



Appendix 1: PTA UK's Guide on managing conflict of interests

(For further information see PTA UK website)

Conflicts of interest are common in charities. This is PTA UK's brief guide to identifying, dealing with and recording conflicts of interest.

What is a conflict of interest?

You have a legal duty under charity law to act in the best interests of your PTA when your committee is making a decision. If there is a decision where you have a personal or other interest, you won't be able to act in the best interests of your PTA. The Charity Commission for England and Wales provides very clear advice on conflicts of interest.

Who does this apply to?

This applies to every elected member of your PTA committee. They are all charity trustees (have the legal right and responsibility for running the association until your next AGM). This includes office holders (your Chair, Secretary, Treasurer Etc.) as well as ordinary committee members (who don't hold an office).

How does our PTA stop a conflict of interest happening?

Conflicts of interest in charities are common – having a conflict of interest doesn't mean you've done something wrong. Your committee needs to act to prevent a conflict of interest stopping it from making a decision in the best interests of the PTA.

What conflicts of interest are common in PTAs?

Almost all PTA members are parents of children that are beneficiaries of the PTA's activities. Care needs to be taken that parents are not putting the interests of their children first when making decisions about how the PTA operates. This can also apply to members of school staff who are part of the PTA committee when decisions may benefit their class or subject area.

Your committee may also contract a committee member for the supply of goods and services (see clause 9.2 of the PTA UK model constitution). For example, a parent who runs a fencing firm who is contracted by the PTA to mend the school fence, paid for by the PTA as requested/agreed by the school. This is a conflict of interest for this member; they cannot vote on appointing themselves to do work on behalf of the PTA.

How does a PTA identify conflicts of interest?

Under charity law, it is a legal requirement that conflicts of interest are declared as soon as you are aware there is a possibility your personal or other interest could influence your decision-making. Charities usually do this by opening all meetings by asking for conflicts of interest to be declared. Use this to build a register of interests that can be updated as new trustees are appointed. This can be a simple list of interests which can be routinely attached to committee meeting minutes or made accessible through your PTA's online account as part of your PTA UK membership.

How does our PTA deal with a conflict of interest?

It is usual and a requirement of the PTA UK model constitution (see clauses 9.3 to 9.3.4) that any committee member with a conflict of interest would withdraw from any discussion of or vote on that issue. Other methods, given the conflicts of interest common to PTAs, include:

- ensuring there is a good mix of parents from a variety of year groups represented on the committee;
- consulting the school, parents and pupils on how the PTA's funds should be distributed; and
- over a period of time, ensuring that all year groups within the school benefit equally from the support of the PTA.

Where a clear conflict of interest arises, make sure that this is recorded in the meeting minutes alongside what has been done to deal with the conflict (i.e.: ask the committee member concerned to withdraw from the discussion/vote). This is to protect your PTA: if a decision of your PTA is challenged on the basis of a conflict of interest, you can easily show what steps have been taken and how your decision is still valid. Lastly, have a conflicts of interest policy.