Doncaster Borough Council

Register of Member Interests

**Registration of Financial and Other Interests – Maintained Schools**

**(To be completed by new Members and updated annually by all Members)**

*Please refer to the corresponding guidance notes when completing the declaration*

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| (Please complete this section in block capitals)  Full Name: …………………………………………………………………………………………….  School: …………………………………………………………………………………………… |

I [person detailed above] give notice that I have set out below, under the appropriate headings, my interests which *conflict* with the work of the Council, which I am required to declare under the Code as to the conduct which is expected of Doncaster Council and I have put ‘none’ where I have no such interest under any heading.

Give details of

|  |
| --- |
| 1Any employment or business conducted by you and/or close relative, in addition to your current role within the School.   1. state company and position |
| 2 Any involvement in companies by you and/or close relative   1. state company and position |
| 3 Involvement in contracts with the Council by you and/or close relative   1. state contract and involvement |
| 4 Member of other educational establishments |
| 5Close relative to/relationship with a senior officer or elected member at the Council, Member or member of school staff  (include spouses, partners and close relatives) |
| 6 Beneficial interest in land or property |

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| 7Intent to bid for land or property owned by the Council |
| 8 Member of a secret society as defined by Local Government Management Board |

I recognise that it can be a disciplinary matter to:

1. Omit information that ought to be given in this notice;
2. Provide information that is materially false or misleading;
3. Fail to give further notices in order to
4. Bring up-to-date information in this notice
5. Declare an interest that I acquire after the date of this notice and have to declare.

I understand that I must within 28 days of becoming aware of any change to the interests specified above provide written notification of that change.

To the best of my knowledge the information supplied above is correct and complete. I understand that it is my responsibility to declare any conflict of interest/loyalty, business or personal that relates directly or indirectly, to myself or any relation in any contract, proposed contract or other matter when present at a meeting at the council/school where such contract or matter comes under consideration. I understand that I must withdraw from any meeting during the discussion of such contract or matter and must not vote in respect of it.

I agree to review and update this declaration annually and give consent for the information provided to be used in accordance with the school’s conflicts of interest policy.

Signed ………………………………. ……………..……… Date ……………………….

(Member)

Received by responsible officer

Signed ……………………………………………………..… Date ....................................

(Responsible officer)

Post Title ………………………………………………………………………………………

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| Please note  It is the responsible officer’s responsibility to take appropriate action on any declared interests. Please detail below any further action taken. |

Once this form is completed and signed it should be stored by your responsible officer, and updated annually.

Doncaster Borough Council

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## Notes for Guidance

***Conflict:***

**Members and staff should declare any financial or non-financial interests that may cause any conflict with the School’s or Council’s interests.** The Register should be used by all Members to identify any business/commercial/financial interests they have which might give rise to a potential conflict of interest and whether they have any interests (or relationships) which could in some circumstances lead to suggestions that their objectivity and integrity is compromised.

When considering whether there may be a conflict of interest a Member shall apply the test “Would a reasonable member of the public knowing all the facts, think the Member might be influenced?” If the answer is yes, then the interest should be declared. If in doubt declare the interest. Assistance can be sought from the Headteacher if any clarification is required.

***Pecuniary Interests***

Interests will include pecuniary interests, for example, land ownership, and involvement in contractual or employment relationships. Interests will also include indirect pecuniary interests, where known, i.e. pecuniary interests of your close relatives. A pecuniary interest is one, which has the potential for making you, your school or your relative or friend gain or lose financially.

***Non Pecuniary Interests***

Non pecuniary interests, where known, are just as important. Any potential for a good or a bad effect on the school, Members, their family, close relatives, friends, club or societies etc. any of those are associated with, will count.

***Declaring the interest***

Any interest or relationship need be described in no more detail than is necessary to make clear in what circumstances an individual’s position might be compromised, e.g.:

‘I am an employee of XYZ Ltd (or ‘I am employed by XYZ Ltd as *Job Title*) - a likely supplier or contractor to the school’.

