



Byrchall High School

Declaration of Interest Policy

Approved by:	P Paul	Date: July 2026
Last reviewed on:	July 2026	
Next review due by:	July 2027	



DECLARATION OF INTEREST POLICY

DATE OF LATEST REVIEW:	July 2026
NEXT REVIEW DATE:	July 2027
POLICY APPROVED BY GOVERNORS ON:	Autumn Term 2026
POLICY AVAILABLE FOR STAFF AT:	Shared Area
POLICY AVAILABLE FOR PARENTS AT:	NA

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STATEMENT OF INTENT

The Academies Handbook states the board of governors must understand their statutory duties as company directors as set out in the Companies Act 2006. These comprise the duties to:

- Act within their powers
- Promote the success of the company
- Exercise independent judgement
- Exercise reasonable care, skill and diligence
- Avoid conflicts of interest
- Not to accept benefits from third parties and
- Declare interest in proposed transactions *or* arrangements

These duties are especially relevant when entering into transactions with connected parties.

Byrchall High School is committed to ensuring its decisions and decision-making processes are, and are seen to be, free from personal bias and do not unfairly favour any individual connected with the Academy.

We will abide by the contents of the Academies Handbook and have due regard for the Seven Principles of Public Life as defined by the Committee on Standards in Public Life. The Academy will ensure the Auditors, both external and internal, are committed to work with these documents in relation to their work with the Academy

DEFINITION

A 'conflict of interest' arises when the best interests of an individual employee or related party are different from the best interests of the Academy itself.

There is no definitive list of specific persons or relationships that could give rise to possible conflict of interest within the Academy. Reliance must be placed on the judgement of individual trustees, governors and employees as to what might be seen as Conflict of Interest by any third party but it is appropriate for the Headteacher to give guidance.

Relationships that should be declared are recommended to include:

- Spouses, Fiancées, living together Partners
- All "blood" Relationships
- Relative by Marriage
- Membership of clubs, societies, associations etc.
- House/Flat sharers
- Close personal friendships and neighbor's
- Business Partners

Conflict of Interest can potentially arise if a trustee, governor or employee or those included above are:

- 1) involved in a business, initiative or financial deals which could impinge on the activities of the Academy
- 2) undertaking work for organisations or individuals whose activities may impinge on the work of the Academy

Actual Conflict of Interest can be avoided in Cases 1) and 2) if the Declaration of Interest Form has been completed by the person who believes they may be in a position where their integrity may be questioned. This should then be discussed with the Headteacher and where appropriate the Governing Body.

The academy's register of interests will **include** relevant business and pecuniary interests of trustees, governors, employees including:

- directorships, partnerships and employments with businesses that provide goods or services to the academy;
- trusteeships and governorships including at other educational institutions and charities irrespective of whether there is a trading relationship with the academy; and
- for each interest: the name of the business, the nature of the business, the nature of the interest, and the date the interest began

ACTIONS

Once a declaration has been made the action to take is for the member of staff to leave the business initiative, deal or organisation in question or for the Headteacher to ensure the member of staff has no dealings with the relevant transactions or accounts.

When a trustee, governor or employee has declared an interest they must:

- Ensure it is entered with the declaration of interest form, and if relevant minuted in the appropriate committee minutes (one-off conflicts)
- Not take part in any board discussions relating to the matter
- Not take part in any decision making related to the matter
- Not be counted in the quorum for decision making related to the matter

In the interests of frank and open discussion, a trustee, governor or employee affected by a conflict of interest must leave the room while related discussion and decision making is taking place, unless there is good reason for them to stay.

The minutes of said meeting should state:

- The declared conflict
- That the member, governor or employee left the room, or the reason they were asked to stay
- That the member, governor or employee took no part in discussion or decision making on the matter
- That the meeting was quorate (not counting the affected member, governor or employee)
- Any other actions taken to manage the conflict

If a trustee, governor or employee is unsure what to declare; they should err on the side of caution and discuss the matter with the Headteacher for confidential guidance.

