



Newall Green Primary School

Aiming High To Reach Our Goals

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PECUNIARY INTEREST POLICY & Register of Business Interests

DEFINITIONS

- This policy applies to The Cherry Tree Trust. The term “school” in this policy is used to describe any school in the Trust to which the policy applies.
- All references to “teacher(s)” refer to the person or persons covered under the scope of this policy.
- All references to the “governing body” or to “the governors” refer to the Trustees / Local Governing Body of the Cherry Tree Trust.
- All references to the “headteacher” refer to the head of teacher of the relevant school unless the information pertains to the Executive Head Teacher.

1 Introduction

This policy has been written so that staff are aware of what a pecuniary interest is and the systems that they are to use to bring this information to the attention of the Governors / Trustees.

2. Pecuniary Interest

A pecuniary interest is any relationship with a person or company that may affect judgement or decision making.

Conflicts of interest which might require an interest to be declared may arise from:

- Close links with, or interest in a particular organisation from which a request for a school facility is being considered; e.g. a request from a football club, of which a governor is a member, to use a playing field;
- A commercial or pecuniary interest in an organisation or issue which comes before the governing body / trust board e.g. where a member or the organisation with which a member of the governing body / trust board is involved may benefit financially, directly or indirectly, from a decision made by the governing body / trust board; e.g. a tender submitted by a local company, in which a governor / trustee is a partner, for the supply of stationery;
- A non-pecuniary interest where a member of a governing body / trust board has other interests that might be thought to influence them, either wittingly or unwittingly in the matter under consideration; e.g. membership of a national pressure group.
- Personal or family interest in an organisation, issue or individual which comes before the governing body / trust board with regard to both pecuniary and non-pecuniary (any benefit or favour 'in kind' including arising from membership of clubs or other organisations) interests e.g. consideration of an application for a post at the school by a close relative of a governor.

In addition Regulations make the following provisions in relation to certain issues:-

- A person paid to work at the school is not regarded as having a pecuniary interest if his/her interest is no greater than that of other persons paid to work at the school; e.g. discussion of a whole school pay policy.
- A person must withdraw and not vote on his/her own appointment, re-appointment, suspension or removal as a governor, or as a chair, vice-chair or clerk of the governing body;
- A person paid to work at the school, other than the Executive Head, must withdraw and cannot vote in relation to the pay or performance appraisal of any particular person working at the school. This does not affect general discussions about general policy;
- The Executive Head must withdraw and cannot vote in relation to their own pay or performance appraisal.

Register of Business Interests

All members of a governing body / trust board are required to complete, on an annual basis, the Register of Business Interests. The Register lists, for each member of the trust board, governing body and the Executive Head, any business interests that they or any member of their immediate family have. It should include all business interests such as directorships, share holdings and other appointments of influence within business or organisations that may have dealings with the school.

The Register is important and enables the Clerk and/or the governing body / trust board to determine those registered interests that individual members of the governing body / trust board have and anticipate possible conflicts of interest.

Register of Hospitality

The public may view the acceptance of gifts/hospitality by a member of a governing body / trustee with suspicion. Governors / Trustees receiving gifts or hospitality must record the details in the Register of Gifts

and Hospitality. It is considered prudent for a governor to tactfully refuse any personal gift to him/her or to a member of his/her family which is offered by, or is indirectly attributable to any person or body who has, or may have, dealings of any kind whatsoever with the school.

As an exception to the general requirement to record all gifts received, the following may be excluded:

- i) small gifts, often given by way of trade advertisements e.g. diaries, calendars or similar articles which may be used in the office;
- ii) small gifts of token value given at the conclusion of a courtesy visit.

Any other gift should be recorded e.g. gifts offered by public or voluntary bodies in recognition of some service rendered or a gift or bequest contained in a deceased person's will. The recipient should record the details of the gift/hospitality. There is generally no cause for concern if another public body makes the offer of hospitality but all cases should be recorded.

Special caution should be exercised when a person or a body having or seeking business from the school offers the hospitality. In general such offers should be declined. If there is any doubt about whether a gift or hospitality may be accepted it should be politely and tactfully refused.

The register can be inspected by members of the governing body, the Executive Head or representatives of the LEA and is available for checking purposes if allegations of non-disclosure of interests are made.

Declarations of Interest and minutes

It is essential that all declarations of interest are formally recorded in the minutes of the meeting. An example of how this might be done is given hereunder:-

21/05 - Declaration of Interest

"Prior to the consideration of the matter recorded at Minute XXX below Mr. H. Onest, declared an interest in the matter recorded in that minute because of his position as a member of staff and accordingly left the meeting and took no part in the consideration of or voting on that matter."

Equally once the matter has been dealt with the individual concerned must be invited to return to the meeting and this should also be recorded in the minutes.

3. Procedures

The Executive Head is responsible for ensuring:

- that Employees and Directors (including temporary employees) are regularly advised of the need to make declarations of pecuniary interest.
- that Employees and Directors complete the official declaration form (Appendix 2) at the start of each school year and personally print and sign their name on the declaration. Guidance on completion of the form is set out at Appendix 1.
- that the Register is kept up to date.
- that the Governors / Trustees are advised annually that the Register is up to date and of the name of the keeper of the Register.