‘My sister is a director of XYZ Ltd - a likely supplier or contractor to the school’.

‘My brother-in-law is a Supply Teacher - who may be engaged by the school’.

***Code of Conduct***

The Governing Body Code of Conduct is essential reading and outlines principles and procedures, and provides further guidance to assist Members in their day to day work. It is aimed at ensuring that Members are aware of the standards of behaviour expected of them by the Council.

***Individual Accountability***

Failure to observe the standards set out in this code, including failure to declare conflicting interests where applicable, will be regarded as serious and any breach will result in that individual Member to hold account.

In the event that there is a serious breach of this Code by a Member behaving in a manner that would be inconsistent with the Nolan Principles of Public Life and the School’s ethos and values, including failure to declare conflicting interests where applicable, the Governing Body has the right to hold that individual Member to account.

***Definitions***

A pecuniary interest (as defined by the Roles, Procedures and Allowances (England) Regulations 2013) includes an interest in a contract or a proposed contract where

(a) the Member was nominated or appointed to office by a person with whom the contract was made or is proposed to be made;

(b) the Member is a business partner of a person with whom the contract was made;

or

(c) a relative of the Member (including spouse, civil partner or someone living with the Member as if the other person were the Member’s spouse or civil partner), to the knowledge of the Member had, or would be treated as having, such an interest.

A Member will not be treated as having a pecuniary interest in any matter

(a) provided that the value of the Member’s pecuniary interest is no greater than that of the pecuniary interest commonly held by those paid to work at the school;

(b) by reason only of the fact that the Member was nominated or appointed to office by, is a member of, or is employed by, any public authority (public authority” includes any person who performs functions which are of a public nature); or

(c) by reason only of the fact that the Member is a member of a corporation or other body if the Member has no financial interests in any securities of that corporation or other body.

Members are not, by reason of their pecuniary interest in the matter, prevented from considering and voting upon proposals for the Governing Body to take out insurance protecting their members against liabilities incurred by them arising out of their office and the Governing Body is not, by reason of the pecuniary interest of their members, prevented from obtaining such insurance and paying the premiums.

1 Close Relative:

A close relative is defined as a spouse, parent, sibling, son, daughter or common law partner.

2 Involvement could be either paid or unpaid. Involvement in companies includes, for example, directorships and company secretary, or any other position where a person is actively involved in the running of a company’s affairs, where the company has, or may have, a contractual relationship with the School or Council.

3 The holding of shares or other securities in a company or other body with whom the School or Council contracts or is considering contracting, must be declared if the holding exceeds £25,000 or more than 1/100th of the nominal value of the issued share capital, whichever is less. The size and nature of the holding need not be declared, simply the name of the company. This requirement does not extend to banks and building societies.

4 Membership of Governing Bodies or Management Committees, including all schools maintained by the Council, all further education establishments and all grant maintained schools.

5 Close relative (also described in section 1) is defined as spouse, parent, sibling, son, daughter or common law partner. A ‘close relationship’ is defined as any relationship that is likely to be perceived as advantageous.

6 Beneficial interest in land or property excludes the Member’s own dwelling and only relates to land and property within the Council’s boundary.

7 The intention to bid for the purchase of land or property owned by the Council should be declared as soon as is practicable. Section 117 of the Local Government Act also requires that the interest be declared to the departmental Chief Officer who shall also inform the Chief Officer.

8 Secret societies are defined as follows (it is recommended that this definition is used to determine whether a declaration should be made).

Any lodge chapter society trust or regular gathering or meeting which:

a) is not open to members of the public who are not members of the lodge chapter society or trust

b) includes in the grant of membership an obligation on the part of the member a requirement to make a commitment (whether by oath or otherwise) of allegiance to the lodge, chapter, society, gathering or meeting; and

c) includes, whether initially or subsequently, a commitment (whether by oath or otherwise) of secrecy about the rules, membership or conduct of the lodge, chapter, society, trust, gathering or meeting

A lodge, chapter, society trust gathering or meeting as defined above, should not be regarded as a secret society if it forms part of the activity of a generally recognised religion.

