

Conflicts of Interest and Declaration of Interests Policy

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Purpose, Scope and Principles

AS2Educate is committed to maintaining the highest standards of integrity, honesty, transparency and accountability in all aspects of its work. Children and young people, families, commissioning Local Authorities and partner agencies must have confidence that decisions are made fairly, objectively and solely in the best interests of the provision and those we support.

This Policy sets out the arrangements for identifying, declaring and managing actual, potential and perceived conflicts of interest to protect the integrity of decision-making and maintain public confidence in AS2Educate.

A conflict of interest does not necessarily indicate wrongdoing. Conflicts may arise naturally through personal relationships, outside interests or professional responsibilities. What is important is that they are identified promptly, declared openly and managed appropriately.

This Policy applies to employees and, where appropriate, to directors, volunteers, agency staff, contractors, consultants and any other individuals acting on behalf of AS2Educate.

This Policy supports AS2Educate's commitment to ethical governance, safeguarding, transparency and accountability, ensuring that decisions are made solely in the best interests of children, young people and the organisation.

What is a Conflict of Interest?

A conflict of interest exists where an individual's personal, financial or other interests could influence, or reasonably be perceived to influence, the decisions they make whilst acting on behalf of AS2Educate.

Conflicts may be:

Actual – where a conflict currently exists.

Potential – where circumstances could give rise to a conflict in the future.

Perceived – where others could reasonably believe a conflict exists, even if this is not the case.

The appearance of a conflict can be as damaging to confidence and trust as an actual conflict and should therefore be declared and managed appropriately.

Identifying Conflicts of Interest

Individuals are expected to consider whether their personal interests could affect, or appear to affect, their professional judgement.

Examples include, but are not limited to:

- involvement in the recruitment, supervision, appraisal or disciplinary management of a relative, partner or close friend;
- personal, financial or business interests in organisations providing goods or services to AS2Educate;

- outside employment or consultancy that could affect professional responsibilities or create competing interests;
- ownership of, or financial interests in, organisations working with AS2Educate;
- accepting gifts, hospitality or benefits that could reasonably influence decision-making;
- involvement in investigations or complaints concerning friends, relatives or colleagues with whom there is a close personal relationship;
- personal relationships that could affect professional objectivity; or
- using confidential information obtained through employment for personal benefit or the benefit of another person or organisation.

Personal relationships between employees do not automatically constitute a conflict of interest. However, they may give rise to an actual, potential or perceived conflict where they could influence, or reasonably be perceived to influence, professional judgement, decision-making or organisational integrity.

Staff are expected to declare any such relationships where they may reasonably be perceived to affect their professional responsibilities, including where they involve:

- personal or close relationships that could affect professional objectivity, impartiality or decision-making; and
- line management, supervision or decision-making responsibilities involving a relative, partner or person with whom there is a close personal relationship.

Where there is any doubt, individuals should declare the matter and seek advice.

Declaring a Conflict of Interest

All actual, potential or perceived conflicts of interest must be declared as soon as they become known. This includes circumstances where a personal relationship develops after employment has commenced and may give rise to an actual, potential or perceived conflict of interest.

Declarations should normally be made to the Provision Manager.

Where the conflict relates to the Provision Manager, the declaration should be made to the Assistant Provision Manager with responsibility for Human Resources.

Declarations should include:

Declarations will be handled sensitively and shared only with those who need the information to assess, manage or monitor the conflict.

- the nature of the conflict;
- the individuals or organisations involved;
- any financial or personal interests;
- any decisions or activities that may be affected; and
- any action already taken to manage the conflict.

Declarations will be handled sensitively and shared only with those who need the information to assess, manage or monitor the conflict.

All declarations will be recorded within AS2Educate's Register of Interests. Staff will also complete an Annual Declaration of Interests, including where they have no interests or conflicts to declare. Individuals who are uncertain whether a circumstance constitutes a conflict of interest should declare the matter and seek advice rather than assume no conflict exists.

