

Conflicts of Interest Policy

What is a conflict of interest and what issues does it raise?

The over-arching goal of iPET Network is to provide qualifications that fairly reflect the competencies of Candidates, securing reliable outcomes. All iPET Network Employees, Partners, Directors and Non-executive Directors, hereafter referred to as iPET Network personnel, should put this goal first. An actual/potential/alleged/perceived conflict of interest may arise where personal interests and loyalties of iPET Network personnel do not coincide or appear to clash with the over-arching goal of iPET Network or its business functions.

It is a condition of employment and Training Provider approval that individuals acting in any role within iPET Network declare any actual/potential/alleged/perceived conflicts by completing the Conflict of Interest Disclosure Form at the earliest possible time regarding any aspect of their role. For Tutors, this is focussed on the assessment process including provision of evidence and its moderation but is not exclusive to this. All employees, direct and indirect, sign a Conflict of Interest Disclosure Form which will be renewed annually but as part of the Contract of Employment and the iPET Network Training Provider Manual, iPET Network must be notified immediately of any changes to the original Conflict of Interest Disclosure Form. No member of iPET Network employees will be solely and directly responsible for making any award. All Tutors, Training Providers and Quality Assurers will disclose any actual/potential/alleged/perceived personal interest in the assessment of any Candidates that they have a part in certificating. Following declaration, a risk assessment will be undertaken by a nominated case officer in iPET Network and a suitable action plan identified.

Direct employees of iPET Network and contractors acting on behalf of iPET Network will have their work monitored through random checks and samples such that there are always at least two different individuals involved in the assessment and awarding of certificates. Any complaints about actual/potential/alleged/perceived conflicts of interest will be investigated in line with the iPET Network Complaints Policy.

Even the appearance of a conflict of interest can be damaging, so any actual/potential/alleged/perceived conflicts will be managed carefully but with transparency. The aim of this policy is to protect both the organisation and the individuals involved from any appearance of impropriety, to prevent conflicts of interest having an adverse effect and to limit any damage as a result of a conflict of interest having material effect.

There are appeals procedures for individual Candidates as well as Training Providers should a disagreement over actions regarding conflicts of interest arise, for more details see Enquiries and Appeals Policy. iPET Network manages common conflicts through the quality assurance procedure for example, no internal quality assurance or verification will be conducted by the Tutor. An internal quality assurer will sample the assessments in line with the Tutor risk rating. This means that decisions on assessment outcome are never solely made by anyone with an individual personal interest in the outcome. The External Quality Assurer will sample an appropriate size of Internal Quality Assurers assessment decisions.

Conflicts of interest principles

When developing an approach to identifying and managing actual/potential/alleged/perceived conflicts of interest, iPET Network personnel, Training Providers and contractors must follow these requirements:

- They must be committed to identifying actual/potential/alleged/perceived conflicts of interest and raise any possibilities of this to their manager/iPET Network, if in doubt and further support is needed
- The nature of the actual/potential/alleged/perceived conflict must be open and honest. This will help the contingency plan to be effective and meet regulatory requirements

- Commit to detect conflicts or identify potential/alleged/perceived conflicts as early as possible to prevent potential malpractice
- Ensure that actual/potential/alleged/perceived conflicts are managed according to the level of risk associated with the conflict
- Complete and sign the iPET Network Conflict of Interest Disclosure Form which forms part of the Enforceable Agreement
- Actual/potential/alleged/perceived conflicts of interest will be declared at all iPET Network meetings such as Board Meetings and Managers Meetings taking the completed Conflicts of Interest Disclosure Forms and the evidence from the External Quality Assurance Reports.

Regulatory conditions and conflict of interest

The Regulators define a conflict of interest where an Awarding Organisation's –

(a) 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,

(b) 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 organisation's Conditions of Recognition, or

(c) an informed and reasonable observer would conclude that either of these situations was the case.

Identifying actual/potential/alleged/perceived conflicts of interest

It is not possible to provide a definitive list of examples of actual/potential/alleged/perceived conflicts of interest, but the following are examples of situations that could lead to actual/potential/alleged/perceived conflicts of interest, that we would expect to be declared by any iPET Network employees or Training Providers:

- Where there could be a career or financial benefit to a Tutor or Quality Assurer as a result of a Candidate or Candidates achieving a qualification
- Working with a business outside iPET Network which performs similar functions or has a competitive function
- Undertaking assessment, end-point-assessment, approval or quality assurance activities for an organisation (including Training Providers) of which a person is a member of staff, Governor, Trustee or has some other official status; or with which the person has (or has had) involvement as a consultant or adviser
- Participating in the appointment, promotion, supervision or evaluation of a person who works for a business which performs similar functions to iPET Network and with whom the person has close or familial ties
- Having a close or familial relationship with someone registered for an iPET Network qualification and/or assessment; or their family and being involved in decisions about the outcome of the Candidate's/apprentice's qualification and/or assessment
- Taking part in any iPET Network decision involving a business that employs a person with whom the person, has close or familial relationship
- Organisations from a consortium in partnership with iPET Network colluding to assess each other's Candidates and/or to circumvent the requirement for independent assessment

Conflicts related to specific roles

Any Senior Examiners (often level 4 or above) either proposed or in post, must declare any actual/potential/alleged/perceived or real conflict of interest they have from any other work with their iPET Network work, for example working for another Awarding Organisation/Training Provider who would be advantaged by a decrease in iPET Network qualification pass rate. This applies to anyone directly on the iPET Network payroll and anyone acting as contractors. All assessors are in a position of potential/perceived conflict of interest in high stakes assessment and all must sign the Conflicts of Interest Disclosure Form to uphold standards. Anyone that has reason to believe a conflict of interest exists or is likely to exist should contact iPET Network to discuss the position.

