CONFLICT OF INTEREST POLICY

1. INTRODUCTION

1.1 Chiltern Learning Trust policies are designed to support the ethos, aims and vision of the Trust.

2. RATIONALE

2.1 All staff, volunteers, and Trustees of the Chiltern Learning Trust will strive to avoid any conflict of interest between the interests of the Trust 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.

3. PURPOSE

- The purposes of this policy are to protect the integrity of the Trust's decision-making process, to enable stakeholders to have confidence in the Trust's integrity, and to protect the integrity and reputation of volunteers, staff and Trustees.

- Examples of conflicts of interest include:

    - A Trustee or governor who is also a user may be faced with a decision in a governor meeting regarding whether fees for users should be increased.

    - A Trustee or governor who is related to a member of staff and there is a decision to be taken on staff pay and/or conditions at a governor meeting.

    - A Trustee or governor who is also on the committee of another organisation that is competing for the same funding.

    - A Trustee or 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, partner or employee or related to someone who is 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 as his or her partner'.

APPLICATION

4.1 Upon appointment each Trustee or 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 and reported to the Board of Trustees.

4.2 All governor meeting agendas will include an item to give Trustees and governors the opportunity to disclose any interests in a transaction or decision where there may be a conflict between the Trust's' best interests and the Trustee's best interests or a conflict between the best interests of two organisations that the Trustee is involved with. If in doubt the potential conflict must be declared anyway and clarification sought.

4.3 In the case of a conflict of interests arising for a Trustee or 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 of Articles, the unconflicted Trustees or governors may authorise such a conflict of interests where the following conditions apply:

1. the DfE is permission is sought before a benefit for a trustee may be authorised that isn't otherwise authorised in the Memorandum of Articles or already authorised in writing from the DfE.

2. where the Trust pays for goods or services from a company linked to a member or trustee (known as a related-party transaction), they will have to confirm that "any element above £2,500 is provided at no more than cost"

3. the Trust will declare all related-party transactions to the DfE and seek approval from them for any transaction over £40,000 (2024)

4. the Trustee or 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;

5. the Trustee or 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;

6. 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.

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

This policy is meant to supplement good judgement, and staff, volunteers and Trustees should respect its spirit as well as its wording.