



CONFLICT OF INTEREST POLICY

Trainers, Assessors and Internal Quality Assurers

Introduction

This policy outlines the principles and procedures for managing conflicts of interest within Up To Speed Training & Assessment Ltd.

Scope

This policy applies to all Up To Speed Training & Assessment registered trainers, assessors and internal quality assurers, irrelevant of the qualification they deliver on behalf of the Company.

It is the policy of Up To Speed Training & Assessment Ltd that trainers, assessors and internal quality assurers acting on behalf of the centre must be free from conflicts of interest that could adversely affect their judgment or objectivity to the training centre in conducting business activities and assignments. Up To Speed Training & Assessment Ltd recognise that trainers, assessors and internal quality assurers may take part in legitimate financial, business, charitable and other activities outside of Up To Speed Training & Assessment Ltd centre provider roles, but any potential conflict of interest raised by those activities must be acknowledged, disclosed, and in relevant cases properly managed.

It is the responsibility of each individual to recognise situations in which they have a conflict of interest, or might reasonably be seen by others to have a conflict; to disclose this conflict to a member of the management team within the business, and to take such further steps as may be appropriate and set out in more detail under the procedure below.

Definition

A conflict of interest may generally be defined as a conflict between the official responsibilities of a trainer, assessor, and internal quality assurer and any other interests the particular individual may have and as such could compromise or appear to compromise their decisions.

Condition A4 in the [Ofqual General Conditions of Recognition 2011](#) states that a conflict of interest exists in relation to an Awarding Organisation where:

- The organisations interests in any activity undertaken by it, on its behalf, or by a member of its group have the potential to lead it to act contrary to its interests in the development, delivery and award of qualifications in accordance with its Conditions of Recognition.*
- A person who is connected to the development, delivery or award of qualifications by the awarding organisation has interests in any other activity which have the potential to lead that person to act contrary to his or her interests in that development, delivery or award in accordance with the awarding organisations conditions of recognition.*

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- *An informed and reasonable observer would conclude that either of the above situations was the case.*

Conflicts of Interest can be defined as:

- **Actual conflict of interest** *where a conflict exists between your responsibilities and your private interests.*
- **Perceived conflict of interest** *Where it could be seen by others that your private interests could improperly interfere with or influence your responsibilities, whether or not this is in fact the case*
- **Potential conflict of interest** *where your private interests could interfere with or influence your responsibilities in the future.*

Examples of Conflicts of Interests

It is not possible to provide a definitive list of examples of conflicts of interests, but the following are examples of situations that could lead to actual, potential or perceived conflicts of interest:

- *Trainers, assessors and IQA's working with a business outside of the approved training centre that is in direct competition with them.*
- *Trainers, assessors and IQA's participating in the appointment, promotion, supervision or evaluation of a person with whom the person, has close or familial ties.*
- *Trainers, assessors and IQA's having a close or familial relationship with a registered learner, or learners' family whilst being involved in decisions about the outcome of their qualification.*
- *Trainers, assessors and IQA's using non-public centre information or centre learner data for personal gain or advantage.*
- *Trainers, assessors and IQA's involved in the centre approval processes, who own business consultancies offering qualifications or programs similar to the centers.*
- *Where payments based on results are made – either to the individual or the business.*
- *Where gifts or hospitality are declared and recorded.*

The existence of such interests as those outlined above, does not necessarily imply conflict, but is likely to give an appearance of conflict and as such should be declared

Process

It is the duty of all trainers, assessors and internal quality assurers to disclose any actual or potential conflict of interest, and the process for doing this is documented below:

- *All trainers, assessors and internal quality assurers are responsible for identifying instances that have the potential to be deemed as a conflict of interest, upon doing so it is a requirement of the Company that they notify the Compliance Manager as soon as reasonably practicable, providing all the information necessary.*

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- *The information is then transferred to a register of interests document which is maintained by the Compliance Manager. (092 UTS Communications Tracker)*
- *If the individual concerned has any changes to their declared circumstances, they must inform the Compliance manager immediately so that the conflict of interest can be evaluated, and the register updated.*

Action

Most situations require no further action than the completion of the conflict of interest form. In some instances, however, the information declared on the form will require some follow up action, in order for the conflict of interest to be managed appropriately.

*Consideration will be given to any potential conflict could give rise to an ***adverse effect** where a learner is specifically advantaged or disadvantaged, these are recorded and monitored through the internal process within the organisation. (092 UTS Communications Tracker)*

**defined as an act, omission, event, incident or circumstance that gives rise to prejudice learners or potential learners.*

The approach agreed between the line manager and the trainers, assessors and internal quality assurers, will be documented and held with the conflict of interest forms.

Examples of actions that could be taken

- *Individual not taking part in discussions or decisions of certain matters*
- *Referring certain matters for decision to others with no vested interest*
- *Agreeing not to be involved in a particular project or with a particular centre*
- *IQA / EQA to audit the administration completed relevant to the particular learner with which the conflict may be actual or perceived.*
- *Declaring an interest when it is appropriate to do so*

This policy shall be the subject of an annual review cycle or as necessary.

Review Date: 20/02/2021

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