

CONFLICT OF INTEREST POLICY

Purpose

This policy outlines our intention to identify and monitor all potential or actual conflicts of interest that may affect the delivery and / or assessment of our regulated qualifications now or in the foreseeable future. It has also been designed to support employers and training providers in identifying potential or actual cases of conflict of interest and how to appropriately manage them.

To reduce the risk of a conflict of interest happening we record possible cases that have been identified to date and any arrangements that are in place to prevent them from occurring.

Excel Me are required to adhere to the General Conditions of Recognition and APAR Conditions of Acceptance relating to End Point Assessment. From time to time, we may be required to provide the regulators with evidence that we are complying with their requirements in relation to conflicts of interest, and to prevent such conflict creating an incident or having an adverse effect on End-Point assessments.

Definition of Conflict of Interest

For the purpose of this policy, we have adopted the definition used by the regulatory authorities regarding conflicts of interest. A conflict of interest exists in relation to Excel Me in the following way:

- Its interests in any activity undertaken by it, on its behalf, or by a member of staff which have the potential to lead it to act contrary to its interests in the development, delivery, and award of qualifications in accordance with the requirements of the regulators conditions of recognition
- A person who is connected to the development, delivery, or award of End Point assessment or has interests in any other activity which have the potential to lead that person to act contrary to their interests in that development, delivery or award and impact on our compliance with the requirements set out by the regulator's conditions of recognition
- An informed and reasonable observer would conclude that either of these situations was the case.

Definition of an Adverse Effect / Identification and Management of Incidents

For the purpose of this policy, we have adopted the definition used by the regulatory authorities regarding an adverse effect / management of incidents:

An act, omission, event, incident, or circumstance has an adverse effect if it:

- Gives rise to prejudice to learners or potential learners, or adversely affects
- Adversely affects the ability of Excel Me to undertake the development, delivery, or award of End point assessment in accordance with its regulatory requirements
- The standards of End Point Assessment that Excel Me makes available or proposes to make available, or
- Public confidence in Excel Me End Point Assessment.

Policy

A conflict of interest is where an individual or organisation has competing interests or loyalties. Conflicts of interest may occur in a variety of circumstances, and it is possible that people working alongside Excel Me may encounter potential conflicts of interest from time to time.

Examples of Conflicts of Interest

It is not possible to provide a definitive list of examples of conflicts of interest that could compromise the integrity of Excel Me End Point assessments. However, the following situations could lead to perceived or actual conflicts of interest (this list is not exhaustive):

- Assessors assessing, marking / quality assuring husband, wife, partner, members of their family or friends
- Assessors, or IQAs assessing / quality assuring their own work
- Personal relationships with partners, family members or friends linked to centre personnel and/or learners that could influence decision making and qualification outcomes
- A member of Excel Me staff with access to Apprentice records has a close personal relationship (or one that could reasonably be perceived as such) with an Apprentice who is undertaking end-point assessment with Excel Me and can access EPA Apprentice records and data e.g. assessment records
- A member of Excel Me staff with a personal interest with an Apprentice or Training Provider/Employer
- Mutually beneficial arrangements with a training provider and Excel Me personnel which may compromise an individual's ability to make reliable and professional judgements
- Where favourable arrangements have been negotiated, for example supplying information to certain individuals and/or groups who are preparing for or carrying out an assessment.

The existence of interests such as those above does not necessarily imply conflict but is likely to give an appearance of conflict and as such should be declared to Excel Me by completing and submitting the conflict-of-interest disclosure form to Excel Me: **info@excelme.co.uk**

Conflicts of interest are a high-risk area to the regulators therefore Excel Me expect all employers and training providers to be aware of any perceived or actual cases of conflict of interest and how to appropriately manage them. If you believe there is a perceived or actual case of conflict-of-interest Excel Me is responsible for putting appropriate measures in place to mitigate any risk to the assessment process or learner journey.

