

HASMONEAN MULTI-ACADEMY TRUST

**HASMONEAN**



אל תקרי בניך אלא בוניך

# DECLARATION OF INTERESTS POLICY

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## **1. INTRODUCTION**

Hasmonean Multi-Academy Trust is committed to the highest standards of integrity in all its business activities. A declaration of interests will be compiled and updated annually to include all Local Governors, Trustees and Members of the Academy Trust, and staff Members of the Senior Leadership Team (SLT). This aims to ensure that any current or potential conflicts of interest are openly declared and recorded in accordance with company and charity law.

## **2. DECLARATIONS OF INTEREST**

Hasmonean Multi-Academy Trust needs to establish a register of pecuniary interests for the Local Governors, Trustees, Members, and staff who are involved in financial management within the Trust. This register should be open to inspection and easily accessible at all times.

This register must clearly show that any decisions made are arrived at in a true and fair way. It is important that anyone involved in spending public money can demonstrate that they do not benefit personally from decisions that they make.

Local Governors, Trustees, Members and SLT staff should declare any links they or a related party may have with firms or individuals from which the Academy Trust may wish to buy goods or services.

A related party for this purpose includes

- a child, parent, sibling, spouse or civil partner of the Local Governor/Trustee/Member/SLT staff member;
- an individual or organisation carrying on business in partnership with the Local Governor/Trustee/Member/SLT staff member or a relative of the Local Governor/Trustees/Member/SLT staff member;
- a company in which a Governor/Trustee/Member/SLT staff member or the relative of a Local Governor/Trustee/Member/SLT staff member (taken separately or together), holds more than 20% of the share capital or is entitled to exercise more than 20% of the voting power at any general meeting of that company;
- an organisation which is controlled by a Local Governor/Trustee/Member/SLT staff member or the relative of a Local Governor/Trustee/Member/SLT staff member (acting separately or together). For these purposes an organisation is controlled by an individual or organisation if that individual or organisation is able to secure that the affairs of the body are conducted in accordance with the individual's or organisation's wishes.

A body is related to another individual or organisation if it: is controlled by the individual or organisation; or controls the organisation; or is under common control with the individual or organisation. For these purposes control means:

- holding more than 20% of the share capital (or equivalent interest); or
- having the equivalent right to control management decisions of the body; or
- having the right to appoint or remove a majority of the board or governing body.

Where an interest is declared, either direct or indirect, the individual should take no part in any discussion of a matter involving the interest/nor vote on any question with respect to the matter.

### **Declaration of Interest**

A declaration of interest form must be completed. This form will be reviewed on an annual basis, but must be updated and amended in year, if an individual's circumstances change.

## **3. GIFTS AND HOSPITALITY**

Local Governors, Trustees, Members and staff should not accept gifts or rewards from any organisation or individual with whom they have contact in the course of their work as an inducement either for doing something or not doing something in their official capacity. Particular care should be taken about any gift from a person or organisation which has, or is hoping to have, a contract with the Trust. Gifts of a trivial or inexpensive nature may be accepted (e.g. diaries, calendars), as long as there is no ulterior motive, therefore the context of any gift should be considered but more substantial or expensive offerings should be declined. If unsolicited gifts of a substantial nature arrive from contractors, they should be returned with a polite explanation that the Trust's policies do not allow their acceptance.

### **3.1 Hospitality**

It is accepted that Local Governors, Trustees, Members and staff sometimes receive conventional hospitality (e.g. refreshments at business meetings) they may attend, as part of their official function, or an event organised by another body for promotional or influential purpose. Offers of hospitality that exceed this norm should in general be refused. The following items should be avoided: hospitality offered in substitution for fees e.g. lectures or other work done; inducements which could lead to a contractual position between the Trust and a supplier, contractor or consultant; substantial offers of social functions, travel or accommodation; acceptance of meals, tickets and invitations to sporting, cultural or social events, particularly from the same source.

Local Governors, Trustees, Members and staff must never canvass or seek gifts or hospitality.

### **3.2 Recording Gifts and Hospitality**

Local Governors, Trustees, Members and staff must record being offered or accepting any gifts by completing a Gifts and Hospitality form (Appendix 1)

### **3.3 Failure to comply**

In all instances where there is reasonable belief that there has been a failure to declare, the Chair of the Board of Trustees will conduct a formal investigation of the situation. Employees may be subject to disciplinary procedures to pursue potential matters of misconduct.

### **3.4 Guiding Principles**

The guiding principles are:

- The conduct of individuals should not create suspicion of any conflict between their official duty and their private interest

- The action of individuals acting in an official capacity should not give the impression (to any member of the public, to any organisation with whom they deal or to their colleagues) that they have been (or may have been) influenced by a benefit to show favour or disfavour to any person or organisation

### **3.5 Criminal Offence**

It is a criminal offence for any employee or associated person acting for, or behalf of, the Trust to corruptly accept any inducement or reward for doing, promising or refraining from doing anything in the course of their employment, or corruptly showing favour or disfavour, in the handling of contracts. In acting corruptly the employee would demonstrate their intention to purposefully act with lack of probity and with a disregard for the implications of their actions for the Trust.

### **3.6 Bribery Act**

The importance of doing this has recently been reinforced by the Bribery Act 2010, which came into force on 1 July 2011.

Under the Bribery Act 2010, a bribe is a financial or other type of advantage that is offered or requested with the;

- Intention of inducing or rewarding improper performance of a function or activity;
- or
- Knowledge or belief that accepting such a reward would constitute the improper performance of such a function or activity

A criminal offence will be committed under the Bribery Act 2010 if:

- An employee or associated person acting for, or on behalf of, the Trust offers, promises, gives, requests, receives or agrees to receive bribes;
- or
- An employee or associated person acting for, or on behalf of, the Trust offers, promises or gives a bribe to another with the intention of influencing that official in the performance of his/her duties (where local law does not permit or require such influence)

Gifts are deemed to include

- Goods provided for personal or other private use
- Personal services
- Loans of equipment, vehicles etc for private use
- The provision of goods/services at preferential cost for personal or other private use

**Appendix 1**

**Hasmonean High School – Gifts and Hospitality**

Members, Local Governors, Trustees and members of staff involved in making buying decisions should not accept excessive, frequent or regular gifts, hospitality, entertainment or other services from existing or prospective suppliers.

In accordance with our Financial Procedures Manual, we must keep a register of gifts and favours offered and whether they were accepted or rejected. Members, Local Governors, Trustees and members of staff are required to inform Lulu Oskis of such offers as they arise so that she can record them in the register.

**Name: Member/ Governor / Trustee/Staff:** .....

<b>Have you been offered gifts/hospitality in the last 12 months by a supplier/prospective supplier? Yes / No</b>	<b>Name of organisation that gift/hospitality received from</b>	<b>Detail of gift/hospitality</b>	<b>Did you accept the gift/hospitality?</b>

I certify that I have declared all gifts and hospitality offered and received.

Signed ..... Date .....

**Reviewed by Stone King April 2019**  
**Approved by the Trustees April 2019**  
**Next Review: April 2022**