



CONFLICTS OF INTEREST POLICY

Effective for employees, students, directors, and volunteers on or after 1 September 2023

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Date of next Review : October 2026

Please Note: A formal, full review of this document will take place on a 3-yearly basis. However, in the interim, the document will be updated as necessary to remain current with any statutory legislation and/or significant Government guidance and updates on the subject.

DOCUMENT CONTROL

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CHANGE AUTHORITY: THE BOARD OF TRUSTEES

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Signature:



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SCOPE

1. This policy works alongside the Conflict of Interest Declaration Form.
2. This Conflict of Interest Policy applies to all employees, volunteers, contractors, partners, service providers and Learners. This will also include employees of other organisations who are based in, or work at, ESS Education and Support Services occupied premises.
3. The policy relates to all activity carried out by ESS Education & Support Services, at all geographical locations where ESS deliver services.
4. The Policy relates to individuals including, but not limited to the following relationships:
 - External Consultants or ESS Education & Support Services staff that have a non - professional relationship with another individual at ESS.
 - External Consultants that have an interest or history with ESS Education & Support Services
 - External Consultants, working for ESS Education & Support Services who have an interest or history with a competitor/potential competitor of ESS.
 - ESS staff who have a commercial interest in:
 - Any ESS bespoke activities, events, contracts or projects
 - The success of any of ESS's competitors/potential competitors.

INTRODUCTION

ESS Education & Support Services is a charitable incorporated organisation who work with schools, local authorities and families in the South-West to provide bespoke alternative learning provisions for children, young people and vulnerable adults who have disengaged with traditional education delivery and/or have additional learning support needs.

Due to the nature of the work ESS Education & Support Services undertakes, ESS has links with a number of businesses, schools and Councils within the South West. These links may potentially result in Conflicts of Interest, which will need to be registered, reviewed and any actions identified, addressed.

This policy has been formulated to provide guidance on this process; to enable ESS Education & Support Services to provide assurance that conflicts of interest are effectively managed to ensure integrity of the work carried out by ESS.

DEFINITION:

Conflicts of Interest may occur where a member of staff, has a relationship and/or a vested interest in an aspect of ESS Education & Support Services' business interest, which may colour their perceptions and potentially adversely affect the duties they carry out for ESS Education & Support Services

The main areas identified as of particular risk in relation to Conflict of Interest are:

- Schools/Authorities?
- ESS Contracts (relationships between staff members and external contract contacts)
- Consultants (relationships or commercial interest in ESS Education & Support Services competitors).

RESPONSIBILITIES:

All employees, contractors, partners, service providers, learners and employees of other organisations, who are on ESS Education & Support Services premises and co-located sites will be accountable for notifying ESS Education & Support Services if a Conflict of Interest arises.

This policy is intended to provide protection for staff, against any criticism or suggestion of inappropriate behaviour relating to a conflict of interest; by providing a process for recording, reporting and managing such conflicts.

CONFLICTS OF INTEREST - DISCLOSURE PROCESS

All ESS Education & Support Services staff (wherever based in the organisation) have a responsibility to disclose any actual or potential conflict of interest.

The steps for doing this are as follows:

1. The individual should inform their manager of the Conflict of Interest.
2. The individual should then complete the Conflict of Interest Declaration Form (see Annex A) providing the following information:
 - The Name/description of all parties involved in the Conflict of Interest/potential Conflict.
 - The type of potential conflict
 - The nature of the activity to which the conflict relates
 - The potential financial interests/rewards (direct or indirect) which could arise from the conflict
 - Any other conflicts/potential conflicts to declare
 - Any other information the individual is able to share, to assist ESS to effectively assess the disclosure.
3. The individual should send the completed Conflicts of Interest Declaration form to their Line Manager
4. The Line Manager should assess the Declaration Form or escalate to the Contracts, Audit and Compliance Manager, as appropriate.

