



CONFLICTS OF INTEREST POLICY

[Document control](#)

Audience	Internal colleagues, External colleagues, Customers, External Quality Assurance bodies and regulators
Application	This policy applies to all Achieve+Partners personnel and bodies that work with it.
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[Document change record](#)

Changes to specific sections of the document are listed below:

Page	Section	Change
None to date		



SECTION 1: POLICY

1.1 Introduction

Achieve+Partners is committed to identifying and monitoring conflicts of interest that relate to it, or to any scenario in which it is reasonably foreseeable that any such conflict of interest will arise in future. Achieve+Partners is also committed to effectively managing conflicts of interest and in particular:

- + taking all reasonable steps to ensure that no conflict of interest which relates to it has an adverse effect
- + where such a conflict of interest has had an adverse effect, taking all reasonable steps to mitigate the adverse effect as far as possible, and correct it.

1.2 Purpose

This policy sets out Achieve+Partners specific approach to identifying, monitoring and managing conflicts of interest, so that it may fulfil this commitment and to protect Achieve+Partners from any impropriety.

1.3 Scope

This policy is relevant to all key stakeholders engaged in the implementation of Achieve+Partners Business plan and any individual who can influence the outcomes of the business plan. This includes employers, training providers, contractors, Achieve+Partners employees and Directors.

It will be made clear to all Achieve+Partners employees, stakeholders and partners that they must identify any conflict of interest, actual or potential, to Achieve+Partners before they begin working on qualification or assessment development, or to undertake assessment, quality assurance or certification. Individuals will always be encouraged to disclose an activity if they are in doubt about whether or not it represents a conflict of interest.

All Achieve+Partners employees, partners and stakeholders will be made aware of the importance of conflicts of interest, what they could mean for the organisation and how conflicts of interest should be reported and managed. The operational responsibility for this process lies with the Achieve+Partners senior officers.



1.4 Definitions

A Conflict of interest is a situation in which the interests or aims of an individual or organisation conflict with those of Achieve+Partners. This interest can be direct or indirect, internal or external. Conflicts of interest can be actual or perceived.

For the purposes of this policy a conflict of interest exists where:

- + Achieve+Partners interests in any activity undertaken by it, or on its behalf have the potential to lead it to act contrary to its interests in the development, delivery and award of its qualifications and assessments
- + a person who is connected to the development, delivery or award of qualifications and assessments by Achieve+Partners 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 Conditions of Recognition
- + an informed and reasonable observer would conclude that either of these situations was the case.

1.5 Arrangements

This section sets out Achieve+Partners arrangements to identify, monitor and manage conflicts of interests.

1.5.1 Identifying Conflicts of Interests

Achieve+Partners acknowledges that it is not always possible to pre-empt when a conflict of interest could arise, and this policy is not designed to cover every eventuality. Generally, there will be a conflict of interest if an individual's interest and/or loyalties conflict with those of the Achieve+Partners strategy for developing fit-for-purpose end-point assessments that meet the needs of apprentices.

Conflicts of interest can occur in a number of ways and from a variety of situations. For example, if, for any reason:

- + a contractor works for multiple stakeholders and has difficulty being impartial
- + a conflict where a contractor's organisation will directly benefit
- + a conflict where a connected person to the contractor/staff member will benefit, for example, a family member



- + a conflict where the contractor/staff member will personally benefit themselves.

All individuals and organisations working with Achieve+Partners to fulfil its obligations as an end-point assessment organisation will declare conflicts of interest before each activity of work and/or annually. Conflicts will be declared on the conflict of interest declaration form and submitted to the Quality Director for review.

Through these processes Achieve+Partners will identify all conflicts of interest which relate to its work as an End-Point Assessment Organisation, and any scenario in which it is reasonably foreseeable that any such conflict of interest will arise in the future.

1.5.2 Minimising and Preventing Conflicts

Achieve+Partners sees one of its functions as facilitating the process of end-point assessment design by focusing on its responsibilities. This includes, but is not limited to:

- + avoiding arrangements that might reduce competition or create exclusive arrangements
- + avoiding practices that could be construed as anti-competitive or restrictive practice
- + providing the Achieve+Partners key stakeholders with objective advice on the viability of end-point assessment development and availability of end-point assessments for the needs of the sector
- + enabling open and frank dialogue between teams within Achieve+Partners.

This is not designed to be an exhaustive list but aims to set out the principles of neutrality, openness and fairness. Achieve+Partners believe that conflicts can be avoided or managed without compromising the integrity of the business, the individual or organisation concerned.

1.5.3 Managing and monitoring conflicts of interest

Achieve+Partners, its contractors, partners and customers involved in the development, delivery or award of end-point assessment, will take all reasonable steps to ensure that no conflict of interest which relates to it has an Adverse Effect.

Where such a conflict of interest has had an Adverse Effect, Achieve+Partners will take all reasonable steps to mitigate the Adverse Effect as far as possible and correct it.



The Quality Director is responsible for ensuring the implementation of this policy and taking corrective actions as necessary to uphold the integrity of the policy.

