



THE PRIORY PRIMARY ACADEMY TRUST PTA	DATE AGREED	NOVEMBER 2020
POLICY AND PROCEDURE STATEMENT	REVISION DATE	NOVEMBER 2021
 <h2 style="color: blue;">The Priory School PTA</h2> <p style="color: red;"><i>Help Us To Help The Children</i></p> 		
<h1 style="color: blue;">Conflict of Interest Policy</h1>		
CHAIR OF PTA COMMITTEE	BEN CANDY	
SECRETARY OF PTA COMMITTEE	SIMONE WHITE	
TREASURER OF PTA COMMITTEE	CARA ROGERS	

### **A About conflicts of interest**

1. The PTA has a legal duty to act in the charity's best interests when making decisions as a trustee. If there's a decision to be made where a trustee has a personal or other interest, this is a conflict of interest and the PTA won't be able to comply with their duty unless steps are taken.
2. The Trustees of the Primary School PTA are the named Chairman, Secretary and Treasurer on the Annual Charity Commission return.
3. For example, if you're a trustee, you would have a conflict of interest if the charity is thinking of making a decision that would mean:
  - you could benefit financially or otherwise from your charity, either directly or indirectly through someone you're connected to
  - your duty to your charity competes with a duty or loyalty you have to another organisation or person
4. Conflicts of interest are common in charities – having a conflict of interest doesn't mean an individual has done something wrong but there is a need to act to prevent them from interfering with the ability to make a decision only in the best interests of the charity.
5. The PTA will follow a 3 step approach (identify, prevent, record) so that the PTA are able to comply with our duty and avoid:
  - making decisions that could be overturned
  - risking the charity's reputation
  - having to repay the charity if we make unauthorised payments to trustees

### **B How to identify a conflict of interest**

1. Legal requirement: the PTA must declare a conflict of interest immediately if the PTA are aware of any possibility that someone's personal or wider interests could influence the decision-making.
2. Have a standard agenda item at the beginning of each PTA meeting to allow

trustees to declare any actual or potential conflicts of interest.

3. It's good practice to have a written conflicts of interest policy to:
  - tell existing trustees how to identify and disclose conflicts of interest
  - help prospective trustees identify possible conflicts of interest before they're appointed
4. The PTA will also keep a register of interests and make sure it's changed if necessary (APPENDIX A)

### **C How to deal with a conflict of interest**

1. Once a conflict of interest is identified the PTA will prevent it from affecting the decision-making by:
  - finding an alternative way forward which doesn't involve the conflict of interest (particularly if the issue is serious)
  - taking appropriate steps to manage the conflict (if it's less serious), which will usually mean that the person affected doesn't take part in discussions about the issue
2. Follow any instructions on managing conflicts of interest in the PTA document. In some situations there will be a need to comply with legal restrictions. For example, if the charity plans to sell land to one of its trustees, or pay a trustee for goods or services.
3. If there's nothing about the conflict of interest in the PTA document or the law, the PTA will still need to make sure that it is declared and consider whether the conflicted trustee should withdraw from discussions and voting on the matter.
4. The PTA will have to ask the Charity Commission to authorise a decision in advance if:
  - it is going to involve any benefit to a trustee that hasn't already been authorised
  - the conflict of interest is serious but there's no alternative way forward that will remove it
  - most or all of the trustees share the conflict of interest

### **How to record a conflict of interest**

1. Keep a written record of the conflict of interest and how it is dealt with in the minutes of our meetings to explain:
  - what sort of conflict of interest it was
  - which trustee or trustees were affected
  - if any conflicts of interest were declared in advance
  - an outline of the discussion
  - if anyone withdrew from the discussion
  - how the PTA and the other trustees made the decision in the charity's best interests

The PTA will follow good practice to include details of trustee payments and benefits if we prepare receipts and payments accounts.

APPENDIX A

**Register of Pecuniary Interest**

Name of PTA Trustee: .....

Name of Business	Nature of Business Including: <ul style="list-style-type: none"> <li>• PTA member elsewhere (please include school name)</li> <li>• related / married to member of staff (please include staff name)</li> <li>• employed at school</li> </ul>	Nature of Interest	Date of Appointment or Acquisition	Date of Cessation of Interest	Date of Entry

I certify that I have declared to the best of my knowledge all beneficial interests which I, my relatives and other individuals closely connected with me, have with businesses or other organisations which may have dealings with the school. I undertake to inform the Chairperson to the Priory School PTA within 5 school days of any changes to my register entry.

Signed: .....

Date: .....