

# Declaration of Interests Policy

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## Introduction

Staff and Governors are expected to act with integrity, honesty and objectivity, acting and making decisions in the best interests of students and the School. This includes avoiding situations where there is a potential for a conflict of interest.

The School needs to be open and transparent in the decisions it makes and actions taken, particularly regarding financial matters. We need to ensure that decision-making processes at Briarwood are, and are seen to be, free from personal bias and do not unfairly favour any individual or company connected with the school.

Conflicts of interest typically arise where staff or Governors' personal relationships, business or financial activities, or involvement in other educational organisations, affect the ability to make impartial, objective decisions that are in best interests of Briarwood.

## Aims

This Declaration of Interests policy aims to provide guidance to staff and governors regarding their responsibilities for, and the processes around, declaring relevant interests.

This policy forms part of Briarwood's governance arrangements preventing conflicts of interest, bribery, fraud and corruption and complies with:

- Principles of honesty, integrity and transparency and acting in the best interests of students and the School
- Briarwood's Codes of Conduct for staff and governors
- Bristol City Council's Financial Regulations for Schools with Delegated Budgets, 2022
- Bristol City Council's Scheme for Financing Schools, 2024
- Data Protection Act 2018
- UK General Data Protection Regulation (GDPR)
- DfE's Governance handbook and competency framework, October 2020

## Types of conflicts of interest

There are various types of interest that may affect the school's decision making and create a conflict that needs managing. Possible staff and governors' interests include, but are not limited to:

- **Being a trustee or governor** for another school, trust or charity
- **Close personal connections** to other staff or governors, suppliers, or other significant stakeholders
- **Having a business or pecuniary interest:** a monetary or financially vested interest in a business or service, including being a partner, proprietor or owner
- **Being a significant shareholder** of a business (owning over 20% of that business)
- **Having a significant level of control or interest** in the management decisions or any organisation
- **Other conflicts of interest that may affect, or could be seen to affect, fair and transparent decision making** at Briarwood

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## Roles and responsibilities - declaring business interests

**The Board of Governors** – is responsible for:

- Ensuring that all members of staff, including volunteers, act in accordance with this policy at all times.
- Operating and making decisions in the best interests of pupils and the school.
- Making complete declarations on an annual basis, or whenever an interest changes, and ensuring the register of interests is up-to-date.
- Ensuring there are measures in place to manage and identify any conflicts of interest.
- Identifying any conflicts of interest that have not been previously declared.
- Independently and objectively making decisions about pay and benefits, scrutinising each decision so conflicts of interest are avoided.

**The Chair of Governors** - is responsible for:

- Ensuring, in liaison with the Executive Headteacher, that all members of the governing board have declared any conflicts of interest, and that these are recorded on the Declaration of Interests register. This should be completed as an annual task, with updates to the register made as and when new interests emerge and are declared.
- Considering and managing the risks associated with an individual, who has declared a conflict of interest, participating in any decision-making or voting (and seeking advice from an HR professional, as needed).
- Setting professional standards of governance and accountability for the board.

**The Contracts & Compliance Officer** - is responsible for:

- Keeping an accurate and up-to-date register of declared interests, including nil returns, for all governors, relevant staff and volunteers, in collaboration with the Clerk to Governors for governors' interests and the Finance & Business Development Assistant for relevant staff's declarations.
- Reporting on the content of the register annually, presenting this to governors for their review.
- Ensuring the register of interests is readily accessible to all stakeholders, including publishing the Declaration of Interests register on the school website. This must appear directly on a web page and not require the downloading of additional documents.

**The Executive Headteacher** - is responsible for:

- Ensuring, in liaison with the chair of governors, that all members of the governing board have declared any conflicts of interest and that these are recorded on the Declaration of Interests register.
- Ensuring that any staff member who is responsible for significant financial decision-making or is proposing strategic changes has declared any conflicts of interest.
- Deciding who else is considered an 'interested party', within all governance arrangements, and ensuring they declare their interests, identifying any conflicts of interest.

