



# Conflict of Interest Policy and Procedure Assessment and Quality Assurance

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## 1 Policy Statement

The purpose of this policy is to:

- highlight and illustrate potential situations where conflicts of interest may arise
- identify the principles that GBS will adopt in the management of conflicts of interest
- set out what actions should be taken by individuals who encounter conflicts of interest
- set out how we will manage identified conflicts of interest.

## 2 Introduction

The overriding aim of Guard Business Solutions, as a training provider, is to ensure a fit-for-purpose suite of Units of Assessment, and Internal Quality Assurance, that meet the needs of learners and awarding bodies requirements

Key stakeholders are involved in a variety of activities and have a range of functions. GBS recognises that these key stakeholders, and the individuals who work for them, will be keen to maintain the integrity of the qualification as well as their own integrity. The policy aims to reflect this.

More importantly, when a conflict or potential conflict is identified by anyone working to assess a learner then the Head of Quality and Compliance attention should be drawn to it. Individuals should always disclose an activity if they are in doubt about whether it represents a conflict of interest.

## 3 Relevance

This policy is relevant to all key stakeholders engaged in the implementation, assessment and quality assurance of the qualifications, and any person who can influence the outcomes of the assessment process. This includes Employers, Awarding Organisations, and Learning Providers, Contractors and GBS staff.

## 4 Recognising Conflicts

A conflict of interest is where an individual or organisation has competing interests or loyalties. Conflicts of interest can arise in a variety of circumstances and it is likely that people working with or for us may encounter potential conflicts of interest from time to time.

Examples include:

- where someone has a position of authority in one organisation which conflicts with their interests in another organisation
- where someone has personal interests that conflict with their professional position
- where someone works for us or carries out work on our behalf, but who may have paid or unpaid personal interests in another business which uses our products or services or produces similar products
- where someone works for or carries out work on our behalf who has friends or relatives taking our assessments or examinations
- where there is a conflict between income and regulatory responsibilities where training and delivery and awarding rest within one umbrella organisation.

It is the responsibility of all staff at GBS to ensure that they are familiar with this Conflict of Interest Policy and the requirement to disclose any activity that has the potential to represent a conflict of interest.

**The ultimate responsibility of the management of potential and actual conflicts of interest lies with GBS Board of Directors.**

GBS acknowledges that it is not always possible to pre-empt when a conflict of interest is likely to 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 GBS and those of the awarding body represented.

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

- One learner is favoured above another
- There is not account taken of the broad needs of the learner as set out in the awarding bodies guidance/requirements
- An assessor/ verifier works for multiple stakeholders and has difficulty being impartial
- A conflict arises between the learner, assessor, internal quality assurance or awarding body.

### **Minimising and Preventing Conflicts**

GBS sees one of its functions as facilitating the process of assessment and internal quality assurance by focusing on their responsibilities. In particular:

- providing and facilitating open dialogue with all stakeholders
- not creating unreasonable barriers to any learners wishing to study with GBS
- not favouring a particular qualification or level, to avoid them gaining a competitive advantage
- avoiding arrangements that might reduce competition or create exclusive arrangements
- avoiding practices that could be construed as anti-competitive or restrictive practice
- providing the learner or key stakeholders with objective advice on the viability of qualifications and availability of qualifications for the needs of the sector
- providing all learners and stakeholders with equal access to its services, information, meetings, staff and processes
- enabling open and frank dialogue between learner and stakeholders.

Although this list is not exhaustive, it is felt that by adhering to the principles of neutrality, openness and fairness, conflicts can be avoided or managed without compromising the integrity of the GBS or the individual or organisation concerned.

## 5 Responsibilities

It is the responsibility of all persons, when involved in the assessment of qualifications, internal quality assurance and other associated activities that meet GBS's assessment strategy, to:

- conduct their activities so that the aims of the GBS assessment strategy are implemented
- ensure that they make their role clear and separate this from their other functions, as far as is possible
- monitor their activities, in order to maintain the integrity of the assessment
- devote enough time and intellectual ability to their specific responsibilities
- recognise and report any potential or existing conflict.

The possibility of a conflict or potential conflict may be declared by any key stakeholder as an entity, or any individual.

## 6 Managing Conflicts

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 GBS and the awarding body will be all that is required. Only in extreme circumstances where the conflict of interest may be so fundamental and unmanageable, will an individual be prevented from undertaking specific activities.

**Monitoring the Policy** The policy and procedures will be reviewed annually, to ensure that it is fit for purpose and that it reflects the types of conflicts that may arise, and how those conflicts are managed.

### **Conflict of Interest - Procedure**

The procedure for reporting and managing potential or existing conflicts is as follows:

#### **1. Declare Interest**

Individual or key stakeholder to declare identified potential or actual conflict.

#### **2. Resolution of Conflict:**

A group discussion should take place. The purpose of the discussion is to reach a decision about how the conflict will be managed. Normally, at least three people should be involved at this stage.

The circumstances of the disclosure will dictate who is involved in the discussion. Generally, the discussion will take place between the vocational assessor, curriculum manager/ internal quality assurance and the Director of Education, unless they are involved, or close to the disclosure. In this case, an independent Director will make the decision about who should hold the discussion. It may, for example, be more appropriate for individuals working outside the curriculum team to undertake this role. The individual raising the possibility of a conflict will also take part in the discussion, if this is appropriate.

#### **3. Decision**

Normally it will be sufficient to:

- gain an undertaking from the individual or key stakeholder to conduct their responsibilities so that the integrity of the centre is maintained, as well as their own integrity
- reorganise activities and/or key functions so that the conflict is mitigated.

If neither of the above steps is possible, another solution must be agreed by the discussion group. The solution should be in proportion to the nature of the conflict; in extreme circumstances, activities may need to be monitored or even restricted. The decision about how the conflict is managed is final.

**4. Log Conflict and Resolution**

A declaration of interest form is provided for this purpose. An example is provided below

**5. Monitor and Review Decisions and Actions**

The log should be reviewed from time to time to ensure that actions forming part of the resolution have been implemented.

Person Raising Issue	Date	Nature of Conflict Identified	Discussions	Resolution
			<p><b>Date:</b></p> <hr/> <p><b>Attendees:</b></p> <hr/> <p><b>Discussion Points:</b></p>	<p><b>Long term:</b></p>