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

- + current and potential future conflicts of interest are kept under review as part of the remit of both the Achieve+Partners Board of Directors and Senior Management Team
- + guidance from the regulators is reviewed and the policy is updated when appropriate to comply with best practice – the policy is reviewed at least annually to ensure it remains up to date and fit for purpose.
- + Information from monitoring activities will be made available to regulators and external quality assurance organisations as required.

In most cases, it is envisaged that simple measures will be enough to manage conflicts of interest. It may be that the activity can be managed differently so that conflicts of interest are avoided. In other cases, a simple undertaking by an individual to prioritise the interests of the Achieve+Partners business plan will be all that is required. Only in extreme circumstances, where the conflict of interest is fundamental and unmanageable, will an individual be prevented from undertaking specific activities.

1.5.4 Responsibilities

Directors (Senior Officers)

Directors have full powers of control of Achieve+Partners and as such have the responsibility for the identification, management and monitoring of conflicts of interest across all functions and operations of the company.

Directors are appointed to the company once the existing board of directors are satisfied that there are no known or potential conflicts of interest of the new director. All directors are required to re-declare conflicts of interest annually to the Managing Director.

Memorandum and Articles of Association, Board of Directors Terms of Reference and Senior Management Team Terms of Reference set out the specific arrangements for the management of conflicts of interest within the activity the director is undertaking at any given time.

The Board of Directors are responsible for identifying and recording potential strategic conflicts of interest on the register of interests. This is reviewed at each board meeting.



Employees

Employees are responsible for declaring any potential or actual conflicts of interest at time of employment. Furthermore, employees are responsible for declaring new or potential conflicts to the Quality Director in a timely manner at all times of their employment. Failure to declare conflicts that result in an adverse effect happening or likely to happen may result in disciplinary action being taken against the employee.

Individual members of staff are also responsible for identifying potential conflicts of interest for members of working groups, contractors or customers and for bringing these to the attention of the Quality Director.

Contractors

Contractors are required to declare conflicts of interest at time of contract. Furthermore, all contractors are required to declare conflicts of interest annually, before each work activity and when new conflicts present themselves. Failure to declare conflicts that result in an adverse effect happening or likely to happen may result in the termination of the contractors' contract.

Individuals should not be involved in the assessment or the quality assurance of assessment decisions in which they have a personal interest.

Customers and partners

Customers have a responsibility under this policy to notify Achieve+Partners of any known conflicts of interest that may exist or likely to exist between their organisation, Achieve+Partners and the work it is conducting together.

Code of conduct for members of Achieve+Partners groups

Conflicts of Interest, whether actual or potential, should be declared promptly at the earliest possible opportunity to the Chair who will notify the Quality Director.

If an organisational representative has any interest in the matter under discussion, which creates a real danger of bias, that is, the interest affects the organisation, or a member of an individual's household, the interest should be declared as soon as possible and the organisational representative should withdraw from the room and the process.



If an organisational representative has any other interest which does not create a real danger of bias, but which might reasonably cause others to think it could influence decisions, the nature of the interest should be declared. At this point, the other organisational representatives will make the decision as to whether the organisation representatives should be involved in discussions around this subject.

If an organisational representative is in any doubt about the application of these rules, they should consult with the Chair or Quality Director.

It is recommended that an organisation's interests are reported to the Quality Director who will record them on the Register of Interests.

All Achieve+Partners groups have a responsibility to ensure that the potential for conflict of interest is managed effectively.



SECTION 2: PROCEDURE

This section of the policy sets out the procedural steps taken to identify, manage and monitor conflicts of interests regardless of their nature across the Achieve+Partners operations.

Ref	Step	Owner	CCP
Identification			
1	Individual completes the conflict of interest declaration form and submits to the Quality Director in line with this policy	Individual	X
2	Where an individual is alerting Achieve+Partners to a potential conflict of interest concerning another individual or organisation the Quality Director will make immediate contact with the individual in question	Quality Director	
3	Quality Director records the conflict(s) on the Register of Interests	Quality Director	
Management			
4	Quality Director reviews the conflict(s) and where necessary has a discussion with the individual who raised the conflict to determine nature and impact of the conflict	Quality Director	
5	Quality Director proposes mitigation (s) to the senior management team for consideration and agreement	Quality Director	
6	Senior Management Team agree mitigations and any required actions to be taken agreeing the date by which they will be taken	Quality Director	X
7	Quality Director will take necessary actions and update the Register of Interests as appropriate	Quality Director	
Monitoring			
8	The Quality Director will review the Register of Interests monthly and report to the Senior Management Team	Quality Director	



Ref	Step	Owner	CCP
9	The Quality Director will enforce any actions required by the Senior Management Team	Quality Director	
10	The Operations Director will monitor all conflicts on the register and ensure that assessors, moderators and quality assurance personnel are restricted in their access to assessments where there is an identified conflict	Operations Director	
11	The Board of Directors will review the Register of Interests at quarterly board meetings	Managing Director	X