



## Confederation of School Trusts

### Declarations of Interest Policy

This is policy of the Confederation of School Trusts (hereafter, CST) on declarations of interest, in accordance with Charity Commission Guidance (CC29).

Our statement of general policy is to:

- Identify and declare any relevant interests, including conflicts of interest;
- Prevent a conflict of interest from affecting decisions; and
- Record any relevant interests including conflicts of interest.

CST is committed to openness and transparency and to the 7 principles of public life. Specifically, in terms of this policy, the Trust Board adopts the principle of integrity – CST trustees will not place themselves under any obligation to people or organisations that might try inappropriately to influence them in their work. Trustees will not act or take decisions in order to gain financial or other material benefits for themselves, their family, or their friends. Trustees will declare and resolve any interests and relationships.

This policy is part of a wider policy framework and should be read alongside CST's policies on financial controls and procedures, risk management, trustee expenses, hospitality and payments and the Code of Conduct.

#### 1. Procedure for identifying and recording declarations of interest

1.1 Trustees should identify any *relevant* interests, some of which will, directly or indirectly, create conflicts of interest. Some declarations may not necessarily create a conflict, for example being a non-executive director or trustee on the board of another organisation.

1.2 Identifying *conflicts* of interest is a legal requirement. The Charity Commission expects individual trustees and Trust Boards to be able to identify any conflicts of interest at an early stage. The law says that each individual trustee must avoid putting themselves in a position where their duty to act only in the best interests of the charity could conflict with any personal interest they may have. In practice this means that:

1.1.1. Individual trustees who fail to identify and declare any conflicts of interest will fail to comply with their personal legal responsibility to avoid conflicts of interest and act only in the best interests of the charity; and

1.1.2. The Trust Board must ensure that any conflicts of interest do not prevent them from making a decision only in the best interests of the charity – this includes conflicts of loyalty where a trustee's loyalty or duty to another person or organisation could prevent the trustee from making a decision only in the best interests of the charity.

1.3 Our definition is that a conflict of interest is any situation in which a trustee's personal interests or loyalties could, or could be seen to, prevent the trustee from making a



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decision only in the best interests of the charity. Conflicts of interest relate to a trustee's personal interests and the interests of those connected to them. This means that there is a conflict of interest where there is a proposed transaction or payment between the charity and a trustee or a connected person. Similarly, there is a conflict of interest where there is a benefit or a potential benefit to a trustee or connected person.

1.4 CST trustees have a personal and legal responsibility to declare conflicts of interest. CST trustees accept that failure to act properly where there is a conflict of interest is a breach of a trustee's legal responsibilities.

1.5 Trustees should declare all interests, including:

- Non-executive director or trustee of another organisation;
- Business and personal interests and those of a spouse, partner or close relatives;
- Any payments for goods or services from the charity or its subsidiaries (excluding the reimbursement of reasonable out of pocket expenses under CST's policy on trustee expenses, hospitality and payments); and
- Anything else that is, or could be perceived to be, a conflict of interest.

1.6 CST will ensure that all declarations of interests, including conflicts of interest are recorded in a register of interests.

## **2. Procedure for preventing a conflict of interest from affecting decisions**

2.1 CST's Articles of Association state at paragraph 8.4 that:

*"Whenever a Trustee has a personal interest in a matter to be discussed at a meeting of the Trustees or a committee, he or she must:*

*8 4 1 declare an interest before the meeting or at the meeting before discussion begins on the matter*

*8 4 2 be absent from the meeting for that item unless expressly invited to remain in order to provide information*

*8 4 3 not be counted in the quorum for that part of the meeting, and*

*8 4 4 be absent during the vote and have no vote on the matter."*

2.2 In deciding which course of action to take, the trustees will:

- Always make their decisions only in CST's best interests independently of any competing interest;
- Protect CST's reputation and be aware of the impression that actions and decisions may have on those outside the charity; and



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- Require the withdrawal of the conflicted trustee from any decisions where the trustee's other interest is relevant to a trustee decision or could significantly affect, or could be seen to significantly affect, the trustee's decision making at the charity.

2.3 The minutes of the meeting will record details of the nature of the conflict, which trustee or trustees were affected, whether any conflicts of interest were declared in advance, give an outline of the discussion, record whether anyone withdrew from the discussion and record how the non-conflicted trustees took the decision CST's best interests.

2.4 The CST Board will respond appropriately to any external challenge about an actual or perceived conflict of interest by managing the risks to the charity and being prepared to explain how decisions have been made in the best interests of the charity.

### **3. Monitoring and reviewing declarations of interest**

The CST Board will hold a standing register of interests. However, to ensure conflicts of interest do not affect decisions, there will also be a standing item on all Board meetings inviting trustees to declare any conflicts of interest related to the agenda. Any declarations will be entered into the register of conflicts.

This Board will keep declarations of interest under regular review.

Authorised signatory

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