



# Greater Manchester Academies Trust

## *Declaration of Interests Policy*

**Greater Manchester Academies Trust**

# Revision Information

<b>This document has been approved for operation within</b>	All Trust Establishments
<b>Document Version</b>	Version 1.0
<b>Date of last review</b>	(was previously contained within the GMAT Terms Of Reference)
<b>Date of next review</b>	September 2021
<b>Review Period</b>	Every three years, or where they have been material changes to the relevant courses of business
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<b>Person Responsible for Policy</b>	GMAT Associate Vice Principal
<b>Owner</b>	Greater Manchester Academies Trust
<b>Signature of Approval</b>	<i>Signed copy on file</i>

*With you...for you...about you...*

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## 1. Introduction

This is the Declaration of Interest Policy of Greater Manchester Academies Trust, referred to throughout this Policy as the 'Trust'.

## 2. Policy Links to Risk Management

The existence, review and adherence to this Policy is an explicit control of the Trust which mitigates the following identified potential risk, listed in the Trust's Risk Register:

<u>Risk ID</u>	<u>Potential Risk from Risk Register</u>
GOV004	Risk of an ineffective organisational structure for the Trust
GOV006	Risk of the Trust being utilised to make inappropriate transactions on behalf of third parties
FIN005	Risk of fraud and material error
FIN006	Risk of inadequate costings

## 3. Aims and Objectives

The **principal objective** of the Policy is to protect our learners, our staff, trustees and governors, and our assets.

The Policy has other objectives as follows:

- to ensure the Trust is fully compliant with the requirements of the Academy Trust Handbook.
- to ensure that no member, trustee, governor, committee member, staff member or anyone associated with the Trust uses their association to make personal gain or to acquire preferential treatment in any courses of business.

## 4. Policy Scope

The Trust's Declaration of Interest Policy applies to the following boards and committees:

- The Board of Members.
- The Board of Trustees.
- The Finance and Audit Committee.
- Manchester Communication Academy Local Governing Body.
- Manchester Communication Primary Academy Local Governing Body.
- North Manchester Initial Teacher Training Partnership Strategic Group.
- Any other GMAT Senior Leadership colleagues not members of any of the above groups.

The roles and responsibilities of these groups are contained within the Trust's Articles of Association and in the wider GMAT Terms Of Reference.

## 5. Conflict of Interest

The Trust defines a **conflict of interest** to be any situation where any officer described in Section 4 or any other Trust staff member, has personal interests or loyalties which could prevent, or could be seen to prevent, the individual(s) from making a decision in the best interests of the Trust.

Conflicts of interest may arise in one or more of the following situations:

- where there is a potential financial or measurable benefit; either directly to a member, trustee, governor or committee member; or indirectly through a connected person.
- where there is a conflict of loyalty: a situation where the religious, political or personal views could interfere with the ability of a member, trustee, governor or committee member to decide the issue only in the best interests of the Trust.

(For example, their loyalty to the Trust could conflict with his or her loyalty to: a) another organisation, such as their employer; b) another charity or trust of which they are a trustee/director; c) a member of their family; d) another connected person or organisation)

Examples of benefits (not exhaustive) are where a Trust member, trustee, governor, or committee member decides to:

- sell, loan or lease Trust assets to a trustee or other person connected with the Trust.
- acquire, borrow or lease assets from a trustee for the Trust
- pay a trustee for carrying out their trustee role
- pay a trustee for carrying out a separate paid post within the Trust, even if that trustee has recently resigned as a trustee.
- pay a trustee, or a person or company closely connected to a trustee or senior employee, for providing a service to the Trust. This covers anything that would be regarded as a service and includes legal, accountancy or consultancy services through to painting or decorating the trust's premises, or any other maintenance work.
- employ a trustee's or senior employee's spouse or other close relative at the Trust
- make a grant to a trustee, or a person who is a close relative of a trustee.

## 6. Registering Interests

Members, trustees and governors have a legal duty to act in the best interests of their academies. Where there are personal or financial interests which may conflict with their duties, they must identify, prevent and record the conflict. Generally, governors and trustees must not be involved in discussions or vote on matters to which their conflict relates.

At the commencement of each academic year, the Trust's Governance and Compliance Professional co-ordinates the collation of Declaration of Interest forms from all officers detailed in Section 4 of this Policy. These forms are used to identify potential conflicts in order for relevant steps to be taken to uphold impartiality across the boards and committees.

The Trust must maintain and publish (on all Trust websites and elsewhere as required) a register of all business and pecuniary interests collated.

If any circumstances change, the relevant officer(s) must inform the Governance and Compliance Professional or the Executive Principal as soon as is practically possible.

Furthermore, all board and committee members must declare any business or other interests in any item being discussed at a meeting. Board and committee members must disclose their interest, withdraw from a meeting and not vote on a matter if:

- there may be a conflict between their interests and the interests of any of the academies or the Trust;
- there is reasonable doubt about their ability to act impartially in relation to a matter where a fair hearing is required; or
- they have a personal interest in a matter (this is where they and/or a close relative will be directly affected by the decision of the board or committee in relation to that matter).

## 7. Further Reporting of Interests

In the event of any officer detailed in Section 4 or any Trust staff member benefiting from a board or committee decision, this must be disclosed in the Trust's annual report and financial statements.

All payments or benefits in kind to any officer detailed in Section 4 or any Trust staff member must also be disclosed in the Trust's annual report and financial statements, with amounts for each individual explicitly listed.

## 8. Related Party Transactions

Owing to the nature of the Trust and the composition of members, trustees, governors and committee members usually being drawn from local public, private and voluntary sector organisations, it is not unusual for transactions to take place with organisations in which the Trust has some sort of interest.

Where these transactions exist, the Trust must conduct these in accordance with the Academy Trust Handbook, must make the relevant disclosures and must seek ESFA approval in advance of the transaction when:

- there is a related party contract or agreement greater than £20,000.
- there is a related party contract or agreement of any value that would mean the cumulative value of contracts and other agreements with the related party exceeds, or continues to exceed, £20,000 in the same academic year.

## 9. Equality, Diversity and Inclusion

The Trust is committed to complying with the Equality Act 2010 and is committed to the principles of equality and strives to ensure that everyone who wishes to be involved in our Trust whether as learners (and their parents/guardians), staff, trustees, governors or as a general member of the public:

- has a genuine and equal opportunity to do so without regard to their age, disability, gender reassignment, marital or civil partnership status, pregnancy or maternity, race, religion and belief, sex and sexual orientation; and
- can be assured of an environment in which their rights, dignity and individual worth are respected without the threat of intimidation, victimisation, harassment, bullying or abuse.

Under the Public Sector Equality Duty (PSED), the Trust is required to have due regard to:

- the need to eliminate discrimination, advance equality of opportunity and foster good relations between different people when carrying out their activities.
- the advancement of equality of opportunity between those who share a relevant protected characteristic and those who do not share it and to foster good relations across all protected characteristics.
- review all of its policies and procedures, through consultation with its academies and institutes, to ensure compliance with education and employment legislation including the Equality Act 2010.

The Trust has an Equality and Diversity Policy which is monitored and review annually as a minimum.

The Declaration of Interest Policy does not and must not contradict the contents of the Equality and Diversity Policy.

## 10. Date of Next Review

The Policy must next be reviewed and signed off by the GMAT Board of Trustees the sooner of September 2024, or when there have been material changes to the relevant courses of business.