

Date ratified at Directors  
Board Meeting  
**15 May 2023**

**St John the Baptist**



**Catholic Multi Academy Trust**

Review  
Audit and Risk  
Committee

## **REGISTER OF BUSINESS AND PECUNIARY INTERESTS POLICY**

### **THE TRUST MISSION STATEMENT**

*Inspired by the life of Christ we provide an exceptional education in our Catholic schools  
which enables our children:*

- to fully embrace all possibilities
- to flourish
- to develop their faith

*and therefore to choose a path that enables them to be a positive influence upon our world.*

**‘Prepare the Way’** *The Gospel of St Mark 1:3*

**St John the Baptist Catholic Multi Academy Trust**  
**Company No: 7913261**  
**Registered Office: Surrey Street, Norwich NR1 3PB**



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## 1. Introduction

The public is entitled to expect the highest standards of conduct from all Members, Trustees, Governors and employees of the St John the Baptist Catholic Multi Academy Trust.

Trustees' personal and professional connections can bring benefits to the work of a schools or the Trust and they often form part of the reason why an individual has been asked to join the trustee body. However, they can give rise to conflicts of interest, to which the trustees must respond effectively. The existence of a conflict of interest does not reflect on the integrity of the affected trustee, so long as it is properly addressed.

Guidance from Charity Commission and the DfE (through the Academy Trust Handbook), as well as the accounting standards detail the expectation and requirements in relation to the Trust and the schools.

## 2. Requirements of the Academy Trust Handbook

The trust must be transparent with its governance arrangements. The trust must publish on its website up-to-date details of its governance arrangements in a readily accessible format, including for each of the trust's Members, Trustee and local governor serving at any point over the past 12 months, their full names, date of appointment, term of office, date they stepped down (where applicable), who appointed them, and **relevant business and pecuniary** interests including governance roles in other educational institutions. If the accounting officer is not a trustee their business and pecuniary interests must still be published.

The academy trust's register of interests must capture relevant business and pecuniary interests of members, trustees, local governors and senior employees, including:

- directorships, partnerships and employments with businesses
- trusteeships and governorships at other educational institutions and charities
- for each interest: the name and nature of the business, the nature of the interest and the date the interest began.

The register must identify relevant material interests from close family relationships between the academy trust's members, trustees or local governors. It must also identify relevant material interests arising from close family relationships between those individuals and employees.

Trusts should consider whether other interests should be registered, and if in doubt should do so. Boards of trustees must keep their register of interests up-to-date at all times.

Trusts must publish on their websites relevant business and pecuniary interests of members, trustees, local governors and accounting officers. Trusts have discretion over the publication of interests of other individuals named on the register.

### **3. Procedures**

3.1 The Accounting Officer is responsible for ensuring:

3.1.1 That, members, trustees / directors, local governors and senior management team are regularly advised of the need to make declarations of pecuniary interest.

3.1.2 That members, trustees and senior management team complete the declaration form (Appendix 2) at the start of each school year. These register forms are kept centrally by the Trust compliance.

That local governors complete the declaration form (Appendix 3) at the start of each year. Declarations from local governors are kept at local schools.

3.1.3 That an opportunity to declare pecuniary interests is a standard agenda item at every Directors, Heads Operations, Local Governing Body meeting and the subsidiary Committees. If an interest is declared this will be recorded and minuted and that person asked not to vote or to leave the meeting whilst the related item is discussed.

3.1.4 That the Register is kept up to date.

3.1.5 That the Directors Body is advised annually that the Register is up to date.

3.2 Ongoing disclosures must be submitted in every return, even if they have been previously disclosed. The Register is a live document and the previous returns form part of the Register. The returns must be kept for seven years.

3.3 The Register must be accessible for viewing during office hours centrally and where it is additionally kept by each LGB in each school by the following: CEO, Trust Compliance Manager, Trust Finance & Operations Director, all Headteachers, all Local School Business Managers, External Auditors and Internal Auditors.

3.4 That relevant business and pecuniary interests of members and trustees are published on the Trust website.

## Appendix 1 - Definitions

### Pecuniary Interests

There is not a comprehensive definition of what constitutes a pecuniary interest. In all cases, the natural meaning of the words has to be put in the particular context of the contract or other matter being discussed.

The following are examples of a direct pecuniary interest:

- actual payments
- receipts in cash or in kind
- benefits or losses arising from the value of assets (e.g. land owned by a governor or member of staff that might be affected by proposals about the Academy's land or buildings).

### What do we mean by related parties?

Parties are considered to be related if one party has the ability to control the other party or exercise significant influence over the other party in making financial and operating decisions. In addition some family members or business connections of such people are also related parties.

The Charities SORP considers the following 'natural persons' as related parties:

A. any trustee or member of an academy trust;

B. a person who is the donor of any land to the trust (whether the gift was made on or after the establishment of the trust); and

C. any person who is:

1. a child, parent, grandchild, grandparent, brother or sister of any such trustee/member (A) or donor (B) of land;
2. an officer, agent or a member of the key management personnel\* of the trust;
3. the spouse or civil partner of any of the above persons (A, B, C1 and C2);
4. carrying on business in partnership with any of the above persons (A, B, C1, C2 and C3);
5. a person, or a close member\* of that person's family, who has control or joint control over the academy trust;
6. a person, or a close member\* of that person's family, who has significant influence over the academy trust.