### Staff and Volunteers

All relevant staff (those involved in financial and or strategic decision-making) and volunteers are responsible for:

- Acting in accordance with this policy at all times.
- Declaring any interests, including nil returns, and recording them on the Declaration of Interests register annually and as and when new interests arise.
- Identifying any conflicts of interest including those that have not been previously declared.
- Following the school's Whistleblowing Policy where there are concerns that a conflict of interest has not been declared, and an individual might have subsequently benefitted.
- Ensuring that all individuals in a discussion of material financial or strategic value do not have a vested interest in the subject.

In addition to all governors, relevant staff who must complete an entry in the Declaration of Interest registers include:

- Executive Headteacher
- Head of Education & Skills
- Head of Provision
- Head of Inclusion
- Assistant Heads including all Heads of School
- Head of Operations
- Finance & Business Development Manager
- Finance & Business Development Assistant
- Compliance & Contracts Management Officer
- HR Officer
- HR Administrator
- Pastoral Co-Ordinator
- Site Administrators
- Any other member of staff who becomes involved in financial, procurement or strategic decision making

### Identifying relevant interests

As a general principle, you should immediately and openly declare for the Declarations of Interests register anything a member of the public might reasonably think puts you at risk of being biased, putting private considerations above the interests of Briarwood and or seeking preferential treatment for yourself or those you are connected to.

To meet all legal and regulatory requirements, governors, and relevant staff, must declare their interests:

- As part of their commitment to the Briarwood Code of Conduct.
- Annually, through completion of entries in the Declaration of Interests register, including nil returns.
- As and when business interests change, by making an entry in the register and contacting the Clerk of Governors, Compliance & Contracts Management Officer or Executive Headteacher.
- At the beginning of a meeting where an agenda item relates to a business or other relevant interest.
- During meetings where it becomes clear that discussions and decisions are becoming relevant to a business interest.

## Business, pecuniary and financial interests

Under the statutory guidance, business, pecuniary or financial interests that must be declared by staff and governors include:

- A business interest in a company that could stand to gain from your position on the governing board (e.g. a supplier used by the school)
- Governance roles in other educational institutions
- Interests arising from relationships with other governors (including spouses, partners, relatives)
- Interests arising from relationships with members of school staff (including spouses, partners and close relatives)
- If you are a member of a group or organisation using the school facilities
- If you are on an interim executive board
- Voting rights on any committees (if you are an associate member)
- Holding another public office
- Being an employee, director, adviser or partner of another business or organisation
- Having a significant interest or sphere of influence in another business or organisation including the holding of assets or owing a debt
- Pursuing business opportunities
- Having a beneficial interest in a trust
- Holding strong political, religious or personal views that may indicate prejudice or predetermination for or against a person or issue
- Being a spouse, partner, relative or close friend of someone who has one of these interests

## Immediate family members' business interests

Staff and governors must also make a declaration if any 'immediate family' member has a relevant business interest. Immediate family is defined as the following:

- |                 |                      |                        |
|-----------------|----------------------|------------------------|
| • a spouse      | • step-daughter      | • aunt                 |
| • a partner     | • child of a partner | • nephew               |
| • a parent      | • brother            | • niece                |
| • parent-in-law | • sister             | • or spouse or partner |
| • son           | • grandparent        | of any of the above    |
| • daughter      | • grandchild         |                        |
| • step-son      | • uncle              |                        |

## Other interests to be declared

Please also declare any other interests that might affect your ability to act impartially and influence your decisions. If you're not sure if an interest is relevant, please declare it or discuss with the Clerk to Governors or Executive Headteacher.

All interests and connections that could influence the school's reputation with the public should be declared.

Only relevant interests need to be declared, e.g. the spouse of the owner of a catering service when the school is seeking a new catering company.

