



Policy:	Conflicts of Interest
Owner:	Simon Smith Director of Resources
Approving Board:	Resources Committee
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Conflict of Interests Policy

1 Introduction

- 1.1 This conflict of interest policy makes it clear that TDET is committed to ensuring its decisions and decision-making process are, and are seen to be, free from personal bias and do not unfairly favour any individual connected with TDET. It protects both the organisations and the individuals involved from any appearance of impropriety and provides guidance on what to do when conflicts arise.
- 1.2 This policy refers to all employees and Trustees of TDET and should be read as such.

2 Definition

- 2.1 A 'conflict of interest' arises when the best interests of an employee are, or could be, different from the best interests of TDET itself. Alternatively, it may be something that affects the employees indirectly, through a family member or friend or business partner.
- 2.2 A 'conflict of loyalty' is a particular kind of conflict of interest where the duties the employee owes to another body or organisation are, or could be, in conflict with the duties the employee owes to TDET.
- 2.3 Employees have a duty to put the best interests of TDET first and to safeguard the assets and reputation of TDET. This applies to all employed staff and volunteers who work for TDET.

- 2.4 Employees and volunteers must not receive any benefit from TDET, either directly for themselves, or indirectly for friends and family, in return for any service they provide to TDET unless they have express legal authority to do so. Express legal authority may be contained in TDET's governing document or on rare occasions come from the Charity Commission or Courts. 'Benefit' does not only mean financial benefit, but favourable treatment of any kind, which could be said to have a financial value. This includes biased access to services or employment opportunities.

3 Examples of Conflict

- 3.1 Direct financial interest – when an employee obtains a direct financial benefit via the payment of a salary to an employee by TDET.
- 3.2 The award of a contract to a company with which an employee is involved.
- 3.3 The sale of property at below market value to an employee.
- 3.4 Indirect financial interest – this arises when a close relative of an employee benefits from TDET.
- 3.5 The awarding of an employment contract to an employee's spouse; and making a grant to an employee's dependent child.

4 Policy

- 4.1 It is the policy of TDET that every employee and volunteer understand what constitutes a conflict of interest and that they have a responsibility to recognise and declare any conflicts that might arise.
- 4.2 TDET must document any conflict and the action(s) taken to ensure that the conflict does not affect the decision making of the organisation.
- 4.3 Duty to declare any interest in a proposed transaction or arrangement.
- 4.4 An employee must declare the nature and extent of any interest, direct or indirect, which he or she has in a proposed transaction or arrangement with TDET that has not been previously declared.

- 4.5 An employee must absent himself or herself from any discussion of the trustees in which it is possible that a conflict will arise between his or her duty to act solely in the interests of TDET and any personal interest (including but not limited to any personal financial interest).
- 4.6 Where an employee has or may have an actual or potential conflict of interest under the above, the remaining trustees may, by a simple majority vote at a quorate trustees' meeting, and under the provisions of sections 175(4) and 175(5) of the 2006 Companies Act, authorise that employees continue to act despite the conflict or potential conflict (other than a direct or indirect personal financial interest).
- 4.7 Any declaration of interest will be requested at the start of any formal committee meeting of TDET, including the MAT Board, Education Committee, Resources Committee and Academy Committees. Other meetings should also consider any declarations of interest where appropriate.

5 Procedure

- 5.1 When an employee identifies that they have a potential conflict of interest, they must:
- Declare it as soon as they become aware of it.
 - Ensure it is entered in the conflict of interest register (ongoing conflicts), and/or recorded in the appropriate board minutes (one-off conflicts). The TDET register will be held and maintained by the Director of Resources as the Company Secretary (Appendix A).
 - Not take part in any board discussions relating to the matter.
 - Not take part in any decision making related to the matter.
 - Not be counted in the quorum for decision making related to the matter.
- 5.2 All decisions under a conflict of interest will be recorded by the meeting secretary and reported in the minutes of the meeting. The report will record:
- The nature and extent of the conflict;
 - An outline of the discussion;
 - The actions taken to manage the conflict
- 5.3 If an employee is unsure what to declare, they should err on the side of caution and discuss the matter with the Chief Executive for confidential guidance.