

Conflicts of Interest Policy

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Authorisation & Document Control

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Version History

Version	Author	Issued	Summary of Changes
1.0	Jacqueline Hall	December 2016	Version 1.0
2.0	Jacqueline Hall	April 2017	Updated to reflect ESFA funding rules
3.0	Jacqueline Hall	July 2017	Updated following policy review group: <ul style="list-style-type: none"> Assessors now included in scope Additional panels included in scope Judgement / referral now via sector assessment and assurance panel chair as opposed to governing body chair The requirement to undertake EPA training added All declarations to be in writing Mitigating COI now split into panels and end-point assessment delivery Identification of a possible change to approach in 2017/18 to enhance training and reduce the need for multiple declarations
4.0	Sandie Shastry	October 2018	Front page, contents page and version control added Document History relocated
5.0	Helen Hawkins	November 2019	Authorisation and document control added Policy updated for clarity and to ensure alignment to the IfATE's External Quality Assurance framework

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Definitions

Adverse effect

An act, omission, event, incident, or circumstance which:

- gives rise to prejudice to apprentices or
- adversely affects
 - the ability of the Energy & Utilities Independent Assessment Service (EUIAS) to undertake the development, delivery and/or final grading of end-point assessment activity in accordance with the Education and Skills Funding Agency's Conditions of Acceptance and/or the Institute for Apprenticeships and Technical Education's External Quality Assurance framework
 - public confidence in the EUIAS and/or apprenticeship standard and/or end-point assessment

Assessor

A person approved by the EUIAS to undertake end-point assessment.

Conflict of interest

A set of circumstances that creates a risk that professional judgement or actions regarding a primary interest will be unduly influenced by a secondary interest.

Interest

A commitment, obligation, duty or goal associated with a role.

Purpose

Effective management of conflict of interest, and risk of conflict of interest, is pivotal to ensuring independence and assuring the reliability of end-point assessment decisions. This policy defines the requirements for the identification, declaration, management and recording of conflicts of interest.

Related Legislation and Guidance

The EUIAS is guided by the Nolan Principles: selflessness, integrity, objectivity, accountability, openness, honesty and leadership.

The Bribery Act 2010 places specific responsibility on organisations to have in place appropriate procedures to prevent bribery and corruption taking place.

All declarations of interest are subject to disclosure under the Freedom of Information Act 2000.

Scope

This policy applies to all individuals or organisations operating on behalf of or contributing to the business operation of the EUIAS. This includes employees, associates, contracted partner organisations and members of all governance structures and panels.

Identifying a Conflict of Interest

A conflict of interest exists if the interests of an individual or organisation are reasonably believed to conflict with the interests of the EUIAS, and in particular, with the ability of the EUIAS to conduct valid assessment of apprentices

This policy is intended as a guide to the kinds of interests that should be declared and when they should be declared. If in doubt, all interests must be declared.

Types of Interests

Interests can be specific or non-specific, financial or non-financial. An interest is 'specific' if it relates directly to the matter under consideration. An interest is 'non-specific' if it does not relate directly to the matter under consideration

Financial Interests

A financial interest is one where there is or appears to be, opportunity for personal or non-personal (organisational) financial or intellectual property gain in relation to end-point assessment outcomes or other perceived advantage.

Examples of personal financial conflicts of interests could include:

- an assessor advising on the design of end-point assessment tools for an apprenticeship standard whilst carrying out work for an organisation that has selected the EUIAS as their end-point assessment organisation for the standard
- an assessor carrying out end-point assessment activities for an organisation that they hold shares in, or a financial interest in an organisation that may become a competitor to EUIAS

Examples of non-personal (organisational) financial conflicts of interests could include:

- payment or other benefit to a department or organisation in which the individual is employed but which is not received personally, prior to joining a SAAP or being approved as an assessor.

Non-financial Interest

Examples of non-financial conflicts of interest include:

- An assessor that has expressed a clear opinion about end-point assessment which could reasonably be interpreted as prejudicial to the delivery of end-point assessment
- An assessor is related to the apprentice
- A Sector Assessment Assurance Panel (SAAP) member that is the employee of the apprentices when the end-point assessment of the apprentices is under discussion at the SAAP

Managing Conflicts of Interest

The end-point assessment service delivered by the EUIAS is managed as a separate and independent function of Energy & Utility Skills. Conflict of interests will be managed proactively.

Governing Body, Sector Assessment Assurance Panel and other Panel Members

The EUIAS Governing Body, SAAP and other panel members must consider if they have an interest in the specific area of end-point assessment under consideration which might have an adverse effect on their judgement and objectivity.

It is recognised that many Governing Body and SAAP members will be utilising the Apprenticeship Service to access funding for apprenticeships. While this should be declared, it does not preclude participation in the governance of the EUIAS.

The Chair of all panels will ensure that panel members declare all relevant interests both at least annually, through a conflict of interest declaration, and at the start of each meeting.

Where a conflict of interests is declared, the type of interest and specific circumstances will drive the action required. Actions to redress may include:

- abstain from participation
- leave the meeting for a specific item

- leave the meeting
- stand down from the Governing Body/panel

Assessors

Assessors will undertake end-point assessment training before undertaking end-point assessment activity. This training will include conflict of interest. Assessors will be asked to declare conflict of interests prior to undertaking end-point assessment activity.

Assessors with a declared conflict of interest that may have an adverse effect on the reliability of assessment judgments will not be used in the specific circumstance.

Advice

Where clarity on the provisions of this policy are required, advice must be sought as specified:

Who	Advice sought from
Governing Body Chair	Energy & Utility Skills Board
SAAP Chair	Head of the EUIAS
Members of other panels	Head of the EUIAS
Assessor	EUIAS Assessment Manager

Recording Conflicts of Interest

Declarations of all interests and associated actions will be recorded. Records will be retained for six years after the date the activity took place.

Continuous Improvement

Conflicts of interest declared, and the actions taken to redress will inform the continuous improvement of the EUIAS.