

SCHEDULE

(Regulation 10)

Pecuniary interests and other specified conflicts of interest

Pecuniary interests

1.—(1) For the purposes of regulation 10, a pecuniary interest in a contract, proposed contract or other matter includes a case where—

- (a) a relevant person was nominated or appointed to an office as a member of a collaborating education body by a person with whom the contract was made or is proposed to be made;
- (b) a relevant person is a partner of a person, or is in the employment of a person, with whom the contract was made or is proposed to be made; or
- (c) a relative of a relevant person (including their spouse or civil partner within the meaning of the Civil Partnership Act 2004⁽¹⁾ or someone living with that person as if they were that person's spouse or civil partner), to the knowledge of that relevant person has, or would be treated as having, such an interest.

(2) For the purposes of regulation 10, a relevant person is not to be treated as having a pecuniary interest in any matter—

- (a) provided that person's interest in the matter is no greater than the interest of the generality of those paid to work for the collaborating education body;
- (b) by reason only of the fact that the person was nominated or appointed to office by, is a member of, or is employed by, any public body; or
- (c) by reason only of the fact that the person is a member of a corporation or other body, if that person has no significant financial interest in any securities of that corporation or other body.

(3) Members of the joint committee are not, by reason of their pecuniary interest in the matter, prevented from considering and voting upon proposals for one or more of the collaborating education bodies to take out insurance protecting its members against liabilities incurred by them arising out of their office and a collaborating education body is not, by reason of the pecuniary interest of its members, prevented from obtaining such insurance and paying the premiums.

Appointment as member of the joint committee, chair or clerk

2.—(1) This sub-paragraph applies where a relevant person is present at a meeting of the joint committee at which a subject of consideration is—

- (a) that person's own appointment, reappointment or removal as a member of the joint committee;
- (b) that person's own appointment or removal from office as clerk to, or chair of, the joint committee; or
- (c) if that person is a sponsor governor, any determination under paragraph 2 of Schedule 4 to the Government of Maintained Schools Regulations or paragraph 2 of Schedule 5 to the Federation of Maintained Schools Regulations as to the provision in the instrument of government for sponsor governors.

(2) In any case where sub-paragraph (1) applies, the relevant person's interests must be treated for the purpose of regulation 10(2) as being in conflict with the collaborating education bodies' interests.

(1) 2004 c. 33.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Pay or appraisal of persons working at one of the collaborating education bodies

3.—(1) This sub-paragraph applies where a relevant person who is paid to work for a collaborating education body other than as head teacher or principal is present at a meeting of the joint committee at which a subject of consideration is the pay or performance appraisal of any particular person employed to work for a collaborating education body.

(2) This sub-paragraph applies where a head teacher or principal of a collaborating education body is present at a meeting of the joint committee at which a subject of consideration is their own pay or performance appraisal.

(3) In any case where sub-paragraph (1) or (2) applies, the relevant person's interests shall be treated for the purpose of regulation 10(2) as being in conflict with the collaborating education bodies' interests.

Persons who are members of more than one collaborating education body

4. The fact that a person is a member of a joint committee of a collaborating education body for more than one school or further education body is not under any circumstances to be considered a conflict of interest for the purpose of these Regulations.