



OWLS Academy Trust

Conflict of Interest Policy

Adopted by The OWLS Academy Trust on	
Next Review Due	

1 INTRODUCTION

This policy has been written in the light of the Companies Act 2006.

All employees, volunteers, and trustees/governors of The OWLS Academy will strive to avoid any conflict of interest between the interests of the School on the one hand, and personal, professional, and business interests on the other. This includes avoiding actual conflicts of interest as well as the perception of conflicts of interest.

2 PURPOSE

The purpose of this policy is to:

- Protect the integrity of the Academy's decision-making process,
- Enable stakeholders to have confidence in the School's integrity,
- Protect the integrity and reputation of volunteers, employees and trustees.

3 GUIDANCE

3.1 Examples of conflicts of interest include:

- A trustee/governor who is also a user may be faced with a decision in a committee meeting regarding whether fees for users should be increased.
- A trustee/governor who is related** to an employee and there is a decision to be taken on pay and/or conditions at a committee meeting.
- A trustee/governor who is also on the committee of another organisation that is competing for the same funding.
- A trustee/governor who has shares in a business that may be awarded a contract to do work or provide services for the organisation or is a trustee/governor, partner or employee or related to someone who is**.
- A trustee/governor has a connected or close-connected individual*** that seeks to gain from the award of a contract by the Governing Body.

** A relative may be a child, parent, grandchild, grandparent, brother, sister, spouse or civil partner of the trustee or any person living with the trustee/governor as his or her partner'

*** A connected or close connected individual would include a personal friend or a business partner that the governor/trustee has had a financial relationship with.

3.2 Upon appointment each trustee/governor will make a full, written disclosure of interests, such as relationships, and posts held, that could potentially result in a conflict of interest. This written disclosure will be kept on file and will be updated annually or as appropriate.

3.3 In the course of meetings or activities, trustees/governors will disclose any interests in a transaction or decision where there may be a conflict between the organisations' best interests and the trustee's/governor's best interests or a conflict between the best interests of two organisations that the trustee/governor is involved with. If in doubt the potential conflict must be declared anyway and clarification sought.

3.4 In the case of a conflict of interest arising for a trustee/governor because of a duty of loyalty owed to another organisation or person and the conflict is not authorised by virtue of any other provision in the memorandum or the articles, the unconflicted trustees/governors may authorise such a conflict of interests where one of the following conditions apply:

- The Charity Commission's permission is sought before a benefit for a trustee/governor may be authorised that isn't otherwise authorised in the Memorandum of Articles or already authorised in writing from the Commission.
- the trustee/governor who has declared the conflict of interest withdraws from the part of the meeting at which there is discussion of any arrangement or transaction affecting that other organisation or person;
- the trustee/governor who has the conflict of interest does not vote on any such matter and is not to be counted when considering whether a quorum of trustees is present at the meeting;
- the other trustees/governors who have no conflict of interest in this matter consider it is in the interests of the charity to authorise the conflict of interest in the circumstances applying.
- Any such disclosure and the subsequent actions taken will be noted in the minutes.

3.5 For all other potential conflicts of interest the advice of the Charity Commission will be sought and the advice recorded in the minutes. All steps taken to follow the advice will be recorded.

3.6 This policy is meant to supplement good judgment, and employees, volunteers and trustees/governors should respect its spirit as well as its wording.

- 3.7 The OWLS Academy and its Governing Body are committed to ensuring consistency of treatment and fairness, and will abide by all relevant equality legislation.