

# United Learning Business Interests, Gifts and Hospitality Policy

## (Managing conflicts of interest and related party transactions)

### 1. Scope

The policy and procedure set out in this document applies to all staff employed by United Church Schools Trust ("UCST") and United Learning Trust ("ULT") including teaching, non-teaching, fixed-term, part-time, full-time, permanent and temporary staff. The two companies (UCST and ULT) are referred to in this policy as 'United Learning'. It also applies to Trustees and members of Local Governing Bodies and School Improvement Boards.

In light of the charitable status of the Group and its commitments around regularity, propriety, compliance and Value for Money, the policy and procedures in this document are mandatory.

It is important for anyone involved in spending School money to demonstrate that they do not benefit personally from the decisions they make.

### 2. Introduction

Trustees have a legal obligation to act in the best interests of United Learning and in accordance with the Charities' articles of association; and to avoid situations where there may be a potential conflict of interest.

Conflicts of interests may arise where an individual's personal or family interests and/or loyalties conflict with those of United Learning. Such conflicts may create problems that:

- inhibit free discussion;
- result in decisions or actions that are not in the interests of United Learning; or
- risk the impression that United Learning has acted improperly.

The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety.

### 3. Definitions

**Conflict of interest:** Any situation in which an individual's personal interests, relationships or responsibilities they owe to another body, may, or may appear to influence their decision making in relation to United Learning.

**Connected Parties:** Any member or Trustee of United Learning, Head, Governor or employee is considered 'connected' to:

- a relative - a relative/ close family relationship is defined as: a close member of the family, or member of the same household, who may be expected to influence, or be influenced by, the person. This includes, but is not limited to, a child, parent, spouse or civil partner;
- an individual or organisation carrying on business in partnership with the member, trustee or a relative of the member or trustee;



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- a company in which a member or the relative of a member (taken separately or together), and/or a trustee or the relative of a trustee (taken separately or together), holds more than 20% of the share capital or is entitled to exercise more than 20% of the voting power at any general meeting of that company;
- an organisation which is controlled by a member or the relative of a member (acting separately or together), and/or a trustee or the relative of a trustee (acting separately or together). For these purposes an organisation is controlled by an individual or organisation if that individual or organisation is able to secure that the affairs of the body are conducted in accordance with the individual's or organisation's wishes;
- any individual or organisation that is given the right under the trust's articles of association to appoint a member or trustee of the academy trust; or any body related to such individual or organisation;
- any individual or organisation recognised by the Secretary of State as a sponsor of the academy trust; or any body related to such individual or organisation.

**Related Party:** Persons or entities that are closely connected to the charity or its trustees. This includes persons and entities with control or significant influence over the Charity, and parent and subsidiary companies. A full definition of a related party is available in appendix 1 of the Charities SORP.

## 4. Register of Business and Related Interests

**This section applies to Members, Trustees, Local Governing Body members, School Improvement Board members and Senior Leadership Teams at both school and central office (including School Business Managers).**

To avoid any misunderstandings that might arise United Learning maintains a register of business and related interests. The following individuals are required to complete declarations and notify the organisation of any changes:

- Members
- Trustees
- Local Governing Body members
- School Improvement Board members
- Senior Leadership Teams at both school and central office (including School Business Managers).

The following interests must be declared:

- directorships, partnerships and employments with businesses
- trusteeships and governorships at other educational institutions and charities
- relevant material interests from close family relationships\*

The register of interests for Trustees, LGB members, SIB members and the Accounting Officer is published on the United Learning website. The register of interests for other senior leaders will be made available on request.

Prior to making a procurement decision colleagues should check the Trustees' register of business interests (available at [United Learning > About Us > Governance > Trustees](#)), in addition to the register relating to their school/office.

The business interests declaration form is available on the Hub. Your completed form must be returned to the School Business Manager or delegate. Central Office colleagues and Trustees must return forms to the Company Secretary.