***Publication of Interests***

It should be noted that the statutory guidance now requires schools to publish the Governing Body’s Register of Interests on the school website from the 1 September 2015.

***Declaring Interests in Meetings***

Members are reminded that completion of a declaration of interest form does not remove the requirement upon them to disclose orally any interest at any specific meeting and the requirement to leave the meeting for that agenda item should the Governing Body deem it appropriate.

The School Governance (Roles, Procedures and Allowances (England) Regulations 2013 requires that Members must disclose their interest and withdraw from the meeting (whether they have previously disclosed the interest or not) where:

1. They may have a conflict between their interests and the interest of the governing body or
2. A fair hearing is required and there is any reasonable doubt about the Members ability to act impartially or
3. The Member has a pecuniary interest.

This does not prevent a Governing Body allowing a person to be able to attend any hearing conducted by them into any matter to present their evidence; for the Governing Body to hear representation from the Member acting in a capacity other than that of Member or the Member from entering into a contract with the Governing Body from which the Member is entitled to profit. The key is that any interest or relationship is declared and accurately recorded in the minutes.

Where there is any dispute as to whether a person is required to withdraw from a meeting of the school and not vote, that question must be determined by the other Members present at the meeting

***Gifts and Hospitality***

It is widely recognised that it is important for Members to maintain and build effective networks in order to support the work of the school. However, contact with organisations outside the school can give rise to offers of gifts and hospitality.

Whilst accepting gifts and hospitality in certain circumstances may further the school’s interests, this must be balanced with upholding high standards of propriety and guarding against any reasonable suspicion of perceived, or actual, conflicts of interest or an undue obligation being created. All offers of gifts and hospitality which might be perceived to compromise your personal judgement or integrity should be declined.

If a gift or hospitality (i.e. tickets) that cannot be accepted is sent to you, it should be returned to the sender. If for any reason the sender cannot be identified, you should arrange for it to be officially appropriated to the benefit of the school or to a charity nominated by the school.

***Gifts***

Gifts should not normally be accepted. The only exceptions are those that would normally be considered as low value items that can be used in the school such as office stationery, diaries/calendars, chocolates/biscuits etc.

Gifts which cannot be refused without causing offence, for example, a picture or an award or ornament commemorating an event, can be accepted ‘on behalf of the school’. It should be made clear that it is not being accepted as a personal gift and such gifts must be kept within the school.

***Hospitality***

Any hospitality accepted should be in the interests of the school and help further its objectives. It should not be over-frequent or over-generous. Accepting hospitality from the same organisation could lead to a perception that the work of the school is being influenced by the objectives of a single organisation. Any hospitality you accept should not seem lavish or disproportionate to the nature of the relationship you have with the provider.

***Recording gifts and hospitality***

A gift or hospitality with a value under £20 does not need to be recorded separately at the time of receipt. However, your Headteacher must determine whether it can be accepted or declined*.* You are nevertheless required to declare gifts or hospitality under £20 on your annual declaration form.

A gift or hospitality with a known or estimated value over £20 must be declared and recorded when accepted or declined.

If you have any doubt as to whether or not hospitality or gifts should be accepted, you should seek advice and guidance from your Headteacher.

***Responsible Officer’s Duties***

The Responsible Officer should review the interests declared and ensure they are consistent with their knowledge of the individual and determine what impact this interest would have on the school or what advantage this could have for the individual. Once this has been determined the Responsible Officer should document what restrictions or actions, if any, are placed on the individual based on their declaration. This information should then be entered into the school’s register of interests. The register will then show all personal potential conflicts of interest and the school’s/Governing Body’s response to that conflict. The Responsible Officer is also required to ensure that such restrictions/actions are put in place and are adequately dealing with the situation.

Forms should be completed annually and the register updated appropriately.

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