Terms marked \* above are defined as follows:

**Key management personnel** means those persons having authority and responsibility for planning, directing and controlling the activities of the trust, directly or indirectly, including any trustee (whether executive or otherwise) of the trust. This definition includes trustees and those members of staff who are the senior management personnel to whom the trustees have delegated significant authority or responsibility in the day-to-day running of the trust

**Close member of a person's family** refers to:

- a. that person's children or spouse;
- b. the children, stepchildren or illegitimate children of that person's spouse or domestic partner;
- c. dependents of that person; and

d. that person's domestic partner who lives with them as husband or wife or in an equivalent same-sex relationship.

In addition, the following entities, which are not 'natural persons', are classed as related parties:

- the entity and the academy trust are members of the same group (which means that each parent, subsidiary and fellow subsidiary is related to the others);
- one entity is an associate or joint venture of the other entity (or a member of the group in which the other entity is the parent or a member);
- both entities are joint ventures of the same third entity;
- one entity is a joint venture of a third entity and the other entity is an associate of the third entity;
- the reporting trust provides/receives key management personnel services to/from the entity;
- an entity that is controlled or jointly controlled by a person, or two or more persons, identified in A, B or C;
- an entity in which a person, or two or more such persons, identified in A, B or C, taken together, have a substantial interest\* or significant influence\* over the entity;

\* An individual has a **substantial interest** or **significant influence** in an entity where that person, or two or more persons identified in A, B or C, taken together, have an interest in the equity share capital of that entity of a nominal value of more than one-fifth of that share capital, or is entitled to exercise, or control the exercise of, more than one-fifth of the voting power at any general meeting of that entity.

An academy trust is not necessarily related to another academy trust simply because a particular person happens to be a trustee of both. It will only be 'related' if the relationship means that one trust, in furthering its charitable aims, is under the direction or control of the trustees of another trust.

Connected academy trusts have common, parallel or related objects and activities. Within this category may be trusts which come together under one umbrella organisation or are part of a federated structure. It will be relevant to explain connections in the Trustees' annual report, but only related party transactions have to be disclosed in the note to the accounts, as explained later in this guide.

### **What is a related party transaction?**

A related party transaction is a financial transaction between the related party and the trust. A related party transaction involves the transfer of assets or liabilities or the performance of services by, to or for a related party.

#### **Related party transactions include:**

- Purchases or sales of goods
- Donations of money or other assets
- Supply of services
- Provision of loans and guarantees.

**More examples of related party transactions:**

- Salaries and expenses paid to employees
- Expenses paid to Trustees/Members for travel to attend board meetings
- Reimbursement of costs incurred by Trustees/Members in purchasing goods for the trust
- Rental of a property by a Trustee/Member to the trust
- Overseas travel by a Trustee/Member to visit the work undertaken by the trust
- Employment of the son or daughter of a Trustee/Member/Key Management Personnel
- Donation made by a Trustee/Member to the trust
- The trust contracts the Accounting Officer's husband to undertake some PR for the Trust, which is his business.
- One of the Trustees/Members is a solicitor and a partner in a law firm, which provides the trust with pro-bono help with a new property lease
- A Trustee is also a trustee of another trust, which receives grants from your Trust
- The Trust has a trading subsidiary and lends money to the subsidiary to fund its working capital
- A funder provides funding and one of their Trustees/Member becomes a Trustee/Member of your Trust.

All related party transactions should be carefully considered so that the terms are appropriate and payments made in accordance with the agreed policies and procedures. Not all related party transactions have to be disclosed, but it is important to recognise various transactions as within this category. The next step will be to decide whether disclosure in the notes to the accounts is required.



## Appendix 2 –

### RELATED PARTY DECLARATION FORM

(for Members, Trustees and Senior Management Team)

**Name:** .....

**Position held:** .....

I have provided a full list of related parties who are connected to me such as my close family and any bodies in which I have a controlling interest (whether or not there have been any transactions with them).

It is important that the names of connected persons are recorded, even if they do not have any substantial interests or influences.

If you require more space for disclosures please attach a blank sheet. Disclosures should be given in sufficient detail to understand the nature of the relationship and the parties concerned.

**Signature:** ..... **Date:** .....

**My business Interests are:**  
e.g. Director or control held within Companies, Partnerships, LLPs, Trustee roles.  
If none, please state.

**No Business or pecuniary interest to declare** (Tick here if applicable)

## Related parties connected with me

Please detail below the related parties which are connected with you if you have not previously provided this information to us (for further details and a definition of related party please see the explanation below). It is **important that the names of connected persons are recorded**, even if they do not have any substantial interests or influences.

Relationship e.e. spouse, children, parents, in-laws etc	Names	Business Interests e.g. Director or control held within Companies, Partnerships, LLPs, Trustee roles. If none, please state.
<b>Spouse, Civil Partner or Domestic Partner</b>		
<b>Children and Stepchildren of you or your spouse / civil partner (over the age of 18)</b>		
<b>Grandchildren and Step- grandchildren (over the age of 18)</b>		
<b>Parents (and in-laws)</b>		
<b>Grandparents (and in-laws)</b>		
<b>Siblings (brother / Sister / Stepbrother / Stepsister / in-laws)</b>		



**Appendix 3 -**

**RELATED PARTY DECLARATION FORM** (for Local governors and other staff)

**ST JOHN THE BAPTIST CATHOLIC MULTI ACADEMY TRUST (Company No. 7913261)**

**DECLARATION OF BUSINESS AND PECUNIARY INTERESTS**

NAME: .....

POSITION: Local Governor / Other Employee (please specify \_\_\_\_\_)

IN RELATION TO THE TRUST AND/OR THE FOLLOWING ACADEMY: .....



Name and address of Business	Nature of the Business	Nature of the Interest	Date the Interest began	Further Details (e.g. Relevant interest arising from close family relationships)

or Please tick if applicable

I have No Business and Pecuniary Interests to declare

SIGNED ..... DATE .....