

# Conflict of Interest Policy

## End Point Assessment

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## End Point Assessment - Conflict of Interest Guidance

### Introduction

1. This document sets out the policy and procedures governing apprenticeship end point assessments (EPA) delivered as part of our apprenticeship programme for employers.
2. For every end point assessment, we are required to deliver an independent, objective assessment of the knowledge skills and behaviour as set out in the relevant apprenticeship Standard for every apprentice. As a registered End Point Assessment Organisation we must also meet the requirements in the Education & Skills Funding Agency 'Conditions for Organisations on The Register of End-Point Assessment Organisations'.
3. The purpose of this policy is to demonstrate that we understand and meet these conditions and provide a framework for staff to identify, manage and mitigate any conflict of interest that may occur as part of an End Point Assessment.
4. This policy:
  - Defines what is meant by conflict of interest
  - Describes the role of conflict of interest in the context of delivering End-point Assessment
  - Sets out the responsibilities for managing conflict of interest at individual, departmental and organisational level

### Scope

5. This policy covers the delivery of all apprenticeship End-point Assessments undertaken as part of our Apprenticeship programme.
6. The University, as the organisation accountable and responsible for EPA, and the individual assessors and invigilators that we use must be free from any conflicts of interest that could adversely affect their judgement or objectivity in administering and undertaking a robust and consistent EPA. We must ensure that none of the individuals undertaking the EPA are involved in or are responsible for any on-programme delivery, line-management or on-programme assessment of the same apprentice.
7. This guidance applies to all staff, consultants and partner institutions/organisations taking part in or supporting an End-point Assessment as defined above. This includes individuals involved with any aspect of the delivery of an End-point Assessment, and also in the creation, marketing, sales, distribution, marking or any other activity connected with tests and assessments, resources or services used within the End-point Assessment.
8. Explicitly included in scope for this guidance are all employees, contractors, agency or associate staff, including assessment associates, verifiers/examiners and other support roles. This list is not exhaustive. Every individual must complete a Conflict of Interest form (set out at Annex A) when asked to do so, and we will assess the risk and impact based on each set of circumstances.
9. This policy should also be read in conjunction with the following policies and documents, which are available publicly via <https://www1.chester.ac.uk/legal/complaints-procedure>

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- Whistle-blowing Policy
- Complaints Procedure

10. Where mitigating action is needed as a result of a declaration on an Col form, this may mean that an individual will not be able to take part in a specific EPA, or they maybe me moved to different duties. EPA Leads will, working with the [accountable person], consider whatever action is needed to protect the objectivity and integrity of the End-point Assessment.

### Accountabilities and Principles

11. The University Secretary & Secretary to the University Councils accountable for our Conflict of Interest policy and guidance, for the briefing and training of staff and for the management and decisions regarding Col.
12. This responsibility includes the annual review of policy and process, and the action taken regarding instances of conflict of interest or a breach of the conflict of interest policy. The policy and any occurrences or breaches must be reviewed annually as part of the [insert governance group] remit, with any recommendations for action implemented immediately in response.

### EPA Leads

13. EPA leads are responsible for early identification of, and planning for Col as part of their department responsibilities and the planning for every individual EPA.
14. EPA Leads are responsible for ensuring that all individuals contributing to an EPA are clear on the impact of the Policy on their roles and for full implementation of this policy.
15. EPA Leads must ensure that all those in scope complete COI forms prior to each EPA. Where needed the EPA Lead must implement mitigating actions, agreed with the [accountable person] before the EPA commences.
16. Where an EPA is to be hosted at the employer or training provider premises the EPA Lead must as part of the planning process, review any Col risks and, where identified, set out the actions required to avoid potential conflicts of interest in the EPA Plan. This must be documented and evidence that this has been implemented must be included in the EPA record.
17. Individual Col forms must be stored [location] and available as part of internal and external audits.
18. EPA leads are accountable for briefing any contactors, consultants agency or other workers not employed by the university, for collation of the EPA Col Form and agreeing mitigation action as required, liaising with [accountable role]. They must ensure that only the agreed contract template, which includes a requirement to uphold this policy is used between both organisations, or individuals and this organisation. All contracts and Col forms must be in place before the start of the EPA.
19. EPA Leads are responsible for ensuring that all new staff receive conflict of interest training. No individual may take part in the EPA process until this training has taken place.

Managers and EPA Leads are responsible for escalating reports of actual or potential conflicts of interest identified by the EPA Lead, or other routes set out in this policy, to the Senior Management team

20. Individuals are responsibility for ensuring that they are familiar with the Conflict of Interest Guidance, and have complete any required conflict of interest training before under taking an EPA.

