



Learning together in faith

**Holy Cross Catholic
Multi Academy Company**

**Conflict of Interest Policy
2022 – 2025**

Responsible for Policy	Martyn Alcott
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1. Introduction

- 1.1. This Conflict of Interest Policy has been developed to outline obligations and expected best practice, as well as provide guidance in dealing with any unavoidable conflicts of interest, as they may arise.
- 1.2. All Holy Cross Catholic Multi Academy Company (MAC) directors, managers, teachers and other staff (including volunteers) have an obligation to act in the best interests of the MAC in accordance with any of Holy Cross Catholic MAC's policy documents. This policy applies to all schools within the MAC as well as the central team/structure.
- 1.3. Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of Holy Cross Catholic MAC. Such conflicts may create problems; they can:
 - Inhibit free discussion
 - Result in decisions or actions that are not in the interests of the MAC
 - Risk the impression that Holy Cross Catholic MAC has acted improperly.
- 1.4. Specifically, conflicts of interests include matters of material and financial benefit, as well as those involving reputation or other more intangible factors.
- 1.5. The aim of this policy is to provide guidance to ensure Holy Cross Catholic MAC, along with all employees avoid becoming involved in any impropriety, or even the appearance of such.

2.0 Declaration of Interests

- 2.1 All Directors, LGB members, and any staff with budget/ordering responsibility will declare their interests, and any gifts or hospitality received, in connection with their role in the MAC.
- 2.2 A declaration of interests form is provided for this purpose, either in paper form or electronically via Governor Hub. All interests, including gifts of a value over £50, must be notified to the CFOO/CSEL and a Register of Interests will be maintained by the MAC.
To be effective, the declaration of interests needs to be updated at least 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 CFOO/CSEL for confidential guidance.

3.0 Data Protection

- 3.1 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 Directors, Governors and all staff act in the best interests of the MAC. The information provided will not be used for any other purpose.

4.0 What to do if you face a Conflict of Interest

- 4.1 If you have a direct or indirect interest in:
- a proposed transaction with the MAC; or
 - any transaction or arrangement entered into by the MAC which has not previously been disclosed;

you must disclose the nature and extent of that interest, whether or not you receive any actual benefit as a consequence of the interest. You may have an indirect interest in a matter if a family member or friend has an interest in the matter.

- 4.2 As good practice, every Director, LGB member, and any staff with budget/ordering responsibility should declare any private interest which they have in an item to be discussed at the beginning of every meeting and certainly before any discussion of the item itself.
- 4.3 A person with an interest should not be involved in decisions in which it is possible that a conflict will arise. They should declare their interest at the earliest opportunity and withdraw from any subsequent discussion.

5.0 Decisions taken where a Director, Governor or Staff Member has an interest

- 5.1 In the event of the Board having to decide upon a question in which a Director, LGB member, and any staff with budget/ordering responsibility has an interest because of a duty or loyalty (however indirect), that they owe to another organisation, they will do so by vote, with a simple majority required. The conflicted individual may be present when the matter is discussed but must not take part in the discussion or vote on any matter relating to the discussion and a quorum must otherwise be present for the discussion and decision.
- 5.2 The following procedures will apply when there is a possibility of a Director, LGB member, and any staff with budget/ordering having a direct or indirect conflict of interest:
- Provide Holy Cross MAC with a full list of organisations they are affiliated with;
 - Update the list as soon as there are changes;
 - The CFOO will monitor the list against contracts/potential contracts;
 - The Director, LGB member, and any staff with budget/ordering notifies the MAC if and when they become aware of any such contract/tender involving the MAC
 - The Director, LGB member, and any staff with budget/ordering asks the organisations they are affiliated with to notify them if tendering for a MAC contract;

- The Director, LGB member, and any staff with budget/ordering updates at each meeting they attend that they are not aware of any contracts being tendered for by the organisations they represent;
- The Director, LGB member, and any staff with budget/ordering does not take part in any discussion on related party contracts.

5.3 All decisions made where there has been a declared 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.

5.4 Where a Director, LGB member, and any staff with budget/ordering benefits from the decision, this will be reported in the annual report and accounts in accordance with the current SORP, making reference also to any potential conflict situation recognised in this Conflicts of Interest Policy.

5.5 Any payments or benefits in kind to Directors, LGB members, and any staff with budget/ordering will be reported in the MAC's accounts and annual report, with amounts for each Director listed for the year in question.

5.6 Where a Director, LGB member, and any staff with budget/ordering of the MAC are connected to a party involved in the supply of a service or product to the MAC, this information will also be fully disclosed in the annual report and accounts, again making reference also to any potential conflict situation recognised in this Conflicts of Interest Policy.

5.7 Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

6.0 Managing Contracts

6.1 If a Director, LGB member, and any staff with budget/ordering staff has a conflict of interest, they must not be involved in managing or monitoring a contract or transaction 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.

7.0 Notified Conflicts of Interest

7.1 Without prejudice to any of the obligations on individuals as expressed in this Policy, the Director, LGB member, and any staff with budget/ordering have identified the following as matters where relevant individuals will have an interest in the matter. Such interest has not been expressly authorised in the Articles of Association but is considered to be a matter which is in the best interest of the MAC. The interest is authorised provided the principles of this policy are

observed (particularly in relation to discussions, decisions and management of the matter where there is a genuine conflict):

- The provision of services by Birmingham Diocese Education Department to the MAC or any individual school which it is acknowledged are being provided on a not for profit basis and by way of reimbursement of costs only. The ESFA have confirmed by email that “Services that can only be delivered by the Diocese, which provide essential functions fundamental to the religious character and ethos of the school, are deemed as meeting the “at-cost” requirements as set out in the Academies Financial Handbook.”
- The provision of School Improvement services by St John Wall Catholic School to the MAC or any individual school which it is acknowledged are being provided on a not for profit basis and by way of reimbursement of costs only.

8.0 Policy Review

8.1. This Policy was developed in December 2022 and will be reviewed again December 2025.