

Governors and school staff have a responsibility to avoid any conflict between the interests of the school and their business and personal interests and their memberships of any other governing bodies or academy trusts. Governing bodies can demonstrate they are managing potential conflicts by maintaining a register of interests. For schools to be SFVS (Schools Financial Value Standard) compliant, such a register must be maintained for governors, senior staff and staff involved in procurement.

Regulations require that the register should also set out any relationships between governors and members of the school staff including spouses, partners and relatives. Senior staff and staff involved in procurement should also declare relationships with other members of staff or consultants to enable adequate safeguards to be put in place. The definition of a relative includes spouse, partner, parent, parent-in-law, son, daughter, stepson, stepdaughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew and niece.

Staff involved in procurement include:

1. budget holders;
2. finance staff;
3. individuals who are on the bank mandate;
4. individuals who hold a purchasing card or other cards; and
5. individuals who are involved in the procurement process.

The purpose of declaring such interests is to enable the governing body to put controls in place to ensure there is no conflict between a governor or staff member's private interest and the school's interests.

From 1 September 2015, governing bodies are under a duty to publish their register of interests on the school's website.

Who should declare an interest?

All governors, the headteacher, deputy headteacher(s), assistant headteacher(s), other staff employed at that level, and staff involved in the procurement process, should complete a register of interests form.

It is important that staff who are involved in spending public money are able to demonstrate that they do not benefit personally from any decisions that are made about how these monies are spent. A register of interests is in place to enable governors, the headteacher, deputy headteacher(s), assistant headteacher(s) and staff involved in the procurement process to declare interests.

If any member of staff who is responsible for proposing a course of action in relation to spending the school's delegated budget, or who is responsible for ordering goods and services on behalf of the school, has links with suppliers, organisations or clubs that the school may wish to purchase from, or provide services to, then these links should be disclosed to the headteacher.

What information should be declared?

The following information should be declared by all members of the governing body and relevant employees:

Employment, Office, Trade, Profession or Vocation

If you are in paid employment, or you are self employed, you should provide details of the name of your employer, the type of business in which they are involved, and the type of job you are employed to do. If you are a headteacher, deputy headteacher, assistant headteacher or employed at this level, or you are involved in the procurement process and you have other interests for which you receive remuneration, these should also be declared.

Contracts

If there is a contract which has been made, or is proposed to be made, between either you (or your spouse or relatives – *see definition above*), your company (if you are a partner or a director), a body corporate (i.e. a group of people authorised by law to act as an individual with its own powers, duties and liabilities) in which you are a partner or a director or in which you hold substantial¹ securities (e.g. stocks and shares) and the school where you are employed or where you are a governor. You should provide details of the contract, including its duration, the goods and services that are to be provided, and/or the works that are to be executed. A contract may also be between a club, society or organisation of which you are a member and the school where you are a governor for the hire of the premises or facilities. This type of contract should also be declared, although you will be only treated as having a pecuniary interest if you benefit financially from the contract.

Interest in Securities

You should provide details of the name of any company or body corporate in which you have a substantial¹ (see footnote below) financial interest in the securities (e.g. stocks and shares) of that company or body corporate.

Memberships of governing bodies or academy trust

You should declare the details of any other educational establishment where you are a governor or a trustee regardless of whether there is a trading relationship with the school.

Relationships between governors and members of the school staff including spouses, partners and relatives.

You should declare any relationship with a member of the school staff including spouses, partners and relatives. This includes spouse, partner, parent, parent-in-law, son, daughter, stepson, stepdaughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew and niece.

Relationships between senior members of the school staff and those involved in procurement including spouses, partners and relatives.

Senior Staff and staff involved in procurement should declare any relationship with any other member of the school staff and consultants including spouses, partners

¹ You have a substantial interest if you own shares or other securities in the company with a nominal value of more than £25,000 or more than 1/100th of the issued shares or securities. The notional value is normally the face value on the share certificate and is not the market value. If in doubt contact your broker. If there are several classes of shares or securities, the fraction of 1/100th applies to any of those classes. These limits also apply to deposits with industrial and provident societies, and co-operative societies.

and relatives. This includes spouse, partner, parent, parent-in-law, son, daughter, stepson, stepdaughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew and niece.

Declaring an Interest

A governor or an employee still needs to formally declare an interest during a governing body meeting if a matter is discussed in which the governor or the employee has an interest that has been registered. **It should be noted that a governor (including the headteacher if he/she is not a governor) is treated as having an interest if a relative (including a spouse or someone living with that person as if he or she were that person's spouse), to his/her knowledge has, or would be treated as having, such an interest.** The definition of a relative includes spouse, partner, parent, parent-in-law, son, daughter, stepson, stepdaughter, child of a partner, brother, sister, grandparent, grandchild, uncle, aunt, nephew and niece.

If a pecuniary interest has been declared, the relevant governor or employee should leave the meeting room during the consideration or discussion of the matter.

Other interests

There are a number of other occasions when a governor would need to declare an interest. If a governor is present at a meeting of the governing body of a school (including a meeting of a selection panel) at which the subject of consideration is, in the case of the governor, him/herself or of a relative (including his/her spouse) living with him/her:

- that governor's appointment to a post at the school, or
- where that governor is employed at the school, his/her transfer from one post to another or his/her promotion or retirement, or
- the transfer from one post to another, dismissal, promotion, retirement or suspension of another person so employed, if the said transfer, dismissal, promotion, retirement, or suspension would result in a vacant post for which the governor would be a candidate, then the governor should declare an interest and withdraw from the meeting. Such action would also need to be taken if a governor has previously expressed an opinion or been directly involved in a matter relating to a disciplinary case, grievance or admission; or if the governor is related to, or is the spouse of, the person directly involved.

There may be further circumstances where governors should declare an interest.

Register of Interests

To compile an accurate record of governors' and senior school staff's interests, all governors, senior staff and staff involved in the procurement process should complete the register of interests form on an annual basis and return it to the headteacher, who will be responsible for the secure storage of the information at the school. From **1 September 2015** it is a requirement for this information to be published on the school's website.

It should be noted that the responsibility for providing this information accurately and keeping it up to date rests with the individual governor and employee.