



## CONFLICT OF INTEREST POLICY

<b>Date of approval by the Trust Board</b>	<b>25 March 2026</b>
<b>Review cycle</b>	<b>Annual</b>

## 1. Introduction

- 1.1 This policy sets out the framework for ensuring that the decisions and decision-making processes at Alternative Learning Trust are, and are seen to be, free from personal bias and do not unfairly favour any individual or company connected to the Trust.
- 1.2 Members, Trustees, Governors and senior employees \*\* (see page 6) of the Trust have an obligation to act in the best interests of the Trust and in accordance with its Articles of Association in order to avoid situations where there may be a conflict of interest.
- 1.3 Situations may arise where family interests or loyalties conflict with those of the Trust. They may create problems as they can inhibit free discussions, result in decisions or actions that are not in the interests of the Trust and risk the impression that the Trust has acted improperly.
- 1.4 The aim of this policy is to ensure that:
  - a) Every Member, Trustee, Governor and senior employee understands what constitutes a conflict of interest and that they have a responsibility to identify and declare any conflicts that might arise.
  - b) Every potential conflict of interest is identified, prevented and recorded, ensuring that the conflict does not affect the decision-making of the Trust.

## 2. Definition

For the purpose of this document:

- a) Persons serving on the Trust Board are referred to as Trustees.
- b) Alternative Learning Trust is referred to as the Trust.
- c) 'Students' refers to all students being educated or on site at any one of the schools within Alternative Learning Trust.

## 3. Legal Framework

This policy takes its legal framework from the following legislation and statutory guidance:

- a) Companies Act 2006.
- b) Conflicts of Interest: A Guide for Charity Trustees.
- c) The Academies Financial Handbook.
- d) The Articles of Association of Alternative Learning Trust.

## 4. What is a Conflict of Interest?

- 4.1 The Trust adopts the definition of the Charity Commission which states that a conflict of interest is any situation where a Member, Trustee, Governor or senior employee's personal interests or loyalties could, or could be seen to, prevent the Trustee or senior employee from making a decision in the best interests of the Trust.
- 4.2 Conflicts of interest usually arise in the following situations:
  - a) **Benefits to Members, Trustees, Governors, senior employees** – There is a potential financial or measurable benefit directly to a Member, Trustee, Governor

or senior employee, or indirectly through a connected person. Examples of benefits are where the Trustees or senior employees decide to:

- Sell, loan or lease Trust assets to a Member, Trustee, Governor or senior employee.
  - Acquire, borrow or lease assets from a Member, Trustee, Governor or senior employee for the Trust.
  - Pay a Member, Trustee or Governor for carrying out their role.
  - Pay a Trustee or Governor for carrying out a separate paid post within the Trust, even if that person has recently resigned from their governance role.
  - Pay a Member, Trustee, Governor or a person or company closely connected to a Member, Trustee, Governor or senior employee, for providing a service to the Trust. This covers anything that would be regarded as a service and includes legal, accountancy or consultancy services through to painting or decorating the Trust's premises, or any other maintenance work.
  - Employ a Member, Trustee, Governor or senior employee's spouse, partner, or other close relative at the Trust.
  - Make a grant to a Member, Trustee or Governor or senior employee or a person who is their close relative.
  - Allow a Member, Trustee, Governor or senior employee to influence service provision to their exclusive advantage.
- b) **Conflict of loyalty** – A Member, Trustee, Governor or senior employee's duty to the Trust may compete with a duty or loyalty they owe to another organisation or person. A conflict of loyalty could also arise where the religious, political or personal views could interfere with the ability of the Member, Trustee, Governor or senior employee to decide the issue only in the best interests of the Trust; for example, a Member, Trustee, Governor or senior employee's loyalty to the Trust could conflict with his or her loyalty to:
- Another organisation, such as their employer.
  - Another charity or Trust of which they are a Trustee/Director.
  - A member of their family.
  - Another connected person or organisation.

