



Community First Academy Trust

APPRENTICESHIP END POINT ASSESTMENTS Conflict of Interest Policy and Procedures

Community First Academy Trust
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APPRENTICESHIP END POINT ASSESSMENTS

Conflict of Interest Policy and Procedures

Section 1 Overview of the policy

1.1 Scope of the policy

This policy covers the delivery of Trust End-Point Assessments (EPA) which are subject to internal and external quality assurance. Trust EPA products include those which may be offered and / or delivered under a Trust-owned brand name (for example 'Kingsbridge Teacher Training').

The policy also forms part of a suite of Trust Apprenticeship Services End-Point Assessment (EPA) policies, all of which are designed to:

- protect apprentices who are registered with us;
- minimise the risk of an Adverse Effect occurring;
- help support us and all other partners involved in risk management and risk minimisation;
- help ensure we and all partners comply with all relevant legislation and guidance; and
- help improve and refine our products and services.

For our partners, this policy supports the compliance with the Contract. It does not replace any of the requirements contained within that Contract. Non-adherence to our Apprenticeship Services EPA policies may constitute Maladministration, Malpractice and / or a breach of the Contract. Please ensure all policies are read and implemented carefully.

This policy should also be read in conjunction with the following policies, which are available on our platform and from our Trust Apprenticeship Services EPA Team:

- Agreement for Provision of Services Relating to End-Point Assessment
- Contract
- Whistle-blowing Policy
- Complaints Policy

1.2 Purpose of the policy

The Trust is committed to the highest standards of integrity, openness and probity. We're committed to directly providing, and working with our partners who provide, a transparent and honest working environment that is free from wrongdoing, malpractice, or corruption. In line with the Public Interest Disclosure Act 1998 they can raise relevant disclosures relating to these matters to us.

The purpose of this policy is to allow our apprentices, staff, partners and other organisations to feel comfortable and secure in raising relevant disclosures, made in good faith and reasonably believed to be true, without fear of victimisation or other adverse repercussions. In particular, relevant disclosures are likely to be those which may be in conflict with our commitments as outlined above.

1.3 Who needs to know about the policy?

Partners must make the apprentices and staff (including, site, sub site or contractual staff) who are involved in the design, delivery, management, assessment and quality assurance of Trust End-Point Assessment (EPA) aware of, and familiar with, the contents of the policy.

1.4 Obtaining copies of the policy

Partners can download copies of the policy from our platform or copies from our Trust Apprenticeship Services EPA Team.

1.5 Reviewing the policy

We will review this policy regularly and where otherwise necessary and may revise it as required in response to the findings of any review.

1.6 Complaint

Partners have the right to express their dissatisfaction regarding our actions, products or services. Our Complaints Policy in particular outlines when we will and will not accept a complaint, and when our decisions are final. Please see our Complaints Policy for more information.

Section 2 Introduction

Due to the nature of our business there are many situations when a conflict of interest may arise. For the purpose of this policy a conflict of interest is defined as a situation in which an individual, or organisation, has competing interests or loyalties.

This policy applies to all partners working for or on behalf of Trust Apprenticeship Services EPA, including all colleagues at all locations and at all levels, board members, external contractors, agency workers, partners, any associates, any subsidiaries or their employees or any other person associated with us.

This policy is intended to set out the responsibilities on all partners in managing conflicts of interest in line with their contract/agreement and in supporting us to meet the requirements set out by the ESFA, Charities Commission.

All existing and reasonably foreseeable Conflicts of Interest will be identified by our organisation, and monitored in line with our standard procedures. These Conflicts of Interest will be monitored closely, particularly during periods of change, in order to mitigate the possible impact of any potential adverse effect.

Any conflicts of interest that are specific to the Responsible Officer will be identified and monitored in line with Trust's Apprenticeship Services EPA Conflict of Interest policy and current practices.

Section 3 Types of Conflict of Interest

Conflicts of interest can arise in a variety of circumstances in relation to our business activity, for example:

- when any Independent End-Point Assessor (IEPA), partner and/or invigilator we appoint does not disclose any actual or potential conflict of interest;
- when an individual has a position of authority in Trust Apprenticeship Services EPA Team which conflicts with his or her interests in another organisation;
- when an individual has a position of authority in one part of the Trust Apprenticeship Services EPA which conflicts with his or her interests in another part of the Trust group;
- when an individual has personal interests or relationships that conflict with his/her professional position;
- where an individual works for or carries out work on Trust Apprenticeship Services EPA Teams behalf, but who may have personal interests – paid or unpaid – in another business which either uses Trust Apprenticeship Services EPA products or services, or produces similar products to Trust Apprenticeship Services EPA Team;
- where an individual works for or carries out work on Trust Apprenticeship Services EPA Teams behalf, who has friends or relatives taking Trust Apprenticeship Services EPA Team assessments, including examinations;
- when one part of Trust Apprenticeship Services EPA Team creates and follows a procedure that conflicts with its regulatory responsibilities as an End-Point Assessment Organisation (EPAO);
- where an individual takes on additional paid work (on either an employed or self- employed basis) or voluntary work outside Trust Apprenticeship Services EPA Team which conflicts with the work of Trust group;
- where an individual receives payment for some work they do for the charity, unless the payment complies with the relevant clauses of Trust's Memorandum and Articles of Association; and
- where an individual takes a Trust standard, especially individuals who have access to assessment materials.