Managing Conflicts of Interest

Once a conflict has been declared, AS2Educate will assess whether any action is required to protect the integrity of decision-making.

Depending on the circumstances, this may include:

- no further action where the conflict presents minimal risk;
- recording the declaration for transparency;
- withdrawing the individual from discussions or decision-making;
- reallocating responsibilities to another member of staff;
- appointing an independent investigator or decision-maker;
- obtaining independent advice; or
- implementing any other proportionate control measures considered appropriate.

Where a conflict arises because of a personal relationship between members of staff, AS2Educate will take proportionate steps to manage the conflict. This may include changes to line management arrangements, recruitment panels, disciplinary or grievance processes, complaint investigations, safeguarding decision-making or other responsibilities where independence and impartiality are required.

Individuals must comply with any arrangements put in place to manage a declared conflict.

Recruitment, Employment and Decision-Making

To maintain fairness and transparency, individuals must not participate in recruitment, promotion, appraisal, disciplinary proceedings or other employment decisions involving a relative, partner, close friend or any person where a conflict of interest exists unless the conflict has been declared and appropriate safeguards have been implemented.

Where appropriate, decision-making responsibilities will be transferred to another suitably qualified and impartial member of staff.

Procurement, Commissioning and Financial Interests

Individuals involved in purchasing, commissioning services or approving expenditure must act solely in the best interests of AS2Educate.

Any personal, financial or business interest in a supplier, contractor or service provider must be declared before any decision is made.

Individuals with a declared conflict must not influence, recommend or approve procurement or financial decisions where that conflict exists.

Gifts, Hospitality and Personal Benefits

Staff must not solicit or accept gifts, hospitality or personal benefits that could reasonably be perceived to influence their professional judgement or decision-making.

Modest gifts offered as a genuine expression of appreciation may be accepted where appropriate, provided they do not create an actual or perceived conflict of interest. Cash gifts or cash equivalents should not be accepted under any circumstances.

Any significant gifts, hospitality or benefits should be declared to the Provision Manager and recorded where appropriate.

Training and Awareness

All staff will receive guidance on recognising, declaring and managing conflicts of interest as part of their induction and through ongoing professional development where appropriate.

Managers will ensure staff understand their responsibilities under this Policy and know how to seek advice where uncertainty exists.

Breaches of this Policy

Failure to declare a known conflict of interest, misuse of position, or attempting to influence decisions for personal gain may constitute misconduct and will be managed in accordance with AS2Educate's disciplinary procedures.

Depending on the circumstances, breaches may result in:

- management action;
- disciplinary action;
- removal from specific duties or decision-making responsibilities;
- termination of contracts or appointments where appropriate; or
- referral to external agencies where required by law.

Deliberate failure to disclose a conflict of interest will normally be treated more seriously than a conflict that has been declared promptly and managed appropriately.

Records

AS2Educate will maintain a confidential Register of Interests recording:

- declarations received;
- the assessment undertaken;
- actions agreed;
- review dates; and
- confirmation when the matter has been resolved or closed.

Information will be managed in accordance with AS2Educate's Data Protection and GDPR Policy. Access to the Register of Interests will be restricted to those with a legitimate management or governance need to know.

The Register of Interests will be reviewed at least annually by the Provision Manager, with any required follow-up action recorded and monitored to completion.

Monitoring and Review

The Provision Manager will monitor the implementation of this Policy by reviewing the Register of Interests, annual declarations, procurement and commissioning decisions where appropriate, recruitment processes where conflicts have been declared, declarations arising from workplace relationships, any patterns or recurring concerns, and compliance with this Policy.

This Policy will be reviewed annually, or sooner where changes in legislation, organisational structure or operational practice require earlier review.

Learning identified through declarations or conflict management will be used to strengthen governance, improve transparency and support continuous improvement across AS2Educate.

AS2Educate Conflicts of Interest and Declaration of Interests Form**Purpose**

This form must be completed by all employees, volunteers, contractors, consultants and any other individual acting on behalf of AS2Educate to declare any actual, potential or perceived conflict of interest, or to confirm where no such conflict exists as part of the Annual Declaration of Interests.