The academy will publish on its website relevant business and pecuniary interests of trustees, governors and senior leaders within the academy.

TRADING WITH CONNECTED PARTIES

The academy will pay no more than 'cost' for goods or services provided to it by the following persons ('services' do not include services provided under a contract of employment):

- any member or governor of the academy;
- any individual or organisation connected to a member or governor of the academy. For these purposes the following persons are connected to a member or governor:
 - a relative of the member or governor.
 - an individual or organisation carrying on business in partnership with the member, governor or a relative of the member or governor;
 - a company in which a member or the relative of a member (taken separately or together), and/or a governor or the relative of a governor (taken separately or together), holds more than 20% of the share capital or is entitled to exercise more than 20% of the voting power at any general meeting of that company;
 - an organisation which is controlled by a member or the relative of a member (acting separately or together), and/or a governor or the relative of a governor (acting separately or together). For these purposes an organisation is controlled by an individual or organisation if that individual or organisation is able to secure that the affairs of the body are conducted in accordance with the individual's or organisation's wishes;
- any individual or organisation that is given the right under the academy's articles of association to appoint a member or governor of the academy; or anybody related to such individual or organisation;
- any individual or organisation recognised by the Secretary of State as a sponsor of the academy; or anybody related to such individual or organisation.

The academy will ensure that any agreement with an individual or organisation referred to above to supply goods or services to the academy is properly procured through an open and fair process and is:

- supported by a statement of assurance from that individual or organisation to the academy confirming that their charges do not exceed the cost of the goods or services; and
- on the basis of an open book agreement including a requirement for the supplier to demonstrate clearly, if requested, that their charges do not exceed the cost of supply.

The academy will make no payments to any governor unless such payments are permitted by the articles, or by express authority from the Charity Commission (which will be given only in exceptional circumstances) and comply with the terms of any relevant agreement entered into with the Secretary of State. Academies will in particular need to consider these obligations where payments are made to other business entities that employ the governor, are owned by the governor, or in which the governor holds a controlling interest;

The academy **will** maintain sufficient records, and make sufficient disclosures in their annual accounts, to evidence that transactions with connected parties, have been conducted in accordance with the high standards of accountability and transparency required within the public sector.

OTHER EMPLOYMENTS

Staff should disclose on the Declaration of Interest Form if they undertake any outside work for payment.

To ensure transparency, staff should disclose any work undertaken on a voluntary basis.

BREACHES OF THIS POLICY

Should any employee or member of a governing body within the academy or the Academy Board fail to declare a relevant interest which subsequently arises this could result in removal from office for a member/governor or potential disciplinary action if a staff member.



Register of Business Interests - 2026/2027

Name of Member / Governor / Staff: _____

I understand that it is my responsibility (as set out in the EFA academies handbook) to declare the nature of any business or pecuniary interest, direct or indirect, of myself or any person closely connected to me. For staff this includes any outside work undertaken for payment.

I also understand that it can be an offence to:

- Omit information which should be included on this form;
- Provide information which is false or misleading;
- Failed to notify the governors or Headteacher of any subsequent change in circumstances which might render this declaration invalid or out of date

1) I have the following Business / Pecuniary / Voluntary work interests:

NAME OF BUSINESS	NATURE OF BUSINESS	NATURE OF INTEREST	DATE OF APPOINTMENT OR ACQUISITION	DATE OF CESSATION OF INTEREST

2) I have no interests to declare (please tick box) ☐

3) I am related to a Trustee, Governor or member of staff at the academy (please indicate name and relationship) _____

I certify I have declared all beneficial interests which I, or any person closely connected to me have with business or other organisations which may have dealings with the Academy. I also undertake to inform the Academy of any changes in these business interests.

Signed: _____ Date: _____

Please read the attached policy for further guidance.

- Any person closely connected to me includes:

- Spouses, Fiancées. Living together Partners
- All "blood" Relationships
- Relative by Marriage
- Membership of clubs, societies, associations etc.
- House/Flat sharers
- Close personal friendships and neighbours
- Business Partners