This does not apply to the preparation of teaching resources exclusively for Candidates that he or she teaches; monitors assessments, or have been, involved in the preparation of a resource designed to support the preparation of Candidates, and persons likely to become Candidates, for assessments for a qualification in respect of which they are contracted by the awarding organisation to ensure that the fitness for purpose of those assessments has not been compromised by that resource. This does not apply to generic open resources contributed to for the purpose of supporting learning but is free for re-use, re-mix and customising to individual needs.

iPET Network's Responsible Officer will monitor the actual/potential/alleged/perceived conflicts related to roles and report any concerns to the Governing Body. The Governing Body will decide on any actions to take based on evidence and recommendations prepared by the Responsible Officer.

When a conflict of interest is identified for a Tutor/Contractor (most common identified potential/perceived conflict)

When a conflict of interest is identified, the first priority will be to replace the Tutor, Quality Assurer or other individual that has a conflict of interest with someone who has no such conflict. If this is not possible an alternative may be that sufficient samples of the work of the person involved will be taken by an independent qualified person subject to the approval of the Quality Assurer. The over-riding aim of the Quality Assurer will be to achieve fair assessment for the Candidates. Where conflict of interest leads to identified malpractice, the policy and procedures for malpractice will be invoked. Where an Adverse Effect is identified as a result of a conflict of interest, the regulators will be informed and any certificate that has been awarded in error will be revoked until the Candidate can provide independently verifiable evidence that they can meet the assessment criteria.

Examples of follow-up actions for contractors:

- Contractors are unable to undertake assessment or quality assurance activities with a particular Training Provider.
- Contractors will not take part in discussions or decisions of certain matters.
- Contractors will refer certain decisions relating to activities to others with no conflict of interest.
- Contractors not being involved in a particular project or with a particular Training Provider or customer.
- Contractors who have had access to confidential assessment material will not be involved in training events relating to the qualification or assessment.

iPET Network will then cooperate with the Regulators to mitigate against any further adverse effects arising.

This policy is available to the Regulators at any time, directly from iPET Network. iPET Network may modify this policy at any time in accordance with any requirements communicated in writing by the Regulators.

The declaration of interests

A Conflict of Interest Disclosure Form must be signed annually by all iPET Network employees, Training Providers or contractors and submitted to the Responsible Officer. This is to identify anyone who has a personal interest that a reasonable person might deem to have the potential to lead to an adverse effect. This process forms part of the Training Provider application process, employee induction and appointing contractors process. Failure to declare an interest could justify disciplinary action or sanctions. Typically, the action for failure to declare an interest at any time where there is minimal evidence of adverse effect, will be a verbal/written warning. Failure to declare an interest at any time accompanied by evidence of an Adverse Effect may lead to suspension from being able to deliver the qualifications, authorised duties and in serious cases, legal action, dismissal or both. For full details on sanctions refer to the Malpractice and Maladministration Policy and Procedure (including Sanctions). iPET Network requires all parties to complete an annual Conflict of Interest Disclosure Form but expects this form to be completed at any time should a conflict be identified.

iPET Network personnel, Training Providers and contractors are recommended to err on the side of caution and declare anything that they think might be an issue and to contact their Account Manager by e-mail or telephone for further advice. Actual/potential/alleged/perceived conflicts all need reporting and will be managed and mitigated accordingly.

Quality control measures ensure that all Training Providers, irrespective of the qualification offered, have continuous and ongoing moderation via external sampling, with certification for Candidates only available once this quality assurance process has been completed. This specific case is addressed by external sampling, the agreements signed by the Principal Tutor and Tutors. All employees, Training Providers and contractors sign the Conflict of Interest Disclosure form on an annual basis but are responsible for updating iPET Network of any changes in circumstances that may cause a conflict of interest and they must complete and submit a new declaration form to reflect this. iPET Network will then review this information and take the appropriate action.

All decisions for action beyond verbal warnings under conflict of interest will be made at The Governing Body level and recorded by a Director on the secure iPET Network MI system risk register and reported in the minutes of the meeting. The decision will be made following the recommendation of the assigned Case Officer (see Conflict of Interest Procedure). At all board meetings the issue of actual/potential/alleged/perceived conflicts of interest are discussed and minutes recorded.

The report will record:

- the nature and extent of the conflict;
- an outline of the discussion;
- the actions taken to manage the conflict and mitigate any Adverse Effects.

Assessment Design Conflicts

The actual/potential/alleged/perceived conflict of interest of involvement of people involved in designing the assessment and providing training is harder to mitigate in specific sectors. Whilst this issue is more difficult for a small Awarding Organisation compared to a large one with more specifically defined roles, iPET Network will separate personnel involved in the development of exams or assessments from those delivering Tutor training.

Related Policies

- Anti-Bribery and Corruption Policy
- Malpractice and Maladministration Policy and Procedure (including sanctions)
- Complaints Policy
- Enquiries and Appeals Policy

All of the policies above can be found at www.ipetnetwork.co.uk

9. Contact

If you have any queries regarding the contents of this policy, please contact:

The Responsible Officer

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Leftwich

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