



**EDUCATION
CENTRAL**
MULTI ACADEMY TRUST

Education Central Multi Academy Trust

CONFLICT OF INTEREST POLICY

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EDUCATION CENTRAL MULTI ACADEMY TRUST

Conflict of Interest

1. Conflict of Interest Policy

1.1 Education Central Multi Academy Trust (ECMAT) avoids actual and potential conflicts of interest where possible. We act honestly, ethically and transparently. We declare both actual and perceived conflicts of interest and take appropriate action to manage the conflict.

1.2 Senior members of ECMAT particularly those with responsibility for governance, budgets or contracts, must take proper care that any conflict of interest, actual or perceived, does not arise from their position with ECMAT or membership of or connection with other bodies and individuals outside ECMAT.

1.3 Each year ECMAT requires senior members to complete a declaration of interests form to identify any potential conflicts of interest.

1.4 All staff, regardless of position or seniority, are under a duty to disclose conflicts of interest, actual or possible, to ensure ECMAT acts in a manner which is honest, ethical and transparent.

2 What is a conflict of interest?

A conflict of interest is a situation:

- that prevents, may prevent or may give a perception that it prevents your ability to make an unbiased decision in the performance of your duties for ECMAT;
- where you promote or pursue, or may be perceived as promoting or pursuing, your own interests ahead of those of ECMAT, other employees of ECMAT or students within our Academies;
- where you use, or may be perceived as using your position with ECMAT, for personal gain or purposes which are not in the interests of ECMAT or which may damage ECMAT's reputation;
- where your professional position means you cannot act in certain circumstances.

A conflict of interest can therefore be both perceived or actual. Its existence does not necessarily arise due to unethical or unlawful behaviour, it may just be a coming together of circumstances.

For example,

- A member engages the services of a third party but fails to disclose he owns shares in that third party company;
- A relative of a member of staff applies for a job within an Academy, the staff member fails to disclose the relationship, sits on the interviewing panel and offers the relative a job;
- A daughter-in-law of a senior member of staff works at a legal firm and submits an expression of interest for the provision of legal services to ECMAT;
- A member of teaching staff accepting a gift from a student prior to an assessment or exam and fails to disclose it;
- Taking an opportunity for personal gain which should have been an opportunity for ECMAT.

The important matter is not how the conflict arose, but what impact this conflict may have or be perceived to have.

It is possible to prevent a conflict of interest, either perceived or actual, by being transparent about the conflict. By appropriately managing the conflict, you may still be able to perform a function or task where a conflict exists. However, this decision will be made by the Accounting Officer.

It is essential that actual or potential conflicts of interest are brought to the attention of the Chief Executive so that a determination can be made as to what action should be taken to manage the conflict or if appropriate, avoid the conflict. And ensure transparency in the declaration process

3. Who does this apply to?

This policy applies to all staff and governors. In relation to staff, ECMAT's Financial Regulations state:

“18.1 Any member of staff of ECMAT who has a pecuniary, family or other personal interest, direct or indirect, in any contract, or proposed contract, entered into on behalf of the Corporation shall declare this interest to the Chief Executive.”

This duty also applies to any member of the Board as the Financial Regulations also state:

“18.2 In like manner, any member of the Board who has a pecuniary, family or other personal interest, direct or indirect, in any contract, or proposed contract, entered into on behalf of the Company shall declare this interest to the Chief Executive who shall maintain a register for the purpose.”

4. Why must I disclose a conflict?

It is important that ECMAT is able to conduct its business transparently, ethically and within the law. Due to the wide nature of University activities, there may be situations where staff place themselves in a difficult position where an outside interest may conflict, or appear to conflict with their duties disclosure is the norm and in the event of any doubt it is better to disclose rather than not.

5. What does a “relative” mean?

For the purposes of this policy, a “relative” means a family member of the individual concerned:

- Spouse or partner
- Siblings, including step siblings
- Spouses or partners of siblings, including step siblings
- Children, including step children
- Parents, including step parents
- Grandparents, grandchildren, cousins, aunts and uncles.

6. What do I do if I think I have a conflict?

If you think you may have a conflict, you should ask yourself whether members of the public, knowing the facts of the situation, could reasonably conclude the interest involved might have influenced their decision. **If in doubt, disclose the conflict.**

If you think or know you may have a conflict of interest you must report this to your line manager and the Chief Executive using the form enclosed at the end of this policy.

The Chief Executive or someone on his behalf will if necessary discuss the form with you and taking account of the nature of the conflict and your role in it, make an assessment of the risk the conflict actually presents and advise you accordingly.

Note, you must not do any work, enter into any transaction or do anything else that may be affected by the conflict of interest unless suitable mitigations have been put in place and been approved by the Chief Executive.

7. What if I think a colleague has a conflict?

Again, staff should ask themselves whether members of the public, knowing the facts of the situation, could reasonably conclude the interest involved might have influenced their decision. If you feel your colleague has a conflict of interest, you

should raise this with your line manager who will decide whether to approach the Chief executive

8. How might the conflict be managed?

Action can be taken to manage a conflict. This matter will be considered by the Chief Executive who could decide the following course of action:

- **Avoidance:** the conflict, perceived or actual, could be avoided, for example you do not participate in the planned action.
- **Disclosure:** disclosing the conflict to all parties involved and being transparent may allow the relationship to go ahead.
- **Stepping back:** stepping back may be appropriate, for example, if a relative applies for a job, the employee could step back to ensure they are not involved in or be in a position to influence any decision.
- **Refusal:** in some circumstances not accepting the circumstances may avoid the conflict, e.g. not accepting a personal gift.

This list is non-exhaustive and it may be possible to combine the above actions to appropriately manage a conflict. However, if in doubt, always disclose the conflict.

9. What happens if I fail to disclose a conflict?

Should you fail to disclose a conflict and go ahead and act, you may be subject to disciplinary proceedings. It is difficult to prescribe every situation where a conflict may arise and each matter will be considered on its own merit and individual circumstances.

10. Employment

Staff must ensure they take care not to solicit or recommend any person for employment by ECMAT or for admission to it, other than through the proper procedures and must disclose if a candidate is related to them when providing references.

Conflicts of Interest Declaration Form

To be completed by the employee, governor or LAB member

Name	
Line Manager	
Academy	
Address	
Line Manager's name and location	
Date of disclosure	

Details of the conflict/potential conflict of interest

Please give all relevant information relating to the conflict/possible conflict of interest.

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Signature	
Date	

To be completed by the Chief Executive

Details of the risk assessment

Consider the employee's role within ECMAT, the integrity and trust which the employee's position requires, the real or perceived conflict of interest being disclosed and any other pertinent information relating to the situation)

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Details of the decision and details of the recommendations

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CEO or Assessor signature	
Name of Assessor	
Date	