Register of Business Interests

Policy Statement

The Governing Body is committed to the principles of probity and accountability in its duty to protect the public purse. Furthermore it takes very seriously its responsibility to meet the statutory duty to ensure that it has in place a current register of business interests for all staff and governors involved in purchasing and procurement decisions. The register will be open for inspection by all stakeholders to the school on written request.

Statutory Requirement

This policy is written in accordance with paragraph 2.16 of the Scheme for Financing Schools, published by Northamptonshire County Council which states:

“The governing body of each school must hold a register which lists for each member of the governing body and the headteacher, any business interests they, or any member of their immediate family, may have. This register must be kept up to date through notification of changes and through annual review of entries. The register must be available for inspection by governors, staff, parents and NCC”

Furthermore, the Financial Management Standard in Schools (FMSiS) requires that the school has in place “an up to date register of business interests that is compliant with best practice guidance.”

Declaration of Interest

The school’s employee code of conduct also states that employees “must notify the Chair of Governors (via the Clerk to Governors) of any financial interest in any contract” and “must award orders and contracts on merit by fair competition against other tenders or quotations and not show special favour to businesses run by friends, partners or relatives.”

Any person who is present at a meeting of the governing body should declare a business interest, whether direct or indirect. This relates to any contract, proposed contract or other matter that is being considered. The person must disclose the fact as soon as is practical and take no part in consideration or discussion of the contract or matter concerned. The person must withdraw from the meeting during consideration or discussion unless the Governing Body allows otherwise. In addition, the person cannot vote on any question with respect to the contract or matter.

Direct Business Interests

The following are examples of a direct business interest:
• Any payment of salary, allowance or other expenses to a member of staff from the school budget

• Any appointment where the candidate is a governor

• A governor or member of staff runs their own business and has been or could be paid for work done or services received from the school budget or any other school funds.

• Land owned by a governor or member of staff where its value might be affected by proposals about the school’s land or buildings.

**Indirect Business Interests**

The following are examples of an indirect business interest:

• A governor or member of staff own shares or is a member of a company or another body which has a direct business interest.

• A governor or member of staff is a business partner of a person or company who has a direct business interest.

• A governor or member of staff is an employed by a person or company which has a direct business interest.

• A governor or member of staff has a spouse or is living with another person who has an interest in the contract or matter being discussed, including an appointment of staff of the school

• The contract or matter relates to an appointment at the school which could result in another vacancy for which the governor or member of staff could be a candidate.

**Non Business Interests**

The following are examples of matters which are not considered as creating a business interest:

• Being a councillor on a local authority

• Being a rate payer or council tax payer in the area of the school

• For members of school staff, having an interest that is no greater than the interest of the generality of staff in the matter.

• Having interests that are non business (e.g. voluntary interests)

• Having an interest that is so remote or insignificant tht it cannot reasonably be regarded as likely to influence a governor or member of staff.
Duty to Declare

Governors, Head teachers and members of staff are bound by financial regulations and therefore must declare in the Register any business interest they have in a personal capacity in any contract relating to the school. The declaration must be in writing and be recorded in the Register.

In addition to any written declaration in the register, a governor or any other person attending the meeting of the governing body or one of its committees must declare orally their business interest in any matter and take no further part in discussion or decision on that matter.

Observance of these rules is the responsibility of the individual governor, head teacher or member of staff.

The Register

The Governing Body will arrange for a register to be kept at the school. The register will be kept by the Clerk to Governors in a loose leaf binder.

The Register must be open to public inspection on request, free of charge during reasonable school office hours.

The Governing Body will make arrangements for the register to be kept up to date on an annual basis or on any change of governor or staff member.

FORM RB1 will be used for members of staff at the school
FORM RB2 will be used by Governors who are not also members of staff

Policy Review

The policy will be reviewed in October 2010

Signed ___________________________ ` Date

Chair of Finance Committee