REGISTER OF BUSINESS AND PECUNIARY INTERESTS
GUIDANCE AND FORMS

Declaration of Interest
The Trust Board and the Local Governing Body of each academy must establish a register of pecuniary interests for Directors, Members, Governors and Staff which should be open to inspection when requested. The Academies Financial Handbook issued by the Department for Education sets out the standards for financial administration in academies. Sections 3.1.17-18 of the Handbook state:

“The academy trust’s register of interests must capture relevant business and pecuniary interests of members, trustees, local governors of academies within a multi-academy trust and senior employees, including:

- directorships, partnerships and employments with businesses
- trusteeships and governorships at other educational institutions and charities
- for each interest: the name of the business; the nature of the business; the nature of the interest; and the date the interest began.

“The register must also identify any material interests arising from close family relationships between the academy trust’s members or trustees, and relationships between members or trustees and employees.”

It is essential for anyone involved in spending public money to demonstrate that they do not benefit personally from decisions that they make. The register will enable all those involved in the Trust’s work to demonstrate that in spending public money they do not benefit personally from the decisions that are made.

A Local Governor, Head/Principal, member of Trust central staff, Director or Member of Aquila, who is in a position to influence decisions of the Trust and or a Local Governing Body, and with a pecuniary or business interest in any contract, must declare that interest in writing. These declarations must be recorded in a register of pecuniary interests.

Any person who is present at a meeting of an Academy or the Trust Board must formally declare any interest they may have against any item that appears on the agenda. This relates to any contract, proposed contract or other matter that is being considered. The person must disclose the fact as soon as is practical at the meeting and take no part in the consideration or discussion of the contract or matter concerned. The person must withdraw from the meeting during consideration or discussion unless the academy board allows otherwise. In addition, the person cannot vote on any question with respect to the contract or matter being discussed.

What is an Interest
There is not a comprehensive definition of what constitutes a business or pecuniary interest. In all cases, the natural meaning of the words has to be put in the particular context of the contract or other matter being discussed. In principle, it’s the duty of the individuals to declare formally any links with local firms from which the school may wish to buy goods or services.
Direct Interests
The following are examples of a direct pecuniary interest:
- actual payments
- receipts in cash or in-kind
- benefits or losses arising from the value of assets (e.g. land owned by a governor or member of staff that might be affected by proposals about the Academy’s land or buildings).

Indirect Interests
A number of matters can be treated as an indirect pecuniary interest. Some examples are as follows:
- owning shares in or being a member of a company or another body that has a direct pecuniary interest;
- being a business partner of a person or company who has a direct pecuniary interest;
- being employed by an individual or company that has a direct pecuniary interest;
- having a spouse or living with another person who has an interest in the contract or matter being discussed;
- a contract or matter which relates to an appointment at the school which could result in another vacancy for which the governor or member or staff could be a candidate.

Matters which are not Interests
Some matters are not considered as creating a pecuniary interest. Some examples are as follows:
- being a Councilor on a local authority;
- being a ratepayer or Council Tax payer in the area of the school;
- for members of school staff, having an interest that is no greater than the interest of the generality of staff in a matter;
- having interests that are non-pecuniary;
- having an interest that is so remote or insignificant that it cannot reasonably be regarded as likely to influence a governor or member of staff.

Duty to Declare
The Trust and all those associated with its work are bound by Financial Regulations and, therefore, must declare any and all interest they may have in a personal or professional capacity in any contract relating to products or services sourced for the MAT or its Academies. The declaration must be verbal at the point of any meeting and in writing and be recorded in a Register.

In addition, to any written declaration in the Register, a governor or any other person attending a meeting of the trust or one of its committees (such as a Local Governing Body) must declare orally their pecuniary interest in any matter on the agenda and take no further part in the discussion or decision on that item.

Observance of these rules is the responsibility of the individual Director, Governor, Head/Principal or member of Trust central staff.

Creating the Register
Section 3.1.20 of the Financial Handbook states

“Trusts must publish on their websites relevant business and pecuniary interests of members, trustees and local governors. Trusts have discretion over the publication of interests of other individuals including child, parent, spouse and civil partner.”
As such the steps below outline the process for completing the necessary forms and how to create a list suitable for publication on the Trusts website.

1. To create the register arrangements should be made for each individual to complete the interests form (Appendix A). To make compiling the list as easy as possible, form should initially be filled in using a word processor. The electronic copy of this form should be saved and emailed to whoever will collate the final register. In the case of Local Governing Bodies this will normally be the clerk.

