

# Conflict of Interest Policy (EPA)

---

SMART AWARDS  
BEECHWOOD HOUSE, TANNERS LANE, BERSKWELL, COVENTRY CV7 7DA

# Conflict of Interest Policy



Doc ref EPA 013-3.0  
Date of issue 01/07/2017  
Review date 01/12/2021

## 1. Policy Statement

Conflicts of interest arise when something may be influenced by personal and professional interests. A conflict of interest may occur when an individual or organisation is involved in multiple interests, one of which could possibly corrupt the motivation for an act in the other. This policy describes how potential conflicts of interest will be identified and managed by Smart Awards.

Having a conflict of interest is sometimes unavoidable and persons or companies will not be adversely treated just for having a conflict of interest, unless conduct in dealing with it is corrupt, criminal or otherwise demonstrates lack of integrity.

Action should only be considered where an individual or service provider:

- Fails to identify a conflict (where they are reasonably expected to identify)
- Fails to avoid a conflict that could have been avoided
- Fails to report an unavoidable conflict
- Took action on a conflict to benefit their personal or private interests
- Fails to cooperate in the management of a conflict
- Fails to comply with the policy

## 2. Scope

This policy applies to those involved in the end-point assessment process including Independent Assessors, Technical Experts, Lead Providers and Smart Awards staff.

There are three main types of conflicts of interest: actual, perceived and potential. Each of these presents the same personal and organisational risks and therefore need to be managed appropriately. If you are unsure if a conflict exists, you should discuss the matter with Smart Awards management team.

- **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.

## 3. Responsibility

Smart Awards CEO has overall responsibility for ensuring that this policy is implemented. The following principles apply:

**IDENTIFY** While it remains the responsibility of the individual to identify conflicts of interest, other circumstances may lead to the identification of a conflict of interest including:

- Complaint investigations
- Information from colleagues
- Other sources

If a conflict of interest is not declared by an individual and comes to the attention of Smart Awards by other means, consideration should be given as to why self-reporting was not declared.

# Conflict of Interest Policy



Doc ref EPA 013-3.0  
Date of issue 01/07/2017  
Review date 01/12/2021

**AVOID** You are required to taking reasonable steps to avoid conflicts of interest where possible, this includes:

- Abstaining from involvement in official decisions and actions that could be compromised by your personal interests, affiliations and associations
- Avoiding activities where you could be seen to accrue an advantage from inside information because of your duties
- Not using your position for your own personal gain or the gain of others close to you
- Ensuring that there can be no real or perceived benefit that may influence the performance of your duties
- Not taking advantage of your position or access to privileged information

**REPORT** Where a conflict of interest cannot be avoided you must report the conflict by raising a disclosure through Smart Awards. If it is an emergency individual can report it verbally to Smart Awards.

**MANAGE** Once an individual has reported a conflict of interest the risk is shared with Smart Awards. Smart Awards will work with the individual to identify and implement an appropriate solution for dealing with the conflict.

**MONITOR** Monitoring the conflict is essential to ensure that any changes are accounted for and dealt with. Even if a conflict has been resolved you might find circumstances where the conflict arises again or affects individuals in another way. If there are any changes or the conflict arises again individuals must report the conflict again to ensure that it is resolved appropriately.

## 4. Policy and implementation

### Identifying conflict of interest

All personnel involved in the end-point assessment are required to complete a 'Declaration of Conflict of Interest' form. This must be kept current and where conflicts of interest change the form must be resubmitted. All personnel are obliged to:

- To act in the best interests of Smart Awards
- Declare any personal or business interests which may conflict with their responsibilities
- To ensure a conflict of interest will be recorded and reported outlining the, nature and extent of the conflict and actions taken to manage the conflict
- Not misuse official positions or information acquired in official duties to further private interests or those of others if they are responsible for money or financial matters, directly or indirectly, or in handling contract
- Perform duties fairly and impartially and that decisions are not affected by self-interest and/or personal gain
- Take personal responsibility for actions
- Must never hide or ignore a conflict of interest or gain personally from an opportunity encountered
- Report all conflicts of interests that cannot be avoided and for persons to participate in their resolution or management

### Managing conflict of interest

Declared conflicts are reviewed to establish whether a conflict does actually exist and if so, how this will be managed. It may be sufficient to gain an undertaking from the individual to conduct their responsibilities so that the integrity of Smart Awards is maintained, as well as their own integrity and/or reorganise activities so that the conflict is mitigated.

# Conflict of Interest Policy



Doc ref EPA 013-3.0  
Date of issue 01/07/2017  
Review date 01/12/2021

Examples of how conflicts of interest may be managed are shown below.

Identified conflict of interest	Management of conflict of interest
Developer has close associations with other awarding bodies.	Ensure that Developer has signed confidentiality agreement.
Independent Assessor is friends with, or related to, an apprentice.	Allocate another assessor. If this is not possible or the conflict emerges after assessment has taken place, ensure that assessment decisions are subject to verification by the Lead Assessor.
Independent assessor has prior relationship with the apprentice (e.g. involvement in managing and/ or training the apprentice, or other relationship)	Allocate another assessor. If this is not possible or the conflict emerges after assessment has taken place, ensure that assessment decisions are subject to verification by the Lead Assessor.

Other examples of potential conflict of interest if a Developer, Independent Assessor or staff member:

- Has a position of authority in one organisation that conflicts with his or her interests in another organisation
- Secondary employment which is perceived as a conflict of interest with Smart Award activity
- Makes a media comment that is perceived as a conflict of interest
- Makes a public comment that is perceived as a conflict of interest
- Makes an endorsement that is perceived as a conflict of interest
- Release information to third parties and is perceived as a conflict of interest
- Influences part of the selection and recruitment process that is perceived as a conflict of interest
- Enters into a financial or operational agreement with an organisation or individual in which there is a vested interest
- Accepts gifts from others to promote their interests within the organization

## 5. Monitoring

Any actual or potential conflict of interest identified will be added to Smart Awards Conflict of Interest Register which includes information about what the conflict of interest is; who this applies to; how the conflict of interest is managed, and when this will be reviewed. Where it is deemed necessary, a conflict of interest may be added to the Smart Awards Risk Register. All high risks are reported to the Smart Awards Board of Directors.

Smart Awards will monitor the effectiveness and review the implementation of this policy, regularly considering its suitability, adequacy and effectiveness. Any improvements identified will be made as soon as possible. Internal control systems and procedures will be subject to regular audits to provide assurance that they are effective in managing conflicts of interest.