The purpose of this declaration is to promote transparency, protect the integrity of decision-making and ensure that conflicts of interest are identified and managed appropriately in accordance with the AS2Educate Conflicts of Interest and Declaration of Interests Policy.

This form should be completed:

- on commencement of employment or engagement;
- annually as part of the Annual Declaration of Interests;
- whenever a new conflict of interest arises; or
- whenever circumstances change that could create an actual, potential or perceived conflict of interest.

Section 1 – Personal Details

Full Name:

Job Title / Role:

Department (if applicable):

Date:

Section 2 – Declaration of Interests

Please indicate whether any of the following apply to you. If none apply, you should answer No to each declaration.

Declaration	Yes	No
I have a financial, business or commercial interest that could conflict with my role at AS2Educate.	☐	☐
I undertake paid employment, voluntary work or consultancy outside AS2Educate that could create an actual, potential or perceived conflict of interest.	☐	☐
I have a family member, partner, close friend or personal relationship that could affect, or reasonably be perceived to affect, my professional judgement or decision-making.	☐	☐
I am involved in the recruitment, supervision, appraisal, disciplinary management or other decision-making involving someone with whom I have a personal relationship.	☐	☐

I have an interest in an organisation, supplier, contractor or service provider that works with, or may work with, AS2Educate.	☐	☒
I have received, or been offered, a gift, hospitality or personal benefit that could reasonably be perceived to influence my professional judgement.	☐	☐
I am aware of any other actual, potential or perceived conflict of interest that should be declared.	☐	☐

Note:

Personal relationships between employees do not automatically constitute a conflict of interest. However, where they could affect, or reasonably be perceived to affect, professional judgement, recruitment, supervision, safeguarding, complaints, disciplinary processes or other decision-making, they must be declared.

Section 3 – Details of the Declared Interest

If you answered **Yes** to any of the declarations above, please provide details.

Nature of the interest or conflict

Individual(s) or organisation(s) involved

How could this affect, or reasonably be perceived to affect, your professional responsibilities or decision-making?

What action (if any) have you already taken to manage the conflict?

Section 4 – Individual Declaration

I confirm that:

- the information provided in this declaration is true and complete to the best of my knowledge;
- I have read and understood the AS2Educate Conflicts of Interest and Declaration of Interests Policy;
- I understand my responsibility to declare any actual, potential or perceived conflict of interest as soon as it becomes known;
- I will notify AS2Educate promptly if my circumstances change or a new conflict of interest arises;
- I understand that failure to declare a known conflict of interest may result in management or disciplinary action.

Name:

Signature:

Date:

Section 5 – Management Assessment

(To be completed by the Provision Manager or the Assistant Provision Manager with responsibility for Human Resources.)

Has a conflict of interest been identified?

- ☐ No
- ☐ Yes

Classification

- ☐ Actual Conflict
- ☐ Potential Conflict
- ☐ Perceived Conflict

Management Decision

- ☐ No further action required
- ☐ Record declaration on the Register of Interests
- ☐ Individual to withdraw from relevant decision-making
- ☐ Responsibilities reallocated
- ☐ Independent advice or investigation required
- ☐ Other (please specify)

Details of any management arrangements

Review Date (if applicable)

Manager Name:

Signature:

Date:

Office Use Only

Declaration recorded on the AS2Educate Register of Interests

- ☐ Yes
- ☐ No

Date Recorded:



Recorded By:

Review Date (if applicable):

Date Closed:

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Reviewed by:	Richard Fihosy and Claire Ames
Policy Commencement Date:	02.09.2021
Ratified by:	Provision Manager and DSL
Review:	Annual
Next Review:	Autumn Term 2027
Review Date 08.03.24 Richard Fihosy	Page and Sections Page 1 - Former Provision Manager's name was deleted.
Review Date August 25	Full Policy Review
Review Date August 26	Full Policy Review