## Interests that don't need to be declared

You don't need to declare:

- Business interests that are no longer current.
- Staff governors' employment at the school, as this is obvious by virtue of their position.
- Membership of a trade union or staff representative group.
- Interests that are not significant or 'material' in scale or only relate to decisions of a low financial value.
- Interests that would not, or could not, lead to direct or indirect reward.

However, if in doubt, please declare the interest.

## Managing conflicts of interest

If, during a meeting, a governor, or member of staff, has declared an interest that could lead to questions of bias, that person must withdraw from the meeting during the relevant discussion and any subsequent voting, unless the Governing Body allows otherwise.

Generally, no-one should be involved in a decision where personal interests may conflict with the best interests of the school and pupils.

Where a governor or relevant staff member has declared a business interest that could affect a financial decision, supplier or procurement process, the Governing Body can proceed with discussions around that business interest. The School is not forced to proceed with an inferior, alternative option if a conflict of interest is raised and managed appropriately.

If the Governing Body proceeds with paying for goods or services associated with a declared business interest it must ensure, demonstrate and record that this:

- Is in the best interests of students and the School.
- Will better meet Briarwood's goals, requirements and purposes than other options.
- Conflict of interest can be managed openly, clearly, sufficiently and is documented accordingly.

When a conflict of interest occurs, the Clerk to Governors should record in the meeting minutes:

- What the conflict was
- Who or what it affected
- When it was declared
- How the governing body managed it

Additionally, a summary of the management of the conflict of interest should be noted on the Declaration of Interests register in collaboration with the Compliance & Contracts Management Officer.

## The Declaration of Interest register

The Compliance & Contracts Management Officer will initiate the annual completion of the register by governors and relevant staff members, and will collate the data for reporting to the governing body annually, including nil returns. Clerks are exempt from inclusion on the register.

The information will be reviewed by the Clerk to Governors to support the monitoring of conflicts of interest during meetings.

Additionally, a summary register will be compiled by the Compliance & Contracts Management Officer for publication on the school website annually and more frequently in the case of significant change. The summary register does not need to include detailed information, it just needs to make clear to the public if there's an interest or relationship declared.

This summary must be in a readily accessible format that does not require the downloading of or the opening of separate documents. It must show:

- governors', Executive Headteacher's and associate members' interests, including nil returns
- if anyone holds voting rights on any committees
- if anyone is active on an interim executive board
- relevant interests of immediate family members
- the date of the declaration

The data and Declaration of Interests register (in full and summary formats) must be held securely and made available for inspection by a range of stakeholders including:

- The local authority
- Governors
- Staff
- Parents
- Auditors

# References and links

## Links with other Briarwood policies & documents

- Anti-Fraud and Corruption policy
- Code of Conduct
- Declaration of Interests register
- Finance policy
- Gifts, Hospitality and Anti-Bribery policy
- Whistleblowing policy

## References

Bristol City Council – Financial Regulations for Schools with Delegated Budgets (April 2022)  
<https://democracy.bristol.gov.uk/documents/s68619/Appendix%20B%20-%20Financial%20Regulations%20for%20Schools%20with%20Delegated%20Budgets%20-%20version%207.3.pdf>

Bristol City Council - Scheme for Financing Schools (April 2024)  
<https://democracy.bristol.gov.uk/documents/s99194/16072024%20Item%207%20-%202024%20Scheme%20for%20Financing%20Schools%20-%20document.pdf>

## Declaration of Interests Register form fields

Fields for responding to & completing:

1. Role/position
2. Name
3. Role (governor/staff/volunteer)
4. Date of declaration
5. Current employer
6. Trusteeships and/or governorships at other education organisations or charities
7. Committee attendance with voting rights
8. Activity on an interim executive board
9. Details of all businesses (of which a partner or proprietor, or director)
10. Significant shareholdings (over 20%) of a business
11. Other business interests where there is significant influence or control over management or board decisions
12. Any other conflict or relevant interest
13. Relevant interests of partner/other close relative
14. Nature of Interest (or statement of no relevant interests)
15. Signature