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## 5. Transactions with connected parties

**This section applies to all staff.**

Trustees, local governors, employees and connected parties must not use their connection to the Group for personal gain, including payment under terms that are preferential to those that would be offered to an individual or organisation with no connection to the Group.

For every transaction with a connected party all must ensure:

1. Declarations of business interests have been completed as above;
2. Conflicts of interests have been identified, documented and excluded from the transaction;
3. Contracts with connected parties have been procured following UL Procurement Policy;

In order to protect yourselves if you believe you have a real or perceived conflict of interest you should:

- declare that interest at the earliest opportunity by completing a business interests declaration form.
- take yourself out of the decision making process and instead involve your line manager.

If you do have any concerns or queries on particular transactions please contact your Finance Business Partner.

If you have a conflict of interest, you must not be involved in managing or monitoring a contract in which you have an interest and you should be removed from the decision-making process. This will include, but is not limited to, the original decision to enter into a contract with the related party, periodic contract performance reviews and/or contract renegotiation/renewal. Monitoring arrangements for such contracts will include provisions for an independent challenge of bills and invoices, and termination of the contract if the relationship is unsatisfactory.

## 6. Related Party Transactions

**This section applies to members, Trustees and the Chief Accounting Officer.**

A related party transaction is the transfer of resources, services or obligations between related parties, regardless of whether a price is charged.

Any decision to enter into a related party transaction must be approved by the Trustees. Trustees may approve such a transaction if it is in the best interests of the charity in furthering its charitable objects. The Group must pay no more than “at cost” for goods or services worth over £2,500 per financial year when supplied under a related party transaction. Such decisions will:

- be reported to the ESFA prior to the contract or agreement commencing using the ESFA’s related party on-line form (United Learning Trust / Academies only);
- obtain the ESFA’s prior approval for contracts or agreements with related parties exceeding £20,000 and contracts or agreements of any value that would mean the cumulative value with the related party exceeds, or continues to exceed, £20,000 in the same financial year. (United Learning Trust / Academies only);



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- be subject to proper scrutiny and quality control over the goods and services provided for the duration of the contract or agreement;
- be disclosed in the annual accounts as required by the Charities SORP.

## 7. Gifts & Hospitality

**This section applies to all staff.**

The group's gifts and hospitality policy aims to protect employees and trustees from putting themselves in a potentially compromised position with regard to suppliers etc. who may offer gifts or hospitality which if it were accepted might be seen to be influencing our employee or trustee in their decision making. It is very important that the policy is followed and that all offers of gifts and hospitality whether accepted or not are recorded in the gifts and hospitality register. Be reluctant to accept such gifts and consider the perceptions that accepting may create.

### 7.1 Gifts offered or received from an external source

To comply with the UK Bribery Act, a [Register of Gifts and Hospitality](#) (available on the Hub) must be in place for every school, and central office, to record hospitality and gifts both offered and received from an external source i.e. if an offer of a gift or hospitality is made but not accepted it must still be recorded in the register along with those accepted. The register should be held by the school's finance department.

For central office the form must be completed by the person receiving or being offered the gift. The form must then be emailed to the Company Secretary on [Company.secretary@unitedlearning.org.uk](mailto:Company.secretary@unitedlearning.org.uk) where they will be filed and held for audit purposes.

For clarity, a gift would be deemed as such if it results in personal gain to the receiver. Items with an estimated value of less than £20 need not be recorded.

**All people to whom this policy applies (see paragraph 1) must complete this register immediately on receipt or offer of any gift or hospitality from an external source including organisations and parents.**

### 7.2 Giving of gifts or rewards

Each school and central office should have its own clear policy on the giving of gifts to staff, approved by their LGB, ensuring that the value of the gift is reasonable, is good value, and that there is a clear link to the benefit of children's education through the success of the school. All such decisions should be fully documented.

| Version number | Date of issue | Author / Reviewer | Approved by       | Date of Approval |
|----------------|---------------|-------------------|-------------------|------------------|
| 1              | 29/03/2021    | Alison Hussain    | Finance Committee | 25/03/2021       |
| 2              |               |                   |                   |                  |
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