The test is always that there is a conflict of interest if the Member, Trustee, Governor or senior employee's other interest could, or could be seen to, interfere with the Member, Trustee, Governor or senior employee's ability to decide the issue only in the best interests of the Trust.

## 5. Identifying the conflict of interest

- 5.1 Members, Trustees, Governors and senior employees are expected to identify any conflicts of interest at an early stage.
- 5.2 A standard agenda item must be included at the beginning of each governance meeting to enable the declaration of any actual or potential conflicts of interest to be noted.
- a) If a Member, Trustee, Governor or senior employee is uncertain whether or not he or she is conflicted, he/she should err on the side of openness, declaring the issue and discussing it with the other Members, Trustees, Governors or senior employees.

- b) If a Member, Trustee, Governor or senior employee is aware of an undeclared conflict of interest affecting another Member, Trustee, Governor or senior employee, they should notify the other Members, Trustees, Governors, senior employees or Chair of the Trust Board.
- 5.3 If a conflict of interest is identified outside of a meeting, the Member, Trustee, Governor or senior employee must complete a conflict of interest form and submit it to Alternative Learning Trust's Executive Governance and Compliance Lead ([pedwards@alternativelearningtrust.org](mailto:pedwards@alternativelearningtrust.org))
- 5.4 On an annual basis, or when a Member, Trustee, Governor, or senior employee joins the Trust, a conflict of interest form must be completed to enable the Register of Interests to be kept up to date.

## **6. Dealing with the conflict of interest**

- 6.1 Members, Trustees, Governors and senior employees must consider the conflict of interest so that any potential effect on decision making is eliminated.
- 6.2 Where available, legal or governing document requirements on how a conflict of interest must be handled is to be used; however, in serious cases, it can be decided that removing the conflict of interest itself is the most effective way of preventing it from affecting the decision making.
- 6.3 Examples of important legal or governing document requirements are:
- a) Academy Trust Handbook, Section 5.35 - Related Party Transactions, which deals with goods or services provided by individuals or organisations connected to the Trust which must only be provided at cost.
  - b) The Trust's Articles of Association, Articles 97-98 and Articles 6.5-6.9 which cover conflict of interest.
- 6.4 Serious conflicts of interest include, but are not limited to, those which:
- a) Are so acute and extensive that the Member, Trustee, Governor or senior employee is unable to make their decisions in the best interests of the Trust, or could be seen to be unable to do so.
  - b) Are present in significant or high risk decisions of the Members, Trustees, Governors or senior employees.
  - c) Mean that effective decision making is regularly undermined or cannot be managed in accordance with the required or best practice approach.
  - d) Are associated with inappropriate Member, Trustee, Governor or senior employee benefit.

## **6.5 Benefits to Members, Trustees, Governors, senior employees**

Where there is a proposed financial transaction between a Member, Trustee, Governor, or senior employee and the Trust, or any transaction of arrangement:

- a) The benefit must be authorised in advance by the Trust Board. If there is no meeting planned within the time frame of authorisation being required, then the Chair of the Trust Board and one other Trustee can be contacted to authorise the benefit.
- b) The Trustees expect the affected Member, Trustee, Governor or senior employee to be absent from any part of any meeting where the issue is discussed or decided.

- c) The affected individual should not vote or be counted in deciding whether a meeting is quorate.

