

Conflict of Interest Policy

Telephone: +44 (0) 1923 652 400
Fax: +44 (0) 1923 652 401

Email: customer care@eal.org.uk

Website: www.eal.org.uk

EAL (Excellence, Achievement & Learning Ltd) is registered in England and Wales (02700780).
Registered office: Unit 2, The Orient Centre, Greycaine Road, Watford, Herts, WD24 7GP

Conflict of Interest Policy

Policy Statement

The purpose of this policy is to:

- highlight and illustrate potential situations where conflicts of interest may arise
- identify the principles that EAL will adopt in the management of conflicts of interest
- set out what actions should be taken by individuals who encounter conflicts of interest
- set out how EAL will manage and monitor identified conflicts of interest.

Introduction

The overriding aim as an awarding organisation, and body offering assessment products and services, is to ensure they are fit for purpose, and meet the needs of learners and the associated regulatory requirements.

EAL recognises that key stakeholders and the individuals who work for them will be keen to maintain the integrity of the products and services we offer as well as their own integrity. This policy aims to reflect this.

More importantly, when a conflict or potential conflict is identified by anyone working to assess a learner then EAL should be notified of it. Individuals should always disclose an activity if they are in doubt whether it represents a conflict of interest.

Scope

This Policy is relevant to all stakeholders engaged in the development, delivery, assessment and quality assurance of qualifications, assessment products and services, particularly any person who can influence the outcomes of an assessment process.

It is a regulatory requirement that EAL must take all reasonable steps:

- to ensure that no conflict of interest has an Adverse Effect; and
- where an Adverse Effect is caused, to mitigate the Adverse Effect as far as possible and correct it.

Whenever you play a role in managing a conflict of interest you should ensure that, as far as your role permits, this regulatory requirement is achieved

Relevance

A conflict of interest is where an individual or organisation has competing interests or loyalties. Conflicts of interest can arise in a variety of circumstances and it is likely that individuals working with or for us may encounter potential conflicts of interest from time to time.

Identifying conflicts of interest

All stakeholders within the scope of this policy must actively consider and notify EAL whether a conflict of interest exists or may arise. Potential and actual conflicts of interest must also be identified and managed effectively by EAL staff who are responsible for bringing these to the attention of their line manager and Head of Governance & Regulation.

A conflict of interest may exist in a number of ways (*this is not an exhaustive list*):

- where someone has a position of authority in one organisation which conflicts with their interests in another organisation
- where someone has personal interests that conflict with their professional position
- where training and delivery and awarding rest within one umbrella organisation
- where there is a potential conflict arising from third parties (contractors/consultants) who are working on the development, delivery and award of qualifications and associated assessment materials. *For example, where examiners are marking, or chief examiners are moderating scripts from learners whom they also teach*
- where there is a potential conflict arising from assessment being undertaken by assessment personnel who have a personal interest in the result of the assessment
- where there is potential conflict arising from assessment being undertaken by independent apprentice assessors (IAA) who have been involved in the training and assessment preparation of apprentices. For example:
 - where independent apprentice assessors are assessing apprentices for whom they have also been involved in the teaching or learning
 - where an independent apprentice assessor has prior or existing business relationships with the apprentice's employer.

It is the responsibility of EAL staff to ensure they are familiar with this Policy and the requirement to disclose any activity that has the potential to represent a conflict of interest. If there is uncertainty as to whether or not a particular circumstance presents a conflict of interest then the matter should be discussed in the first instance with a line manager. If required, managers should seek guidance from the Head of Governance & Regulation.

All other stakeholders may raise the matter with our Customer Services Team in the first instance.

Managing Conflicts of Interest

All members of EAL staff are required to declare any potential conflicts of interest on an annual basis and at meetings if a specific issue arises. EAL also requires the completion of a declaration form by individuals and organisations that have an interest or involvement in the development, delivery or award of EAL's products and services.

External Quality Assurers will not be allocated to centres at which they have any previous connection or where there is potential for a conflict in the assessment of a learner.

Recognised Centres

Each centre is required to manage conflicts of interest in relation to internal assessment and quality assurance under the terms of their policies and to bring any unresolved issues to the immediate attention of EAL.

Contracts with centres include a requirement to identify and resolve potential conflicts of interest and will require centres to have similar arrangements in place for their own staff, sub-contractors, sister companies and parent organisations. Centres will not be permitted to operate payment by achievement systems for their staff or subcontractors.

Apprenticeship End Point Assessment

EAL will take all reasonable steps to ensure that where independent apprentice assessors are appointed there is no or limited potential for a conflict of interest to exist.

Assessors will not be allocated to apprentices or employers at which they teach learners, or have other connections.

Monitoring the management of conflicts of interest

The management of potential conflicts of interest are monitored as follows:

- All current and potential conflicts of interest are kept under review as part of the remit of the EAL Governance and Regulation department and Board.
- Conflicts of Interest declarations are sought from stakeholders and logged with the Governance and Regulation Team.
- The aim is to review the policy annually to ensure it remains up to date and fit for purpose.
- The Board considers conflicts of interest at each meeting, in line with the Directors Conflict of Interest Policy.

Governance of conflicts of interest

The Board of Directors have oversight of the responsibility for the implementation of this policy. In meeting their responsibilities the Directors may seek the views of regulators, government departments, other agencies, and/or external advisors as they consider necessary.

Parent Company (Semta)

EAL will not seek to provide or accept preferential treatment to or from Semta and/or Semta Apprenticeship Service (SAS) which would affect learners, centres or other Awarding Organisations and will ensure identification and appropriate management of any conflicts with parent and sister companies within the group.

EAL and Semta will exercise their rights to protect personal data by adhering to the Data Protection Act and restricting data sharing both internally and externally where necessary in the interests of individuals and centres.

EAL will not make the sale of any of its products and services conditional on the purchase of materials or services from Semta.

Other relevant policies

The following policies are also relevant to this Policy:

- Whistleblowing Policy
- Complaints Policy
- Maladministration and Malpractice Policy
- Adverse Effects Policy

Contact us

If you have any queries about the contents of this policy or wish to notify EAL of a potential conflict then please contact our Customer Services Team on 01923 652400, email customercare@eal.org.uk