



**Attigo**  
**Academy Trust**

ACHIEVE EXCELLENCE TOGETHER

# **Conflict of Interest Policy**

Policy Date	February 2022
Review Date	February 2024

**Core Values:** Partnership, Diversity, Community, Excellence, Inclusion

**Partnership and Diversity**

All schools in the Attigo Academy Trust are committed to working collaboratively, supporting each other and sharing skills and knowledge to maintain and improve standards across the Trust.

Attigo Academy Trust recognises the individuality and embraces the uniqueness of each of the schools within its partnership. All schools adhere to the Trust vision, values, aims and policies but maintain a level of autonomy in order to meet the diverse needs of the children in each of the Trust schools. It is important for any school wishing to join our Trust that they are willing to commit to taking an active and supportive role within it.

**Community**

Children will learn the value of working together in our Trust, schools, the local area and as successful citizens of the global community. This includes any learning undertaken beyond the classroom – in other areas of the school, the school grounds, the neighbourhood and local area, at home, in London and further afield.

**Excellence**

Excellence, at Attigo Academy Trust, means that we will always strive to achieve our very best in all areas of school life. We aim to achieve excellence in our Trust and schools through promoting high aspirations for all our children to ensure they make outstanding progress in academic, sporting and personal achievements. Excellence is a continuously moving target that we aim to achieve; it means no excuses, but high expectations.

**Inclusion**

We value and respect all our children and celebrate diversity in our Trust and schools. The well-being – mental, emotional and physical – of the children is paramount. Teachers will plan for both curriculum subjects and for experiences to support children’s well-being; meeting the needs of all children in the class. This will support the whole-school and Trust-wide approach of promoting good social, emotional and behavioural skills and attitudes, enabling our children to face challenges and to excel. This may include working with experts in a particular field, visits from inspirational speakers and opportunities to work in professional environments.

Signed by

*Karen Jaeggi*                      CEO                      Date: 7th February 2022

*Pat Wood*                      Chair of Trustees                      Date: 7th February 2022

## Introduction

In charity law, trustees must act in the best interests of the charity. The law also states that trustees may not receive a benefit from their charity (the academy) either directly or indirectly. Any situation in which another interest may conflict with this duty becomes a conflict of interest and must be managed as it arises. The potential for someone to benefit creates a conflict of interest. A conflict of interest usually arises where:

- There is potential financial or measurable benefit directly to an individual, or indirectly through a connected person.
- An individual's duty may compete with loyalties to another organisation or person.

As an academy, our management of conflicts of interest stems from the conflict of interest section in the academy's articles of association (the document which outlines how the academy is governed and sets out the internal management, decision making and running of the academy trust). Acting outside these terms of reference may not be valid and could be challenged as a breach of our legal responsibilities by the Charity Commission itself, or by another interested party, and could result in financial penalties.

The ESFA's Academies financial handbook provides guidance about business and pecuniary interests of members, trustees, local governors of all academy trusts and senior employees. Attigo Academy Trust follows this guidance.

## Objectives and targets

The purpose of this policy is:

- To explain the steps to be taken if a potential or actual conflict of interest arises.
- To ensure that the procedures outlined are followed.
- To reduce the potential for fraudulent action against the academy.

## Action plan

This policy is applicable to all members, trustees, local governors of academies within the multi-academy trust and senior employees of the trusts central team and member schools.

Attigo Academy Trust has a zero tolerance of placing transactions which represent a conflict of interest.

Attigo Academy Trust discloses in its annual accounts all remuneration (if relevant) and all benefits received by the governors/trustees.

Evidence of transactions involving members, trustees, local governors of academies within the multi-academy trust and senior employees or connected parties will show that such transactions have been conducted in accordance with the high standards of accountability and transparency required within the Nolan principles of conduct in public life.

## Responsibilities of members, trustees, local governors of academies within the multi-academy trust and senior employees

Before appointment, prospective governors/trustees/members will be asked about potential conflicts of interest and these will be declared to those who make the appointment.

On appointment, governors/trustees/members will be made aware of this policy and its part in the framework of governor/trustee/member responsibilities.

Through training they will also be made aware of:

- Their responsibilities to declare any conflict of interest which might apply to them.
- The fact that it is a serious matter if they do not make appropriate declarations.
- Their responsibility not to use their connection to the academy for personal gain or for the gain of others to whom they are connected.
- The fact that the governors/trustees/members manage conflict of interest situations (whether relating to an individual governor/trustee/member or a connected party) in a similar way across the academy trust if they arise, and with integrity and openness.
- The methods by which the academy deals with conflicts of interest if they arise.