### **Conflicts of loyalty**

Where there is a conflict of loyalty and the affected Member, Trustee, Governor or senior employee does not stand to gain any benefit and there are no specific governing document or legal provisions about how the conflict of loyalty should be handled, the affected Member, Trustee, Governor or senior employee should declare the interest. The remainder of the Members, Trustees, Governors or senior employees must then decide what level of participation, if any, is acceptable on the part of the conflicted Member, Trustee, Governor or senior employee. The options might include, but are not limited to, deciding whether the conflicted Member, Governor, Trustee or senior executive:

- a) Having registered and fully declared the interest, can otherwise participate in the decision.
- b) Can stay in the meetings where the decision is discussed and made, but not participate.
- c) Should withdraw from the decision making process in the way described above.
- d) If a conflict of interest is raised outside of a meeting and there is no meeting planned within the time frame of the conflict needing to be reviewed, the Chair of the Trust Board plus one other Trustee or Chair of Governors, plus one Governor, can be contacted to consider the conflict of interest and determine the resolution. If the person affected is the Chair of Governors then the Chair of the Trust Board plus one other Trustee must consider the conflict of interest and determine the resolution. Where the Chair of the Trust Board is affected then two Trustees must consider the conflict of interest and determine the resolution. The resolutions must be recorded on the Register of Interests.

#### **6.6 In deciding which course of action to take regarding conflict of interest, Members, Trustees, Governors and senior employees:**

- a) Must always make their decisions only in the best interest of the Trust.
- b) Should always protect the Trust's reputation and be aware of the impression that their actions and decisions may have on those outside the Trust.
- c) Should always be able to demonstrate that they have made decisions in the best interests of the Trust and independently of any competing interest.
- d) Should require the withdrawal of the affected Member, Trustee, Governor or senior employee from any decisions where the Member, Trustee, Governor or senior executive's other interest is relevant to a high risk or controversial decision or could, or be seen to, significantly affect the Member, Trustee, Governor or senior executive's decision making at the Trust.
- e) Can allow the Member, Trustee, Governor or senior employee to participate where the existence of the other interest poses a low risk to the decision making in the Trust's interest, or is likely to only have an insignificant bearing on their approach to an issue.
- f) Should be aware that the presence of a conflicted Member, Trustee, Governor or senior executive can affect the Trust, could inhibit free discussion, and might influence decision making in some way.

## **7. Recording the conflict of interest**

- 7.1 The Trust must keep a Register of Interests for the Members, Trustees, senior employees and for each Local Governing Body, which must be published on their websites. This register of interest must be kept up to date through regular review.
- 7.2 The Academy Trust Handbook covers what must be captured in the register of interest and what must be published on the website.
- 7.3 A Register of Interests must be kept by the Members, Trustees, and Local Governing Bodies, which details the potential conflicts, the discussions and the resolutions.
- 7.4 The Register of Interests will be monitored by the Trust Board to ensure that actions forming part of the resolution are appropriate, are following legal requirements and have been implemented correctly.

## **8. Confidentiality**

Members, Trustees, Governors or senior employees cannot use information obtained from the Trust for their own benefit or that of another organisation if it has been obtained in confidence or has special value such as commercial sensitivity.

## **9. Monitoring and enforcement**

- 9.1 The Trust Board will undertake continuous monitoring of its activities and the Members, Trustees, Governors, senior employees to ensure that any conflicts of interest are identified and mitigated as soon as possible.
- 9.2 Members, Trustees, Governors and senior employees who fail to declare an interest and are found to be in conflict with the best interests of the Trust will be expected to explain to the Trust Board their reasons for their omission.
- 9.3 Members reserve the right to terminate the office of the relevant Trustee, and the Board of Trustees has the right to terminate the office of the relevant Governor, if they are found to have knowingly and deliberately failed to declare an interest and have brought the Trust into disrepute.
- 9.4 It will be treated as a serious disciplinary matter if a senior employee is found to have knowingly and deliberately failed to declare an interest and brought the Trust into disrepute.

*\*\* Note: for the purposes of this policy, the definition of 'senior employees' is members of constituent schools' SLTs and above.*

*\*\*\* Note: for the purposes of this policy there is a more detailed policy for staff, Governors, Trustees and Members on conflict of interests and related parties [Related Parties Policy.pdf](#)*

**Persons responsible for updating this policy:**

**Chief Executive Officer and Chief Finance Officer**