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21. Every individual in scope as described in paragraph 7 and 8 above, is responsible for notifying the EPA lead proactively about any Col before each EPA starts using the Conflict of Interest Form (Annex A).
22. Individuals must also notify if, at any point, a conflict of interest arises which is not reflected in their COI form, or for where a Col has not previously been registered. It is the responsibility of all staff, consultants, partner institutions and organisations to protect the independence of the apprenticeship assessment process, and both comply and support others to comply with these guidelines.
23. Individuals must not begin work on any aspect of an EPA as outlined above where they have not submitted a Col form in respect of the employer concerned and, where there is a conflict of interest identified, without having received written instructions from the [accountable person] about their role in the EPA.
24. Every individual is accountable for upholding this policy, and for escalating to EPA leads or Managers, where colleagues, contactors, or other staff involved in the EPA take action, or fail to act in accordance with this policy. Any individual may raise this with the EPA Lead or with the [accountable role]. Individuals can also raise concerns anonymously, by following the process set out in the Whistleblowing Policy.

### Definition of Conflict of Interest

25. A conflict of interest is a situation in which an individual, or organisation, has competing interests or loyalties which could compromise, or appear to compromise, the outcome of an End-point Assessment if it is not properly managed. The list of possible scenarios where a conflict of interest may occur includes:
  - 25.1. The University is involved in both the EPA and the training delivery of a standard.
  - 25.2. An individual may be employed by the University and has links with and /or is also employed in the same organisation as the apprentice,
  - 25.3. When an individual has a position of authority in one organisation that conflicts with his or her interests in another organisation
  - 25.4. An individual involved in EPA has a prior link with the apprentice or their employer for the standard they are assessing against. For example, they may have friends or relatives working with the apprentice, or who have delivered the teaching elements of the apprenticeship.
  - 25.5. When an individual has interests that conflict with his or her professional position where someone works for or carries out work on our behalf,
  - 25.6. Where an individual working on the EPA has personal interests – paid or unpaid – in the employer organisation undergoing the EPA
  - 25.7. At both organisational and individual level, the official role of the individual/organisation undertaking the EPA has any other interests that may compromise their assessment decisions.
  - 25.8. Where an individual participating has a personal or business gain from the outcome of the assessment
  - 25.9. Where an individual undertaking the end-point assessment of apprentices for an organisation within which they have previously worked, trained, managed or assessed the same apprentice.

### Further Advice and Guidance

For further information, advice and guidance please contact

Name: Adrian Lee

University Secretary & Secretary to the University Council

Email: [Adrian.lee@chester.ac.uk](mailto:Adrian.lee@chester.ac.uk)

The conflict of interest policy can be found at [://www1.chester.ac.uk/degree-apprenticeships/policy-info](http://www1.chester.ac.uk/degree-apprenticeships/policy-info)

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- 25.10. The conflict of interest form can be found at <https://www1.chester.ac.uk/degree-apprenticeships/policy-info>
- 25.11. The Whistleblowing Policy can be found at <https://www1.chester.ac.uk/degree-apprenticeships/policy-info>
- 25.12. The ESFA 'Conditions for Organisations on The Register of End-Point Assessment Organisations can be found at <https://www.gov.uk/guidance/conditions-for-being-on-the-register-of-end-point-assessment-organisations>

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# End Point Assessment - Declaration of Interest FORM

This declaration confirms the relationship and interests of staff members involved in the End-point Assessments that the University undertakes as part of our apprenticeship programme. Every member of staff involved in the EPA is required to review and declare with respect to the employer organisation set out below:

- Any personal, financial, familial or other link or interest
- Any financial, familial or other personal interests of spouses, partners or close family members

## Guidance

1. This form should be completed in accordance with the Whistle Blowing Policy available from <https://www1.chester.ac.uk/degree-apprenticeships/policy-info>
2. Declarations must describe the interest clearly and confirm whether this is a direct interest, in that it relates to the staff member or an indirect interest, in that it relates to a staff member.
3. All documents will be held by the University Secretary & Secretary to the University Council contactable on [adrian.lee@chester.ac.uk](mailto:adrian.lee@chester.ac.uk)

<b>EPA Employer Organisation</b>	

<b>'NO INTEREST' DECLARATION</b>	<b>I can confirm that neither I, nor my spouse, partners or other family members have any conflict of interest with the employer organisation named above:</b>		
<b>Signed</b>		<b>Date</b>	
<b>Name</b>			

<b>DECLARATION OF INTEREST</b>		<b>I can confirm that mine, my spouse, partners and other family interests in the employer organisation named above are as set out below:</b>		
<b>Signed</b>			<b>Date</b>	
<b>Name</b>				
<b>Direct</b>	<b>Indirect</b>	<b>Nature of interest</b>		
<b>SPOUSE, PARTNER OR CLOSE FAMILY MEMBERS</b> (Continue on a separate sheet if necessary)				
<b>Name</b>		<b>Their relationship to you</b>	<b>Nature of Interest</b>	

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Action Response: PTO

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<b>ACTION</b>	<b>No Conflict: No action required</b>		
	<b>Conflict: Reassign</b>		
	<b>Conflict: Mitigating Action (see below)</b>		
<b>Authorised Signature</b>		<b>Date</b>	
<b>Name</b>			
<b>Mitigation</b>			
<b>1</b>			
<b>2</b>			
<b>3</b>			
<b>4</b>			

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