

RATCLIFFE COLLEGE

GOVERNORS' CONFLICT OF INTEREST POLICY (Annex B)

This policy applies to governors and should be read in conjunction with the register and declaration of interests form.

Why we have a policy

Governors have a legal obligation to act in the best interests of Ratcliffe College, and in accordance with the Governing Document. (Staff have similar obligations.)

Conflicts of interest may arise where an individual's personal or family interests and/or loyalties conflict with those of the School. Such conflicts may create problems; they can:

- Inhibit free discussion
- Result in decisions or actions that are not in the interests of the School
- Risk the impression that the School has acted improperly.

The aim of this policy is to protect both the School and the individuals involved from any appearance of impropriety.

The declaration of interests

Accordingly, we are asking governors to declare their interests, and any gifts or hospitality received in connection with their role. A declaration of interests form is provided for this purpose, listing the types of interest you should declare.

To be effective, the declaration of interests needs to be updated annually, and also when any changes occur.

If you are not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the Clerk to the Governors or Chairman of Governors for confidential guidance.

Interests will be recorded on the School's register of interests, which will be maintained by the Clerk to the Governors. The register will be accessible by the Chairman of Governors.

Data Protection

The information provided will be processed in accordance with data protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that governors act in the best interests of the School. The information provided will not be used for any other purpose.

What to do if you face a conflict of interest

If you are a user of the School's services, or the parent/guardian of someone who uses the services, you should not be involved in decisions that directly affect the service that you or the user receives. You should declare your interest at the earliest opportunity and withdraw from any subsequent discussion. The same applies if you face a conflict for any other reason.

You may, however, participate in discussions from which you may indirectly benefit, for example where the benefits are universal to all users, or where your benefit is minimal.

If you fail to declare an interest that is known to the Clerk to the Governors and/or Chairman of Governors, the Clerk or Chairman of Governors will declare that interest.

Decisions taken where a governor has an interest

In the event of the board having to decide upon a question in which a governor has an interest, all decisions will be made by vote, with a simple majority required. A quorum must be present for the discussions and decision; interested parties will not be counted when deciding whether the meeting is quorate. Interested board members may not vote on matters affecting their own interests.

All decisions under conflict of interest will be recorded by the Clerk and reported in the minutes of the meeting. The report will record:

- The nature and extent of the conflict
- An outline of the discussion
- The actions taken to manage the conflict.

Where a governor benefits from the decision, this will be reported in the annual accounts in accordance with SORP 2005.

Managing contracts

If you have a conflict of interest, you must not be involved in managing or monitoring a contract in which you have an interest. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.