

ISP Conflict of Interest Policy

1) Definition

In this context a conflict of interest is defined as:

“A conflict between private or commercial interests and the official responsibilities of a person in a position of trust”

Conflicts of interest and collusion will most frequently, but not exclusively, occur when an ISP Approved Training Provider or a member of its staff / an ISP officer / employee or member of the Senior Management Team, the Quality Assurance Group or EPA / Associate has:

- A financial interest in an activity that is dependent on a particular outcome or activity of ISP
- A financial interest or holds an appointment in a company or business which will gain from a particular outcome or activity of ISP.
- A commercial interest in a competitor company which will gain from a particular outcome, or lack of outcome, from ISP.
- Formed a collusion and/or works/consults for another EPAO, Approved Training Provider, Employer or other organisation in the delivery of end point assessment in the same sector/qualification and/or apprenticeship as the ISP.

2) Philosophy

The ISP philosophy is that potential conflicts of interest are managed through transparency of operation and an interlocking framework of committees with variations in interest. This is underpinned by an active conflict of interest policy supported by contractual and operational checks and balances, providing a robust approach within a mutual framework. The ISP philosophy supports and underpins a proactive approach to identifying and managing potential conflicts of interest.

3) Declaration of Interests

All members of the ISP Senior Management Team, Board of Directors, the external Governance & Assurance Quality Board and all permanent, part time or temporary staff and EPA/Associates will make a Statement of Declaration of their interests in any other relevant organisation, and also any receipt of gifts or hospitality above a nominal value, in connection with their role in ISP.

The statement is to be updated at least, annually or when significant changes occur. A record of the statements will be held by the Quality Manager and will be accessible to the Senior Management Team, Governing Body members, senior staff and external regulatory authorities if required.

Responsibilities and safeguards: It is the responsibility of each person involved with ISP and the Quality Manager to identify potential conflicts of interest. Once identified, these potential conflicts will be added to their statement and safeguards (for both sides) will be agreed as to what is an acceptable outcome. In essence, if there is a conflict of interest, the person who is in

conflict should withdraw from any activities, discussions or decision making that may be affected by the conflict of interest.

4) Data protection

All information provided under this policy will be processed and retained in accordance with the principles set out in the Data Protection Act 1998 and the Freedom of Information Act (Scotland). Data will be used only to ensure that all persons act in the best interest of ISP, and in accordance with Regulatory Requirements. The information will not be used for any other purpose.

5) Identification of potential for perception of Conflict of Interest

The potential for perception of conflicts of interest can occur in a number of ways and from a variety of situations. For example, if:

- ISP introduces a product or service which is sold to support qualification delivery/apprenticeship assessment.
- An associate or partner works for another company offering the same qualifications / apprenticeship assessments.
- The ISP professional awarding organisation is in conflict with an Approved Training Provider or EPAO.
- An EPA/IQA/EQA works for the Approved Training Provider or is familiar with the Approved Training Provider they are externally assessing/verifying.
- An Approved Training Provider assessor/EPA is a relative of the learner they are assessing.
- A person involved with ISP has a financial interest in an activity that is dependent on a particular outcome or activity of ISP e.g., EPA.
- A person involved with ISP has a financial interest or holds an appointment in a company/business that gains from a particular outcome or activity of ISP e.g., an Approved Training Provider.
- A person involved with ISP has a commercial interest in a competitor company which will gain from a particular outcome, or lack of outcome, from ISP.
- A person involved with ISP has an interest in a Training Provider and has access to ISP exam papers and mark schemes or EPA requirements.
- An individual may be employed in one organisation involved in EPA and has links with or is employed in the apprentice's organisation or an organisation undertaking the on-programme delivery.
- An individual involved in EPA may be working for an organisation that is in direct competition with the organisation involved in on-programme delivery
- The EPA Organisation is required to develop question banks and administer and mark those tests, clear arrangements must be in place to ensure there is no conflict of interest and there is clear separation across these activities.

