

**Conflict of Interest Policy**

**Introduction**

It is inevitable that real or perceived conflict of interest will arise in PRISM Independent School. The aim of this policy is to provide guidance, procedures and processes on how to address the fundamental issues that arise from real and perceived conflict of interest.

It should be noted that the benefit derived by those trustees who are users of the charity’s services, should not receive any added benefit over and above that received by any other user or beneficiary of the charity.

**Scope**

This policy applies to the Board Member/Staff, all staff and anyone acting on behalf of PRISM Independent School.

**Why we have a policy**

All Board Member/Staff, staff and volunteers have a legal obligation to act in the best interests of, a PRISM Independent School and in accordance with PRISM’s governing document, and to avoid situation where there may be a potential conflict of interest as well as the perception of conflicts of interest.

Conflicts of interests may arise where an individual’s personal or family interests and/or loyalties conflict with those of PRISM Independent School. Such conflicts may create problems; they can:

* Inhibit free discussion;
* Result in decisions or actions that are not in the interest of PRISM Independent School; and
* Risk the impression that PRISM Independent School has acted improperly.

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety.

**Appointments**

Upon appointment each Board or staff member 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.

**Managing meetings**

At the beginning of meeting or activities, Board Members and staff will disclose any interests in a transaction or decision where there may be a conflict between the organisations’ best interests and the Board member/staff member best interests or a conflict between the best interests of two organisations that the Board member/staff member is involved with. If in doubt the potential conflict must be declared anyway and clarification sought.

**The declaration of Interests**

Accordingly, we are asking Board Member/Staff to declare their interest, and any gifts or hospitality received in connection With their role in PRISM Independent School. A declaration of interests form is provided for this purpose, listing the types of interest you should declare.

To be effective, the declaration of interests needs to be updated at least annually, and also when any changes occurs.

If you are not sure what to declare, or whether/when your declaration needs to be updated, please err on the side of caution. If you would like to discuss this issue, please contact the company secretary for confidential guidance.

This register of interests shall also be used to record all gifts of a value over £100 received by the Board Member/Staff and staff. Interests and gifts will be recorded on the charity’s register of interests, which will be maintained by PRISM Independent School. The register will be kept securely and is accessible by a formal request to the Executive Head teacher.

**Data protection**

The information provided will be processed in accordance with date protection principles as set out in the Data Protection Act 1998. Data will be processed only to ensure that Board Member/Staff and senior staff act in the best interests of PRISM Independent School. The information provided will not be used for any other purpose.

**What to do if you face a Conflict of Interest**

If you are a user of PRISM Independent School’s services, or the carer of someone who uses PRISM Independent School’s services, you should not be involved in decision that directly affect the service that you, or the person you care for, receive(s). You should declare your interest at the earliest opportunity and withdraw from any subsequent discussion. The same applies if you face a conflict for any other reason. You may, however, participate in discussions from which you may indirectly benefit, for example where the benefits are universal to all users, or where your benefit is minimal. If you fail to declare an interest that is known to PRISM Independent School’s Company Secretary and/or the chair of the board, the Company Secretary or the chair will declare that interest.

**Decisions taken where a Board Member or Member of Staff has an interest**

In the event of the board having to decide upon a question in which a trustee or member of staff has an interest, all decisions will be made by vote, with a simple majority required. A quorum must be present for the discussion and decision; interested parties will not be counted when deciding whether the meeting is quorate. Interested board members may not vote on matters affecting their own interests.

Once a conflict has been declared:

1. The Board Member or staff 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;
2. The Board Member 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 Board Members is present at the meeting;
3. The other Board Members who have no conflict of interest in this matter may consider it is in the interests of the charity to authorise the conflict of interest in the circumstances applying;
4. Any such disclosure and the subsequent actions taken will be noted in the minutes.

All decisions under a conflict of interest will be recorded by the Company Secretary and reported in the minutes of the meeting. The report will record:

1. The nature and extent of the conflict;
2. An outline of the discussion;
3. The actions taken to manage the conflict.

Where a Board Member benefits from the decision, this will be reported in the annual report and accounts in accordance with the current Charities SORP.

All payments or benefits in kind to Board Member/Staff will be reported in the charity’s accounts and annual report, with amounts for each trustee listed for the year in question.

Where a member of PRISM Independent School’s staff are connected to a party involved in the supply of a service or product to the charity, this information will also be fully disclosed in the annual report and accounts.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

**Managing Contracts**

If you have a conflict of interest, you must not be involved in managing or monitoring a contract in which you have an interest. Monitoring arrangements for such contacts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.

This policy is meant to supplement good judgement, and staff, volunteers and Board Member/Staff should respect its spirit as well as its working.

Signed

Date Adopted:

**The PRISM Independent School organisation**

**Register of Interest**

**Declaration of Interest**

Please complete this form to register any actual or perceived interest you might have that may lead to a conflict of interest or may directly or indirectly undermine the confidence of colleagues, stakeholders or the general public in PRISM Independent School.

Complete on form for each member of the committee or staff and file with the minutes.

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| --- | --- |
| Person or organisation | Nature of relationship and/or  Nature of conflict of interest |
|  |  |
|  |  |
|  |  |

Name Position

Signed Date