

LSBU Group Declarations of Interest Policy

Introduction

LSBU Group and its companies are both companies and charities and, as such, LSBU governors, SBA trustees (but not local governors) and SBC trustees also have obligations under the Companies Act 2006 and charity law to avoid conflicts of interest. Under ss. 175-177 of CA2006, directors must avoid situational conflicts, accepting a benefit from third parties and transactional conflicts.

In addition, all holders of public office in the education sector, which includes LSBU governors, SBA members, trustees and local governors, and SBC trustees, are required to act in accordance with the Nolan Principles, which include integrity, openness and honesty.

Relevant Individuals

To avoid repetition within this document, the phrase 'Relevant Individuals' is used to include LSBU governors (including associate governors and co-opted committee members), SBA members, trustees, and local governors, SBC trustees, and group executive members.

Register of Interests

Each company (LSBU, SBA and SBC) has a Register of Interests which is published on the institution's website. The registers include the interests of Relevant Individuals.

The Registers of Interests are maintained by the LSBU Group Governance Team.

Identifying Interests

Relevant Individuals are expected and required to identify and declare formally all interests that might conflict with the interests of the company and charity.

Relevant Individuals should also declare any potential conflicts of interest for "connected persons" (usually close family members or business partners) as defined by the Companies Act 2006.

Declaring a Conflict of Interest

It is expected that conflicts of interest are identified and declared as soon as possible. If a situation or transaction is not declared immediately for any reason, there is an obligation to declare this interest as soon as the Relevant Individual becomes aware that it is an interest that might conflict with the interests of the company/charity.

On appointment, all Relevant Individuals are required to complete a declaration of interests form.

All formal meetings have a standard agenda item at the beginning of each meeting for Relevant Individuals to declare an interest with any item on the agenda for the meeting. Relevant Individuals are required to declare to the Secretary any interest which they have in an item to be discussed at the earliest opportunity, preferably before the meeting itself. The minutes of the meeting will record details of all discussions on potential conflicts of interest and the decisions made.

If a Relevant Individual is uncertain whether they have a conflict of interest, they should declare the issue and discuss it with the Secretary.

If an individual is aware, or becomes aware, of an undeclared conflict of interest affecting themselves or any other Relevant Individual, they should notify the Secretary immediately.

Annual review

The Register is circulated to all Relevant Individuals at least annually. All Relevant Individuals undertake to review the Register and to inform the Secretary of any changes to their entry. If in doubt about whether there is a conflict of interest, it is usually better to declare the interest.

All Relevant Individuals are obliged to complete and sign a declaration of their interests even if their declaration is 'None'.

The Decision-making Process

Where there is a proposed transaction between the company and a Relevant Individual, or any transaction or arrangement which confers a benefit to the Relevant Individual, the Board determines the nature of the interest and determines the level of participation of the Relevant Individual. In reaching its decision the Board will consider:

- the relevant provisions of the company's constitution; and
- guidance from the relevant regulator.

The options may include, but are not limited to:

- allow the Relevant Individual to participate in the decision
- allow the Relevant Individual to remain in the meeting where the decision is discussed but not participate
- require the Relevant Individual to absent him/herself from the part of the meeting in which the issue is discussed or decided

Confidentiality

Relevant Individuals must not use confidential business or personal information obtained directly or indirectly from their position at the Company/charity for their own benefit (financial or otherwise) or the benefit of another individual, entity or organisation.