



## **Conflict of Interest Policy**

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Conflict of interest policy	CIP - 01	01	Sept 18	Sept 19

# Conflict of Interest Policy

## Scope

It is the policy of Skills Assessment Ltd to identify conflicts of interest involving Skills Assessment and related parties, as well as to identify situations which may give rise to the appearance of a conflict of interest and to address such conflicts and situations in a manner that will fully protect the integrity of the services provided and reputation of the Skills Assessment, as well as related parties.

This policy applies to all Skills Assessment staff, clients and Apprentices and applies to all external partners and all others working with Skills Assessment, such as consultants who are not current members of staff at Skills Assessment. It also applies to the Board of governance and the directors of Skills Assessment. (The "relevant individual").

It is the responsibility of each individual to recognise situations in which he or she has a conflict of interest or might reasonably be seen by others to have a conflict, to disclose that conflict to the Responsible Officer and to take such further steps as may be appropriate as set out in more detail within the procedures below.

If an individual is uncertain about how the policy might affect his or her activities or has any questions about its application, he or she should contact the Responsible Officer.

## Purpose

The purpose of this policy is to provide guidance to relevant individuals on handling possible conflicts of interest that may arise as a result of Skills Assessment's role as an End Point Awarding Organisation. In accordance with Education & Skills Funding Agency and OFQUAL guidance, Skills Assessment recognises the importance of ensuring integrity, impartiality and independence in assessments. The intent of the policy is to allow relevant individuals to raise disclosures in line with the Public Interest Disclosure Act 1998 without the fear of victimisation and other adverse repercussions.

This Policy:

- Defines what is meant by conflict of interest
- Describes types of conflict of interest
- Identifies procedures for dealing with and managing conflicts of interest

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## Access to the policy

Relevant individuals including partners and staff will be able to access a full suite of Skills Assessment policies by logging into the partner portal on the Skills Assessment Website.

## Reviewing the policy

We will review this policy regularly and make necessary changes where it may be required. The partner portal on the Skills Assessment website always include our most up to date policies.

## Complaints

Relevant individuals have a right to express their dissatisfaction regarding services provided. Please see our Complaints Policy which can be found in the partner portal on the Skills Assessment website.

## Recognition Conflict of Interest

A conflict of interest arises where the commitments and obligations owed by a relevant individual are likely to be compromised, or may appear to be compromised, by:

- That individuals personal gain, or gain to immediate family (or a person with whom the person has a close relationship) \*, whether financial or otherwise; or
- The commitments and obligations that individual owes to another person or body.

There can be situations in which the appearance of conflict of interest is present even when no conflict exists. This is important for all relevant individuals when evaluating a potential conflict of interest to consider how it might be perceived by others, the duty to declare a possible conflict applies to the perception of the situation rather than the actual existence of a conflict. However, the duty is not infringed if the situation cannot reasonably be regarded as likely to give rise to a conflict of interest. Conflicts of interest may be financial or non-financial or both. Further information about both types is set out below.

## Financial conflicts of interest

A financial conflict of interest, for the purpose of this policy, is one where there is or appears to be opportunity for personal financial gain, financial gain to close relatives or close friends, or where it might be reasonable for another party to take the view that financial benefits might affect that person's actions: Financial interests mean anything of monetary value, for example;

Payments

Equality interests (e.g. stocks, stock options or other ownership interests); and/or intellectual property rights (e.g. patents, copyrights and royalties from such rights).

The level of financial interest is not the determining factor as to whether a conflict should be disclosed. What might be 'not material' or 'not significant' for one person might be very significant for another. Good practice in many situations will mean the disclosure of 'any' financial interests, however small. A conflict will arise if the interest might provide, or be reasonably seen by others, to provide an incentive to the individual which affects their actions and where he or she can affect Skills Assessment's decision or other activity (because for example he or she is the decision-maker).

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## Non-financial conflicts of interest

Non-financial interests can also come in to conflict, or be perceived to come into conflict, with a individual's obligations or commitments to Skills Assessment or to other bodies, for example an invigilator who has not disclosed a close relationship with an Apprentice undertaking EPA activities. Such non-financial interests may include any benefit or advantage, including, but not limited to, direct or indirect enhancement of an individual's career, education or gain to immediate family (or with whom the person has a close personal relationship).

## Procedures

It is the duty of every relevant individual to disclose any conflict of interest or any circumstances that might reasonably give rise to the perception of conflict of interest. Apparent perceived conflicts of interest can be as damaging as actual conflicts of interest.

The general rule is that disclosure should be made at the time the conflict first arises, or it is recognised that a conflict might be perceived, in writing to the Responsible Officer (or equivalent). If the Responsible Officer (or equivalent) has an interest in the matter to be discussed, the disclosure shall be made to the person at the next higher level of authority. In most cases this will be to the director of Skills Assessment. It is to be noted that individuals that make a disclosure are also protected under our Whistle-blowing Policy.

Many situations will require a declaration and written record of that declaration, which must be held in the company's records. Some instances will however need to be dealt with by agreeing how the conflict can be actively managed. The approach adopted should be documented and copies provided to the relevant parties. A copy of the final plan must be held in the company's records. One or more of the following strategies may be appropriate to manage the conflict of interest:

- Not taking part in discussions of certain matters;
- Not taking part in decisions in relation to certain matters;
- Referring to others certain matters for decision;
- Informing relevant authorities including our regulators;
- Divesting or placing in trust certain financial interest;
- Publishing a notice of interest;
- Standing aside from any involvement in a particular assessment; and/or declaring an interest to a particular authority or third party.

It is the responsibility of those affected to comply with the approach that has been agreed.

## Managing Conflict

Any conflict of interest should be declared, reviewed and recorded at least annually. Where further action is required, this is to be managed accordingly and recorded.

## Confidentiality

We may need access to confidential information. We will ensure that such information is kept secure and only used for its intended purposes in line with our Data Protection and GDPR policies.

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