### **Register of interests of members, trustees, local governors of academies within the multi-academy trust and senior employees**

Attigo Academy Trust holds a register of relevant business and pecuniary interests of members, trustees, local governors of academies within the multi-academy trust and senior employees. The academy has considered whether to include the interests of other individuals in the register, with a presumption in favour of disclosure to support transparency and accountability. All relevant individuals have the responsibility to identify in this register the nature of any interest that they may have which could affect any decision making. These interests will include:

- Business interests and those of their spouse, partner, family and close relatives.
- Personal interests and those of their spouse, partner, family and close relatives.
- Interests with suppliers (eg directorships, partnerships and employment) from which the academy may wish to buy goods or services.
- Interests in the appointment, salary, promotion or conditions of service of members of staff.
- Loyalties to other organisations which may conflict with loyalties to the academy (eg trusteeships/governorships at other educational institutions or charities – whether or not the academy has a trading link).

They are required to inform the academy of any changes in their interests as these arise so that they can be entered in the register. The register is also updated annually. Nil returns are obtained as appropriate. Any relevant individual who is unwilling to declare their interests or complete a nil return is not permitted to influence any buying or staffing decision.

Attigo Academy Trust publishes on the academy website relevant business and pecuniary interests of members, trustees and governors.

### **Connected parties and conflict of interest**

Attigo Academy Trust follows the ESFA guidance on related party transactions as follows:

· The academy trust declares its intention to enter into a new agreement before confirming the transaction with a related party supplier. This includes agreements being renewed with a related party supplier.

- The academy trust does not need to declare income transactions with related parties. However, for expenditure-related party transactions with a new supplier, the academy trust will confirm whether it has previously received a donation from the related party.
- The academy trust will report all related party transactions, regardless of value, in their annual financial statements as set out in the ESFA's [Academies accounts direction](#) (paragraph 2.147 onwards) where types of related party transactions are explained and when they may be permitted.

No payments will be made by the academy to any governor/trustee/member or connected party unless such payments:

- Are permitted by the articles of association.
- Comply with this conflict of interest policy.
- Have the Charity Commission's or Education Secretary's prior approval, where required.

Any payment provided to connected parties must also comply with the Education and Skills Funding Agency's 'at cost' requirements in the academies financial handbook. (The 'at cost' policy was introduced by the DfE and requires related party transactions to be at cost only, with no profit allowed. A de minimis limit of £2,500 applies but transactions above that must be at cost.)

Connected party transactions will be disclosed in the academy trust's financial statements.

### **When a situation of potential conflict of interest arises**

At any meeting where there will be a discussion on a subject which may cause a conflict of interest, the individual in question should declare his/her interest in the subject at the beginning of the meeting. If this is not forthcoming, but another suspects that there might be a conflict of interest, then that person should inform the group.

At that point, and in the absence of the conflicted governor, decisions will be made on whether the subject would be a conflict of interest.

A note in the minutes of the meeting will be recorded to explain:

- The nature of the conflict.
- Who was involved.
- Whether the conflict of interest was declared in advance.
- An outline of the discussion.
- Whether anyone was asked to withdraw from the discussion.
- How the directors took the decision in the best interests of the academy.

Attigo Academy Trust is aware that certain transactions, or those involving people in a particular position of control and influence, will need to be regarded with greater scrutiny by auditors and potentially by members of the public. Examples of such transactions include:

- Transactions involving the board of trustees, particularly the chair and headteacher (connected party/related party transactions).
- Payments to commercial profit-motivated companies rather than those in the voluntary sector.
- Appointment of, and relationships with, external auditors (eg if a governor has a direct or indirect interest in an office or firm of accountants which may wish to tender for the audit contract of the academy, they must declare the possible conflict of interest to the governing board at the earliest available opportunity and the declaration must be minuted). Also if auditors wish to supply additional services to the academy trust, they should ensure there is no conflict of interest between these services and the audit service.

### **Monitoring and evaluation**

This policy will be monitored by the trustees. Instances of conflict of interest are recorded and evaluated. The policy will be revised where necessary in the light of new legislation or changes needed following evaluation.