

## **ANNEX B OF STANDING ORDERS – REGISTER OF INTERESTS POLICY**

### **Introduction**

The purposes of this policy are:

- to ensure that Governors comply with their legal duties including in particular those under the Board's instrument and articles of government and their duty to act only in the best interests of the Board;
- to protect the integrity of the Board's decision-making process;
- to enable all outside parties dealing with the Board to have confidence in the Board's integrity; and
- to protect the integrity and reputations of the Governors [and senior staff].

(\*Senior staff for the purposes of this policy relates to the Executive Team, Clerk, Members of the Senior Leadership Team, Heads of Department and other staff with significant budgetary responsibilities).

Like other persons who owe a fiduciary duty, Governors should seek to avoid putting themselves in a position where there is a conflict (actual or potential) between their personal interests and their duties to the Board. They should not allow any conflict of interest to arise which might interfere with the exercise of their independent judgement.

### **Reporting conflicts of interest**

A Register of Interests is maintained and updated on an annual basis and is available on the College website or on request to the Clerk.

If an interest of any kind (including an interest of a business associate or close relative) is likely or would, if publicly known, be perceived as being likely to interfere with the exercise of a Governor's independent judgement, then the interest, financial or otherwise, should be reported to the Clerk.

The Register requires Governors, the Clerk and senior members of staff and those with a high level of financial responsibility to record interests in Directorships, employment, gifts and hospitality of a significant value arising from membership of the Board of Governors/job role, trusteeships, public appointments and other interests; for example, known clients or business relationships which have a direct connection with the College or which might affect its business.

Governors and senior members of staff have a responsibility to notify the Clerk of any new activities which may create a conflict of interests with the college.

### **Failure to disclose a relevant interest**

The decision of the Chair as to whether a member has failed to disclose a relevant interest shall be final. Failure to disclose a conflicting interest may lead to a member being in breach of the Board's Code of Conduct as well as of this policy and the Board's Standing Orders. It may also result in the member being subject to legal action and personal liability for breach of trust. Such breaches may lead to the Board considering the possibility of suspending or terminating the member's membership of the Board. Such breaches by a senior member of staff may lead to disciplinary action being taken under the College's staff disciplinary procedures.

### **Declarations of Interest – Meeting Proceedings**

Any Governor who has a clear and substantial interest in a matter under consideration by the Board should declare that interest at any meeting which the matter is to be discussed, whether or not that interest has already been declared and recorded in the Register of Interests. Such declarations would make clear the nature of the interest and whether it carried either direct or indirect financial interest to the individual member.

Where such an interest constitutes a direct or indirect financial interest, the member involved should not speak, participate in or otherwise seek to influence any decision taken by the Board relating to the matter under discussion, and should, if requested by a majority of governors present, withdraw from the meeting.

Governors who hold office with or are employees of other bodies which receive funds from the College may participate in general discussions and decisions regarding such bodies but should withdraw, if requested by a majority of Governors present, and not participate in any discussion or decision which relates CEO to the particular body with which they are associated.

Where a Governor has an interest which is not financial, but which is relevant to the Board's business, that interest should be declared. Where the interest is substantial, the Governor involved should withdraw from the discussions on any decisions relating to that interest, if requested to do so by a majority of Governors present.

Where an interest arises from membership of a public body and where there is no financial interest, full participation in the discussion and decision is allowable. A public body is deemed to be any institution or organisation in receipt of public funds, professional organisation or representative group.

As a guide, Governors should ask themselves whether members of the public, knowing the facts of the situation, would reasonably conclude that the interests involved might influence the approach taken to the Board's actions. If so, the interest would be deemed to be sufficient for the member to withdraw, if requested by a majority of Governors present.

### **Acceptance of gifts or hospitality**

Governors should treat with caution any offer of gift, favour or hospitality arising from their membership of the Board. In general, meals may be accepted provided that they are working or other recognised proper occasions and the apparent costs of the hospitality are reasonable. It is acknowledged that attendance at social events where the invitation is clearly made because of a connection with the College is acceptable provided the hospitality is not excessively lavish.

All gifts beyond the limits set out from time to time and agreed by the Board under the arrangements set out in paragraph 2 of the section applying to Register of Interests above, should be reported to the Clerk to the Corporation.

Declaration of Interests Form (To be completed by all Governors and Senior Staff\*)

I ..... as a Governor of Greater Brighton Metropolitan College/Senior Staff Member have set out below my interests and that of connected persons\* in accordance with the Board's conflicts of interest policy.

Category	<i>*Please give details of the interest and whether it applies to yourself or, where appropriate, a connected person as defined by the Charities Act 2011 such as a member of your immediate family, employer or some other close personal connection.</i>
Current employment and any previous employment in which you continue to have a financial interest.	
Appointments (voluntary or otherwise) e.g. trusteeships, directorships, local authority memberships, magistracy, tribunals etc.	
Membership of any professional bodies, special interest groups or mutual support organisations.	
Companies in which you hold more than 1% of the share capital.	
Any gifts or hospitality with the exclusion of those that are clearly trifling (e.g. pens) in the last twelve months.	
Any contractual relationship with the Board [or any company or other organisation connected with the Board].	
Any other interests which you consider are appropriate to disclose and are not covered by the above.	
Any other matter (e.g. an unspent criminal conviction or an act of bankruptcy) which would make you ineligible for membership/continued membership of the Board.	

To the best of my knowledge, the above information is complete and correct. I undertake to update as necessary the information provided, and to review the accuracy of the information on an annual basis. I give my consent for it to be used for the purposes described in the conflicts of interest policy and for no other purpose.

Signed:.....

Position (Governor/ Senior Staff position): .....

Date:.....