

SHELTON INFANT SCHOOL

Register of Business Interests Policy

DECLARATION OF INTEREST

A governing body is required to have a register of business interests. The standard set by OFSTED and the Audit Commission is as follows:

“The governing body should establish a register of business interests for the governors and staff which should be open to inspection. For example, governors and staff should declare any links they have with local firms from which the school may wish to buy goods or services. It is important for anyone involved in spending public money to demonstrate that they do not benefit from decisions that they make.”

The City Council has agreed Financial Regulations for schools. Regulation G1 states that “every employee of the Council or schools, and every member of the Council or a school governing body, has a responsibility to declare any links or personal interests which they may have with purchasers or suppliers and/or Contractors if they are engaged in contractual or purchasing decisions on behalf of the Council, including schools”. The City Council’s employee code of conduct also states that employees

“must notify the Council of any financial interest in any contract” and “must award orders and contracts on merit by fair competition against other tenders and not show special favour to businesses run by friends, partners or relatives.”

Any person who is present at a meeting of a governing body should declare a business interest direct or indirect. 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 consideration or discussion of the contract or matter concerned. The person must withdraw from the meeting during consideration or discussion unless the governing body allows otherwise. In addition, the person cannot vote on any question with respect to the contract or matter.

BUSINESS INTEREST

There is no comprehensive definition of what constitutes a business 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.

DIRECT BUSINESS INTERESTS

The following are examples of a direct business interest:

- Any payment of salary, allowances or other expenses to a member of staff from the school budget
- Any appointment where a governor is a candidate
- A governor or member of staff runs their own business and has been or could be paid for work done or services received from the school budget or any other school funds
- Land owned by a governor or member of staff where its value might be affected by proposals about the school’s land or buildings.

INDIRECT BUSINESS INTERESTS

A number of matters can be treated as an indirect business interest. Some examples are as follows:

- A governor or member of staff owns shares in or is a member of a company or another body which has a direct business interest
- A governor or member of staff is a business partner of a person or company who has a direct business interest
- A governor or member of staff is employed by a person or company which has a direct business interest
- A governor or member of staff has a spouse or is living with another person who has an interest in the contract or matter being discussed, including an appointment to the staff of the school
- The contract or matter relates to an appointment at the school which could result in another vacancy for which the governor or member of staff could be a candidate.

INTERESTS THAT ARE NOT BUSINESS

Some matters are not considered as creating a business interest. Some examples are as follows:

- Being a Councillor on a local authority
- Being a rate payer 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-business
- 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

Governors, head teachers and members of staff are bound by Financial Regulations and, therefore, must declare in the Register any business interest they have in a personal capacity in any contract relating to the school. The declaration must be in writing and be recorded in the Register.

In addition to any written declaration in the Register, a governor or any other person attending the meeting of the governing body or one of its committees must declare orally their business interest in any matter and take no further part in discussion or decision on that matter.

Observance of these rules is the responsibility of the individual governor, Headteacher or member of staff.

THE REGISTER

Each governing body should arrange for a Register to be kept at the school. It is suggested that this Register is kept by the Headteacher in a loose-leaf binder.

The Register must be open to public inspection, free of charge during reasonable school office hours.

The governing body should make arrangements for the Register to be kept up to date. It is suggested that this should be done at least annually.

SHELTON INFANT SCHOOL

REGISTER OF BUSINESS INTERESTS

Form to be completed by members of staff employed at the school

I (NAME) _____ a member of staff confirm that I have read the Notes of Guidance and am aware of the requirements of the City Council's Financial Regulations as far as they are explained in the Notes of Guidance.

I set out below my business interest:

1) Employment at the school (please tick one box)

head teacher ☐

teaching staff ☐

support staff ☐

2) Have you connections/membership/shares in companies etc, which have a direct business interest in the school?

Yes ☐

No ☐

If yes, please specify.

3) Have you any business interests as explained in the Notes of Guidance?

Yes ☐

No ☐

If yes, please specify.

Signature _____ Date _____

Please return this to the head teacher of the school within 7 days for insertion in the Register of Business Interests.

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APPENDIX 2

REGISTER OF BUSINESS INTERESTS

Form to be completed by all governors EXCEPT those who are employed as members of staff at the school

I (NAME) _____ a governor, confirm that I have read the Notes of Guidance and am aware of the requirements of the City Council's Financial Regulations as far as they are explained in the Notes of Guidance. I set out below my business interests.

1) Have you any connections/membership/shares in companies etc, which have a direct business interest in the school?

Yes

☐

No

☐

If yes, please specify.

2) Have you any business interests as explained in the Notes of Guidance?

Yes

☐

No

☐

If yes, please specify.

Signature _____ Date _____

Please return this to the head teacher of the school within 7 days for insertion in the Register of Business Interests.