

Conflict of Interest Policy

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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

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CONFLICT OF INTEREST POLICY

PURPOSE OF THIS POLICY

The purpose of this policy is to protect our integrity as a business and the integrity of our qualifications and assessments. It is designed to support stakeholders by providing guidance on handling possible conflicts of interest that may happen as a result of our role as an awarding organisation and end-point assessment organisation (EPAO).

This policy:

- Highlights and illustrates potential situations where conflicts of interest may arise
- Identifies the principles that EAL will adopt in the management of conflicts of interest
- Sets out what actions should be taken by individuals who encounter conflicts of interest
- Sets out how EAL will manage and monitor identified conflicts of interest

As an Awarding Organisation and End Point Assessment Organisation (EPAO), EAL must make every effort to avoid any potential or actual conflict of interest and/or collusion in the delivery of our qualifications and end-point assessment services.

Any actual or perceived conflict of interest will undermine the outcome of an assessment and potentially the credibility of staff. Therefore where a potential conflict emerges EAL will take appropriate action to ensure that the integrity and validity of the qualifications and end-point assessments are not compromised. This may mean, for instance, removing individuals from any involvement in the quality assurance and/or assessment process where a risk of conflict may exist.

RESPONSIBILITY

This policy applies to any person who carries out any role or activity, for or on behalf of, EAL. This includes:

- All EAL staff (also covered by the Semta Group Conflict of Interest policy)
- Directors
- External consultants and contractors (also covered by Semta Group Conflict of Interest policy)
- Third Party providers (recognised centres)

OTHER RELEVANT POLICIES

The following policies are relevant to this policy:

- Centre Recognition Requirements
- Whistleblowing Policy
- Complaints Policy
- Maladministration and Malpractice Policy

DEFINITION OF CONFLICT OF INTEREST

A conflict of interest exists where either EAL or an individual to whom this policy applies has competing interests or loyalties in the same matter.

Here are some examples of Conflict of Interest (*This is not an exhaustive list*):

- When an individual has a position of authority in one organisation that conflicts with his or her interests in another organisation.
- A tutor/assessor at a centre delivering an EAL qualification where a family member is one of the learners.
- EAL's interest in any activity that could potentially lead EAL to act contrary to its interest in developing, delivering and awarding its products and services
- When an individual has interests that conflict with his or her professional position.
- Where someone works for or carries out work on EAL's behalf, but may have personal interests – paid or unpaid – in another business which either uses EAL products or services, or produces similar products. *For example, where examiners are marking, or chief examiners are moderating scripts from learners whom they also teach*
- Where an individual is undertaking the end-point assessment of apprentices, and have previously trained, managed or assessed the same apprentice(s), during the 'on-programme' phase of their apprenticeship.

Conflicts of interest can:

- Inhibit free discussion.
- Result in decisions or actions that are not in the interests of the centre, learners, awarding organisation, EPAO or the employer.
- Put at risk EAL's reputation that it may have acted improperly

A conflict of interest can appear in the form of:

- Direct financial gain.
- Indirect financial gain e.g. a service or contract is awarded to a relative.
- Non-financial gain when the beneficiary of a service, award or donation is an employee, contractor or trustee

IDENTIFYING CONFLICTS OF INTEREST

All stakeholders within the scope of this policy must actively consider and notify EAL where a conflict of interest exists or may arise.

Recognised Centres

EAL recognised centres are 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. To be effective, a declaration of interests should be completed on initial employment/contract, and then updated at least annually and when and if any changes occur.

EAL's 'Centre Recognition Requirements' requires centres to identify and resolve potential conflicts of interest and confirm that centres must 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.

Centres may raise the matter with our Customer Experience Team in the first instance. The query will be directed to the appropriate Head of Department for review.

EAL Staff and External Consultants / Contractors

Potential and actual conflicts of interest must be identified and managed effectively by EAL staff. It is the responsibility of all staff to bring any conflicts to the attention of their line manager and Head of Governance & Regulation.

All EAL staff delivering products and services on behalf of EAL are required to declare their interests, and any gifts or hospitality received in connection with their role. A declaration of interests form will be provided for this purpose annually, listing the types of interest that should be declared, this is in-line with the Semta Group Policy.

EAL's External Quality Assurance staff can be allocated to centres where they have had a previous connection or involvement in some capacity once confirmation that all assessment and quality assurance activities have been fully completed and learners certificated.

EAL maintains a conflict of interest register to list all potential and actual conflicts of interest in the development, delivery and award of qualifications and assessments. The impact and probability of each conflict is considered and appropriate mitigating actions are implemented to ensure conflicts are managed effectively and within specified timescales.

Apprenticeship - End Point Assessment

EAL will take all reasonable steps to ensure that all staff and assessors involved in end-point assessment are required to declare any interest of friends or family sitting upcoming assessments and it will be necessary to complete and sign a declaration of interest form.

If a member of EAL's independent assessment staff is undertaking end-point assessment and identifies a conflict of interest on the day of the end-point assessment; that previously has not been identified through the declaration; the independent assessor is required to contact the EPAO immediately before any assessment takes place. EAL will contact the Training Provider / Employer and discuss an alternative provision for the end-point assessment of the apprentice(s).

MONITORING THE MANAGEMENT OF CONFLICTS OF INTEREST

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

- EAL's EQAs will monitor conflict of interest at centres.
- EAL Heads of Department and managers are responsible for monitoring and managing any potential and actual conflicts that are identified.
- All current and potential conflicts of interest are kept under review as part of the remit of the EAL Governance and Regulation department monthly meetings.
- Conflict of Interest declarations are sought from stakeholders involved in the development, delivery and award of qualifications and end point assessment services and logged with the EAL Governance and Regulation Team.

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 confidentiality of an individual's personal data and centre details.

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

REGULATORY REQUIREMENT

This policy is written in accordance with the regulatory requirements including:

- Ofqual General Conditions of Recognition August 2018 - Condition: A4
- Qualifications Wales Standard Conditions of Recognition – Condition A4
- CCEA General Conditions of Recognition February 2016 – Condition A4
- SQA Accreditation's Regulatory Principles (2014) – Principle 1

PRIVACY STATEMENT

It is necessary for us to collect and hold personal information about you in order to manage Conflict of Interests correctly. We will hold the information you provide to us securely and use it to help us handle and process any conflict of interests. For more information please access our [Privacy Statement](#) at our website.

WHAT PERSONAL DATA DO WE COLLECT AND WHO HAS ACCESS TO IT

We will ask for your name, contact details, organisation's name and dates of employment, if relevant.

To ensure EAL manages conflicts of interest correctly, all conflicts of interest including those sent to other departments in EAL, including the Responsible Officer or Board members, will be forwarded to the Governance & Regulation Team for recording and action. Your information will be shared internally with limited EAL staff in relevant departments.

REVIEW ARRANGEMENTS

EAL will review the policy annually as part of our self-assessment arrangements. Amendments may be made in response to feedback, best practice or guidance issued by regulators, to align with their policies and processes.

CONTACT US

If you have any queries about the contents of this policy, please contact our Customer Experience Team on telephone: 01923 652400, via email at customer.care@eal.org.uk or via post to:

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