Conflict of Interest Principles

Excel Me are obliged to abide by the following principles when identifying and managing potential and/or actual conflicts of interest:

- All staff must commit to identifying and managing all potential and/or actual conflicts of interest that may affect Excel Me, and in doing so must report these cases immediately
- All staff must be proactive in identifying and managing cases of conflicts of interest that may affect the effectiveness of Excel Me in relation to, compliance with regulatory requirements and/or our reputation
- Staff must be open about any cases of potential and/or actual conflicts of interest and not withhold any information or try to present them in a better light (managing conflicts of interest is about preventing cases from occurring that may have an impact on the operational effectiveness and regulatory compliance at Excel Me)
- Must strive to identify and deal with conflicts of interest as soon as they are identified
- The control for the management of conflicts of interest must be proportionate to the risks associated with the identified cases.

Responsibility to Register a Conflict of Interest

All individuals this policy applies to have a responsibility to report potential and/or actual cases of conflict of interest.

Conflicts of Interest are managed, monitored and maintained by Excel Me. Decisions will be taken by the 'relevant person' - this will be a member of Excel Me staff with the authority to make such a decision. The relevant person will then:

- Assess the nature of the conflict
- Assess the risk or threat to the organisation's functions
- Decide whether the conflict warrants further action/mitigation to be taken
- Decide what steps to take to avoid or manage the conflict or adverse effect.

There may need to be a discussion between the person notifying the potential conflict and the 'relevant person'. The purpose of the discussion is to establish if an actual conflict exists (and whether there is potential for an 'adverse effect') and if so, to reach a decision about how the conflict will be managed.

Responsibility

Employers, training providers and Excel Me staff must comply with this conflict-of-interest policy and ensure ongoing compliance with the following:

Take steps to avoid or reduce any existing or potential conflicts of interest

- Consider how they should manage working arrangements to avoid potential conflicts of interest.

Complete and submit a copy of the conflict-of-interest disclosure to Excel Me

Maintain up to date records of all conflict of interest

- Employers, training providers and Excel Me must maintain accurate records of all existing and/or potential conflicts of interest, details of all mitigating actions must be included.

Update records with any changes in circumstances and notify Excel Me of any changes

- Employers and training providers must notify Excel Me of any changes to circumstances relating to any previously declared conflicts of interest and must submit a new disclosure form to Excel Me, detailing any changes which may lead to new or potential conflicts of interest.

Inspect activities and assessments where there is a conflict of interest that cannot be avoided

- Carry out additional quality assurance monitoring activities in cases where conflicts of interest are unavoidable.

Examples:

- Personal or professional relationship between IQA's, Assessors, and apprentices'
- Instances of mutual quality assurance activities between IQA's.

Procedures for Dealing with Conflicts of Interest

Where any member of personnel at Excel Me, employer organisation or training provider believes there has been a breach of this policy, or if any unforeseen conflicts of interest arise, Excel Me must be notified so this can be investigated further. The process for the above is as follows:

- The conflict-of-interest disclosure must be completed
- If an individual has any changes to their declared circumstances, they must notify Excel Me immediately by completing a conflict-of-interest disclosure.

When all information relating to conflicts of interest are received at Excel Me, they will be evaluated to identify if any further action is required. A written response of the outcome will be held on record for audit and standardisation purposes.

Most situations will not require any further action however by following this process, Excel Me can ensure that any follow up action is appropriately managed.

If a breach of this policy is also classified as an adverse effect, then Excel Me will inform the regulators in accordance with the procedures for dealing with an adverse effect. They will also inform the regulators of the reasonable steps that have been taken or propose steps to prevent, correct or mitigate the adverse effect.

Examples of actions that could mitigate the conflicts are as follows:

- Person(s) not taking part in the assessment or verification
- Referring decisions that affect the competence of apprentice to an independent person
- Agreeing not to be involved in a specific aspect of the assessment activities
- Referring the matter to Excel Me for advice and guidance.

Monitoring and Review

This policy and its procedures will be reviewed regularly for improvements as part of our quality assurance requirements. This will ensure it is fit for purpose, reflects the services we deliver to our centres and that we are providing services which are relevant to the requirements of individual needs.

Excel Me Contact Details

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