

Register of Interests Policy

Governors and External Members complete a Register of Interests annually, which the Clerk to the Corporation maintains according to the Instrument and Articles of Government.

The Instrument of Government (*Instrument 10*) which was last approved on the 15 July 2019 by the Governing Body is also detailed below for guidance.

10 Governors Not to Hold Interests in Matters Relating to the College

- (1) A Governor to whom paragraph (2) applies will:
 - (a) Disclose to the Corporation the nature and extent of the interest; and
 - (b) If present at a meeting of the Corporation, or of any of its Committees, at which such supply, contract or other matter as is mentioned in paragraph (2) is to be considered, not take part in the consideration or vote on any question with respect to it and not be counted in the quorum present at the meeting in relation to a resolution on which that Governor is not entitled to vote; and
 - (c) Withdraw, if present at a meeting of the Corporation, or any of its Committees, at which supply, contract or other matter as is mentioned in paragraph (2) is to be considered, where required to do so by a majority of Governors of the Corporation or Committee present at the meeting.
- (2) This paragraph applies to a Governor who:
 - (a) Has any financial interest in:
 - i. The supply of work to the College, or the supply of goods for the purpose of the College.
 - ii. Any contract or proposed contract concerning the College; or
 - iii. Any other matter relating to the College; or
 - (b) Has any other interest of a type specified by the Corporation in any matter relating to the College, as defined in the Register of Interests Policy which is available on the College Website.
- (3) This Instrument will not prevent the Governors considering and voting upon proposals for the Corporation to insure them against liabilities incurred by them arising out of their office or the Corporation obtaining such insurance and paying the premium.

- (4) Where the matter under consideration by the Corporation or any of its Committees relates to the pay and conditions of all staff, or all staff in a particular class, a Staff Governor:
 - (a) Need not disclose a financial interest; and
 - (b) May take part in the consideration of the matter, vote on any question with respect to it and count towards the quorum present at that meeting, provided that in so doing, the Staff Governor acts in the best interests of the Corporation as a whole and does not seek to represent the interests of any other person or body; but
 - (c) Shall withdraw from the meeting if the matter is under negotiation with staff and the Staff Governor is representing any of the staff concerned in those negotiations.
- (5) The Clerk to the Corporation will maintain a Register of Interests which will be made available during normal office hours to any person wishing to inspect it.

Best practice within the Further Education sector suggests that the Senior Leadership Team, College Management Team, College Budget Holders and Second Signatories should also complete a Register of Interests to ensure that all decisions relating to financial and non-financial aspects within Middlesbrough College are made without bias, and are deemed transparent.

This is also undertaken on an annual process.

The Finance Department provides the Clerk to the Corporation with the above data.

The Register of Interest Forms are the same forms used by all Governors and External Members.

Person Responsible for Maintaining the Register of Interests

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Head of Governance/Clerk to the Corporation
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Categories of Staff within the Policy

- Governors
- External Members
- Senior Leadership Team
- College Management Team
- College Budget Holders
- Second Signatories

Form Used

See attached.

Guidance Notes

See attached.

Original First Review of the Register

2002 / 2003.

Review of Register

Annually.

Copies Kept

Hard copy within the Clerk to the Corporation's Office for reference.

Electronic copy of the individual Register of Interest held on the L Drive.

Electronic copy of the complete Register of Interest held on the L Drive.

New Members

The Clerk to the Corporation will ensure that all new starters at Middlesbrough College who fall into any of the five categories complete their Register of Interests as soon as possible, and no later than the annual review date.

Policy Review

The Clerk to the Corporation will review the Register of Interests Policy every three years and any amendments will be approved by the Senior Leadership Team and Governing Body.

Register of Members' Interests

(updated October 2021 as per the Conflicts of Interest Policy)

Each member is invited to register all business interests, financial or otherwise, which he or she, so far as he or she is aware, his or her spouse or partner, children or other close relatives may have. The Clerk to the Corporation should be informed whenever circumstances change and interests are acquired or ceased.

Please refer to the guidance notes overleaf, and the provisions in the College's Code of Conduct, which relate to Conflicts of Interest, the Conflicts of Interest Policy and Corporation's Instrument and Articles.

| I,..... as <i>[corporation member] [corporation committee member] [senior staff position held]</i> of <i>[name of college]</i> have set out below my interests* in accordance with the Corporation's Conflicts of Interest policy, College's Code of Conduct and Corporation's Instrument and Articles. | Date on which the interest was last declared |
|---|--|
| Nature of Interest: | |
| Signed: | |
| Date: | |

Register of Interests Guidance Notes

1. Any interest, financial or otherwise, which is likely to, or would if publicly known, be perceived as being likely to interfere with the exercise of independent judgement, should be disclosed to the Governing Body – this should also include any information related to a spouse, partner, child(ren) or other close relative, eg living in the same household, or a dependent, which may be seen to interfere with an independent judgement.
2. The interest will then be recorded in the Register of Interests, which will be maintained by the Clerk to the Corporation.
3. This Register of Interests will enable the disclosure of relevant business interests in a manner that is open, transparent, and demonstrates to the public that such interests have not influenced the Governing Body's decision-taking process.
4. The Register of Interests is open to public inspection.
5. The Governor / External Member or Employee completing the Register of Interests is in the best position to decide what business interests are relevant and should be disclosed. However, they may find it helpful to consider whether any particular interest should be disclosed by reference to the following headings, which are set out as general guidelines. Further advice and guidance, if required, can be obtained from the Clerk to the Corporation.

| Category of Interest | Information to be Disclosed |
|--|--|
| Paid employment. | Name of employer |
| Self-employment. | Names of significant customers / clients accounting for more than, say, 10% of income of individual or firm |
| Directorships of commercial companies. | Name of companies |
| Significant shareholdings. | Name of companies in which the Governor / External Member or Employee owns, say, 5% or more of the issued share capital |
| Elected office. | Name of authority |
| Trusteeships or participation in the management of charities and other voluntary bodies. | Name of body |
| Public appointments (paid or unpaid). | Name of body |
| Memberships of professional bodies and trades or other associations. | Name of body |
| Gifts or hospitality in excess of £10 accepted from contractors, organizations, firms or individuals in the last 12 months | Detail of gift and when reported to the Clerk to the Governing Body (as per the Gifts and Hospitality Policy – March 2020) |
| Any contractual relationship with the Corporation (or any company or other organization connected to the Corporation) | Detail and name of body |
| Any other interests which you consider appropriate to disclose and are not covered by the above. | Detail |