2. To compile the basic register for publication on the website, transfer the required information from the electronic versions of the form to Appendix B. It should be possible to simply copy and paste the information into the tables. An excel version of the table is available to help the collation. The collated table will then need to be sent to the MAT for publication on its central website.

3. Once the electronic versions have been received, Appendix A should also be printed, signed and kept as hard copy by the Head/Principal in a loose-leaf binder. These records must be open to public inspection, free of charge during reasonable school office hours.

4. The register should be kept up to date and re-signed annually. In addition an item to declare any and all interests against items on the agenda should be placed as an opening item on every agenda of every meeting.
**Appendix A**

**REGISTER OF PECUNIARY INTERESTS**

Form to be completed by all associated with the Trust. Directors, Members, Governors or Staff employed by Aquila completing this form should include their own interest and those of any member of their immediate family (including partners) or other individuals known to them who may exert influence. The sheet should be completed electronically and then be printed and signed as a hard copy. Completion of this form does not remove the requirement upon any person to disclose orally any interest at any specific meeting and to leave the meeting for that agenda item.

<table>
<thead>
<tr>
<th>Name of Organisation/Company or Individual</th>
<th>Nature of Interest/position or relationship e.g directorship, shareholder, trustee, husband/wife etc</th>
<th>Date from which involved</th>
<th>Signature</th>
<th>Date of signature</th>
<th>Date interest ceased</th>
<th>Signature</th>
<th>Date of signature</th>
<th>Notes e.g. relationship to business interest if applicable</th>
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Notes: 1. Use the notes column to indicate relationships. 2. One page for each Trustee or more if required.

Record of Reviews (Clerk) to distribute for amendment and signature annually

<table>
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<th>Year End</th>
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<td>Transactions or amendments in the year with the above</td>
<td>Y / N</td>
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<tr>
<td>Date</td>
<td></td>
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<td>Signed</td>
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WITHDRAWAL FROM MEETINGS AND DISCLOSURE OF INTEREST.

The general principle is that no-one should be involved in a decision where his or her personal interests may conflict with those of the Local Governing Body or the Trust.

- All members of the Local Governing Body and the Head/principal and any others in attendance at the meeting, though if a matter is to be voted upon, then only to the members of the Local Governing Body.
- The clerk shall only be required to withdraw when the Local Governing Body is discussing the clerk's pay/contract or disciplinary action against the clerk.
- Governors have to withdraw when their own appointment, reappointment or removal as a member of the governing body or a committee is under consideration.
- Any governor who is employed to work at the school (other than the head/principal), must withdraw from a meeting where the pay or performance appraisal of any particular person employed to work at the school is under discussion.
- The head/principal must withdraw from any meeting where his/her own pay or performance appraisal is under discussion.
- If a person has any pecuniary interest, direct or indirect in any contract, proposed contract or any other matter under discussion at a meeting s/he shall at the meeting disclose the fact and:
  a) Withdraw from a meeting during the consideration or discussion of the meeting;
  b) Not vote on any question with respect to that matter.

- A person has an indirect pecuniary interest if:
  a) S/he, or any nominee of hers/his, is a member of a company or other body with which a contract is under consideration or has been made;
  b) S/he is a partner in business or in the employment, of a person with whom the contract is made or under consideration.

- A person has a direct or indirect pecuniary interest in a matter if a relative (including a spouse) living with her/him, has a direct or indirect pecuniary interest.

- The head/principal (whether a governor or not), a governor who is a teacher or member of the non-teaching staff, or any teacher who is in attendance in an advisory capacity should not have an interest that is greater than the interest of the generality of teachers at the school.

- A person present at a meeting of a selection panel at which the subject for consideration is that person's appointment (or that of his/her relative or spouse) to a post as a teacher or otherwise at the school, a transfer or promotion or retirement or shall be a candidate for the resulting vacancy, s/he shall be deemed to have an interest.

Appendix B (also available as excel sheet)
<table>
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<tr>
<th>Name of Organisation</th>
<th>Nature of Interest/position e.g directorship, shareholder, trustee etc</th>
<th>Date from which involved</th>
<th>Date of signature</th>
<th>Date interest ceased</th>
<th>Date of signature</th>
<th>Notes e.g. relationship to business interest if applicable</th>
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