CONFLICTS OF INTEREST - REVIEW PROCESS

The line Manager and/or the Chief Executive Officer will review the Conflict of Interest (Col) Declaration form and:

5. Seek clarification from the individual submitting the Col declaration form; to ensure there is a full understanding of the conflict and any potential ramifications.
6. Identify whether the conflict:
 - Can be managed appropriately via a proposed and ongoing agreement to demonstrate the conflict is managed and that the individual's personal interests show

- no conflict or apparent conflict and are acceptable without the need for further review.
- Requires further review at a higher level, to determine additional activities required to demonstrate ESS Education & Support Services due diligence and management of the risks arising from the declared conflict.
7. Arranges higher level review if required.
 8. Agrees activities and safeguards with the individual, in a proposed and ongoing agreement, to manage the risks arising (if any) from the declared conflict.
 9. Ensures any agreed actions/activities are instigated to manage any risks identified from the conflict.
 10. Complete and update the Conflicts of Interest Register accordingly.
 11. Undertake a review of the Conflicts of Interest Register on a quarterly basis, following up on individuals who have declared conflicts to:
 - Ensure any activities that were identified as necessary on an ongoing basis, are being undertaken
 - Agree further activities with individuals if required
 - Update the register if/as required and
 - Provide a report to the ESS Education & Support Services Trustee Board on the current situation around Conflicts of Interest.
 12. The ESS Trustee Board will review the Conflicts of Interest Register to ensure ESS Education & Support Services are carrying out all necessary due diligence and to identify and ensure any additional activities to manage risks are undertaken.

ANNEXES:

- Annex A: Conflict of Interest Declaration Form
- Annex B: Conflict of Interest Log



Annex A: Conflict of Interest Declaration Form

ESS Education & Support Services

CONFLICT OF INTEREST DECLARATION FORM

Name (please print):

Date:..... Position:

It is the policy of ESS Education & Support Services to address how issues of actual, potential and perceived conflicts of interest, should be identified, disclosed and managed.

What is a Conflict of Interest?

A conflict of interest occurs when:

- a situation arises in which the concerns or aims of two different parties are incompatible.
- a situation takes place where a person is in a position to derive personal benefit from actions or decisions made in their official capacity

For example, an external, independent member of the ESS Education & Support Services Trustee Board; may use their position on the Board to recommend changes or activities that will result in a benefit to them personally. As members of the Board are supposed to independent and impartial, this would be a conflict of interest.

This form is designed to identify and disclose known conflicts, so they can be properly managed.

My answers to this disclosure form are correctly stated to the best of my knowledge and belief.

Should a possible conflict of interest arise in my responsibilities to ESS Education & Support Services, I recognise that I have the obligation to notify, based on my position, the appropriate designated Chief Executive Officer and to abstain from any participation in the matter until ESS Education and Support Services can determine whether a conflict exists and how that conflict shall be resolved. If any relevant changes occur in my affiliations, duties, or financial circumstances, I recognise that I have a continuing obligation to file an amended "Conflict of Interest Disclosure Form" with ESS Education & Support Services.

I understand that the information on this form is solely for use by ESS Education & Support Services and is considered confidential information. Release of this information within ESS Education & Support Services will be on a need-to-know basis only. Release to external parties will only take place when required by law.

Signature

Date

Please complete the following questions and submit this form to the Chief Strategy Officer

1. Do you or a member of your immediate family have a relationship with anyone and/or a commercial interest which could be considered a Conflict of Interest or could lead to a Conflict of Interest?

_____Yes _____No

If yes, please list the parties (individuals and companies) involved in the Conflict of Interest/potential conflict and how they are connected.

2. What type of Conflict of Interest/Potential Conflict is involved? Please describe the nature of activity that may be causing a Conflict of Interest.

3. What type of financial/other interests and rewards could be accrued from this Conflict of Interest?

4. Have you or an immediate family member accepted gifts, gratuities, lodging, dining, or entertainment that might reasonably appear to influence your judgment or actions concerning the business of ESS Education & Support Services?

_____ Yes _____ No

If yes, please provide details below:

5. Do you have any other Conflicts of Interest to disclose?

_____ Yes _____ No

If yes, please provide details below:

6. Is there any other information you can share to assist ESS to evaluate the disclosure?

_____ Yes _____ No

If yes, please provide details below:



Please add additional pages as needed.

If any material changes to the responses provided on this disclosure form occur, the governor is required to update the information on this form in writing and submit the update to the Chief Executive Officer at ESS Education & Support Services.

Form reviewed by:

Conflicts of Interest Log updated on (provide date):

Remedial Action(s) to be taken:	By Whom:

ESS Education & Support Services will follow-up on all recommended actions to ensure compliance



Annex 2 - Conflict of Interest Register– ESS

Date	Name (A) (Individual with Conflict/potential conflict)	Description of Conflict of Interest	Reviewer Name	Management Measure Action Identified	Date Reviewed/ Action completed