Section 4 Acknowledging a conflict of interest

If a conflict of interest arises or partners anticipate that it might arise, they need to let the Trust Apprenticeship Services EPA Team know. We will work with partners to take steps to minimise any risks and resolve the issue or escalate it to their Head of Organisation if this is not possible. If you are a partner any Conflicts of Interest should be declared as they need to. This information will be reviewed on a quarterly basis by HR who will work with partners to address any areas of particular concern. If there is any doubt whether or not an activity represents a conflict of interest - report it!

All partners must immediately communicate any issue s/he feels are urgent to an appropriate manager, director or board member as detailed in the Whistle-blowing policy, which may be done in confidence. It should be noted that individuals are protected under the Whistle-blowing policy.

If you are a partner and are considering taking on additional paid work (on either an employed or self-employed basis) or voluntary work outside Trust Apprenticeship Services EPA Team, you must

seek your line manager's written agreement beforehand, as stipulated in your contract of employment. Partners must not take on any such activities that could be deemed to compete or conflict with Trust Apprenticeship Services EPA Team's activities.

If partners have access to standard assessment materials or content or grading schemes we may not be able to let you take a standard due to the risk of a high conflict of interest and the potential impact on our regulatory requirements.

We'll also monitor any conflicts of interest and may on occasion take steps to minimise any conflicts due to the level of the risk or the frequency that the risk occurs.

Section 5 What should you do if you think someone is acting improperly?

If partners become aware of something they don't feel comfortable about or they feel someone may be acting in an improper way, please refer to our Whistle-blower policy.

Section 6 Managing Conflict

Any conflict of interest should be declared and recorded at least annually and that these should be reviewed, maintained and evaluated.

Where further action is needed as a result of a declaration, this is documented and managed accordingly; this may include removing the individual from any involvement in EPA or referring their assessment decisions to another IEPA with no vested interest.

Section 7 Mandatory disclosure and confidentiality

7.1 Mandatory disclosures

It is imperative that the integrity of our assessments are maintained. We are aware that partner organisations often work with more than one End-Point Assessment Organisation (EPAO) in, and that therefore more than one EPAO may be at risk when things go wrong.

Our regulators have outlined some specific conditions that we must meet to protect the integrity across the sector. This includes the requirement that where certain things are identified (such as malpractice), or certain actions taken (such as when sanctions are applied), the Regulators and other relevant EPAOs who may be affected must be informed.

Depending on the seriousness of the matter, we may be required to declare to our regulators (eg. Department for Education) that we are no longer compliant due to an act or omission by partners which has put us in breach. In this event, we may have regulatory action directed against us, such as Monetary Penalties. In accordance with the Agreement for Provision of Services Relating to End Point Assessment, we reserve the right to direct such financial penalties against partners, should they be as a result of the act or omission.

7.2 Confidentiality

We may need to access confidential information. We will ensure that such information is kept secure and only used for the purposes of the investigation and in line with relevant data protection legislation. We will not normally disclose the information to third parties unless required to do so, e.g. to our regulators and / or the ESFA or other relevant and / or Statutory Bodies.

Section 8 Termination for Convenience

Our actions under this policy will be proportionate. Where possible, we will always try to work with our partners in resolving issues. However, nothing within this policy precludes us from invoking our right under our agreement to terminate our relationship with our partners.

Section 9 Contacts

Your contact for this policy

If you have any queries about the contents of the policy, please contact our Trust Apprenticeship Services EPA Team:

Telephone: 01942 487973

Appendix A: Glossary of Terms

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Abbreviation or Term	Meaning
Contract	A contract may be a service level agreement (SLA), partnership agreement, contract for goods/services or any other signed agreement in place with our partners.
EPA	End-Point Assessment: An EPA is a collection of assessments that offers confirmation of knowledge, skills and behaviours (known as KSBs) for a particular role. It takes place once the apprenticeship training has been completed, and the apprentice is deemed ready to enter the Gateway for EPA. The EPA must be achieved before an apprenticeship certificate can be issued. The structure of an EPA is designed to ensure that those making a decision on the competency of an apprentice are totally unbiased. This means that an assessment must either be conducted by an independent third party, or in a way that ensures no party involved in the management or training of the apprentice can make the sole decision on competence and passing the EPA – via a panel of experts, for example.
EPAO	End-Point Assessment Organisation: an organisation providing EPA.
Gateway	When an apprentice reaches the end of their training, the employer (supported by the Independent Training Provider) will make the decision on whether or not the apprentice is ready to take the EPA – this decision process or stage is known as the “Gateway”.
HRD	Human Resources Development Team: within Trust, based at Rivington Ave, Platt Bridge, Wigan, WN2 5NG
ITP	Independent Training Provider: a person who delivers training to an apprentice.
IEPA	Independent End-Point Assessor: a person who facilitates an unbiased assessment of an apprentice’s competencies against the KSBs of the standard.
LIEPA	Lead Independent End-Point Assessor: a person responsible for internal quality assurance and standardisation of all assessment practice within EPA and is the sector expert.
Partner	This can be apprentices, employees, employers, external quality assessors, independent training providers and workers.