Any potential for perception of conflict of interest is to be declared as soon as it occurs. The person declaring the potential conflict is to withdraw from any activities, discussions or decision making that may be affected by the declaration, except where the benefits are universal to all users, or the benefit is minimal. A new Statement of Declaration must be made and recorded.

If a potential conflict of interest is not declared but is known to any member of the SMT, Governing Body or QAG, then the person to whom it is known must inform the Quality Manager

or Governing Body who must speak to the individual concerned to seek clarification and where appropriate obtain a Statement of Declaration or take other appropriate action.

6) Minimising, Preventing and Managing potential conflicts of interest

The ISP awarding organisation sees its main purpose as developing qualification requirements and end point assessments which are fair to all candidates. It does this by offering qualifications and end point assessments to recognised Approved Training Providers & employers and by monitoring them via external quality assurance procedures and/or EPA quality assurance procedures. The external quality assurance system and EPA assessment and quality assurance system ensures there are appropriate procedures for dealing with potential conflicts of interest at these ATOs, employers or EPAOs, e.g. potential conflicts of interest between learners, assessors, EPA's, internal verifiers, ATO staff, etc.

Any potential conflicts of interest are raised to the Quality Manager in the course of day-to-day work by Senior Officers and Directors and during Senior Management Team (SMT), Governance & Quality Board (GAQ) or EPA meetings – potential conflicts of interest is a standard agenda item on all of these bodies. Once identified these potential conflicts of interest are managed via the risk management system and are entered onto the ISP Complaints and Issues log. The Complaints and Issues log is also a standard agenda item on all the above bodies and is continually monitored and reviewed ensuring appropriate management of potential conflicts of interest.

7) Beliefs and Responsibilities

ISP believes that:

- All learners are entitled to the same qualification, assessment and EPA experience
- ATOs/employers are responsible for selecting their own teaching and learning materials and for setting fees which incorporate ISP qualification or EPA assessment fees plus ATO teaching fees
- ATOs are entitled to be allocated an impartial EV or EPA
- ATOs are entitled to appeal results and make complaints to the ISP
- Open and frank dialogue at an early stage is the best way to resolve any potential conflicts of interest

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 ISP, the individual or the organisation concerned.

ISP believes that:

It is the responsibility of all persons, when involved in the delivery of ISP qualifications or apprenticeship EPA requirements, to:

- conduct their activities so that the aims of the ISP are implemented
- ensure that they make their role clear and separate this from their other functions, as far as is possible
- monitor their activities, to maintain the integrity of the ISP
- devote enough time and intellectual ability to their specific responsibilities

- recognise and report any potential or existing conflict

8) Action to resolve a potential Conflict of Interest

Following a declaration of a potential conflict of interest, the Quality Manager with the unaffected members of the Governing Body or Senior Management Team will meet and undertake a risk assessment of the conflict of interest.

The following points will be recorded:

- The nature and extent of the conflict of interest.
- The actions that will be taken to manage/mitigate the conflict of interest
- Any required safeguards for the protection of both sides involved in the conflict

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Statement of Declaration

1) I declare that I **do/do not** (delete as appropriate) hold a financial interest in any activity outside ISP that is dependent on a particular outcome or activity of ISP

Details if a financial interest is declared:

2) I declare that I **do/do not** (delete as appropriate) hold a company appointment in any company outside ISP which will gain from a particular outcome or activity of ISP.

Details of any company appointment declared:

3) I declare that I **do/do not** (delete as appropriate) hold a commercial interest in a competitor company which will gain from a particular outcome or lack of outcome, from ISP.

Details of any company appointment declared:

4) I declare that I **have/have not** (delete as appropriate) received gifts or hospitality above a nominal value, (*N.B. amounts of £50.00 and below are considered nominal*) in connection with my role within ISP

Details of any gifts or corporate hospitality declared:

5) I declare that I **do/do not** (delete as appropriate) have an interest in a Training Provider, employer, an ISP learner or have access to ISP exam papers and/or mark schemes.

Details of any access to ISP exam papers and/or mark schemes declared:

This statement is made by:
(please print in block capitals)

Signature: Date:

