

# Safety Training Awards Conflict of Interest Policy



## Purpose

This policy outlines Safety Training Awards intention to identify and monitor all potential or actual conflicts of interest that may affect the delivery and / or assessment of our regulated qualifications now or in the foreseeable future. It has also been designed to support Approved Training Centres (ATC) in identifying potential or actual cases of conflict of interest and how to appropriately manage them.

To reduce the risk of a conflict of interest happening we record possible cases that have been identified to date and any arrangements that are in place to prevent them from occurring.

Safety Training Awards are required to adhere to the General Conditions of Recognition and the Regulatory Principles. From time to time we may be required to provide the regulators with evidence that we are complying with their requirements in relation to conflicts of interest, and to prevent such conflict creating an incident or having an adverse effect on STA regulated qualifications.

## Definition of Conflict of Interest

For the purpose of this policy, we have adopted the definition used by the regulatory authorities regarding conflicts of interest. A conflict of interest exists in relation to Safety Training Awards in the following way:

- Its interests in any activity undertaken by it, on its behalf, or by a member of staff which have the potential to lead it to act contrary to its interests in the development, delivery, and award of qualifications in accordance with the requirements of the regulators conditions of recognition
- A person who is connected to the development, delivery, or award of qualifications at Safety Training Awards has interests in any other activity which have the potential to lead that person to act contrary to their interests in that development, delivery or award and impact on our compliance with the requirements set out by the regulator's conditions of recognition
- An informed and reasonable observer would conclude that either of these situations was the case.

## Definition of an Adverse Effect / Management of Incidents

For the purpose of this policy, we have adopted the definition used by the regulatory authorities regarding an adverse effect / management of incidents:

An act, omission, event, incident, or circumstance has an adverse effect if it:

- Gives rise to prejudice to learners or potential learners, or adversely affects
- Adversely affects the ability of Safety Training Awards to undertake the development, delivery, or award of qualifications in accordance with its General / Standard Conditions of Recognition and Regulatory Principles
- The standards of qualifications which Safety Training awards makes available or proposes to make available, or
- Public confidence in Safety Training Awards regulated qualifications.

# Policy

A conflict of interest is where an individual or organisation has competing interests or loyalties. Conflicts of interest may occur in a variety of circumstances and it is possible that people working alongside and/or for Safety Training Awards may encounter potential conflicts of interest from time to time.

## Examples of Conflicts of Interest

It is not possible to provide a definitive list of examples of conflicts of interest that could compromise the integrity of Safety Training Awards assessments and qualifications. However, the following situations could lead to perceived or actual conflicts of interest (this list is not exhaustive):

- Tutors, Assessors, Markers / delivering, assessing, marking / quality assuring husband, wife, partner, members of their family or friends
- Tutors, Assessors, Markers, or IQAs assessing / quality assuring their own work
- Personal relationships with partners, family members or friends linked to centre personnel and/or learners that could influence decision making and qualification outcomes
- Subcontracting Tutors, Assessors, Markers, and IQAs from another ATC
- Agreeing to fulfil the mandatory roles in more than one ATC
- Business or commercial interests linked to an ATC and/or Safety Training Awards that may affect professional judgement
- Mutually beneficial arrangements with ATC and Safety Training Awards personnel which may compromise an individual's ability to make reliable and professional judgements
- Where favourable arrangements have been negotiated, for example supplying information to certain individuals and/or groups who are preparing for or carrying out an assessment
- A person connected with an ATC and/or Safety Training Awards who are engaging in some capacity or have a material financial interest in a business or enterprise that compete with Safety Training Awards
- An ATC has an interest in any activity which has the perception to lead it to act contrary to its interests in the development, delivery, and award of qualifications in accordance with the Approved Training Centre (ATC) approval criteria.

The existence of interests such as those above does not necessarily imply conflict but is likely to give an appearance of conflict and as such should be declared to Safety Training Awards by completing and submitting the conflict of interest disclosure form on STA Online.

Conflicts of interest are a high-risk area to the regulators therefore Safety Training Awards expect all ATCs to be aware of any perceived or actual cases of conflict of interest and how to appropriately manage them. If you believe there is a perceived or actual case of conflict of interest the ATC Co-ordinator is responsible for putting appropriate measures in place to mitigate any risk to the assessment process or learner journey.

An example of this may be the Tutor and Assessor on a course are husband, wife, partner, family member, close friend, this would be deemed as an 'actual' conflict of interest. To mitigate any risk to the assessment process or learner journey Safety Training Awards would expect the ATC Co-ordinator to appoint an 'Independent person' to the process. This could be an external Assessor or arrange for the ATCs IQA to carry out a face to face observation of the assessment, providing an independent review of the assessment process.

## Conflict of Interest Principles

Safety Training Awards staff are obliged to abide by the following principles when identifying and managing potential and/or actual conflicts of interest:

- All management and staff must commit to identifying and managing all potential and/or actual conflicts of interest that may affect Safety Training Awards, and in doing so must report these cases to the Compliance Team
- All staff must be proactive in identifying and managing cases of conflicts of interest that may affect Safety Training Awards effectiveness, compliance with regulatory requirements and/or our reputation
- Staff must be open about any cases of potential and/or actual conflicts of interest and not withhold any information or try to present them in a better light (managing conflicts of interest is about preventing cases from occurring that may have an impact on the operational effectiveness and regulatory compliance at Safety Training Awards)
- Must strive to identify and deal with conflicts of interest as soon as they are identified
- The control for the management of conflicts of interest must be proportionate to the risks associated with the identified cases.

## Responsibility to Register a Conflict of Interest

All individuals this policy applies to have a responsibility to report potential and/or actual cases of conflict of interest. This must be done by disclosing how the conflict will be managed and monitored effectively by completing the conflict of interest disclosure form on STA Online.

## Approved Training Centre Responsibility

An ATC must have a process to identify, monitor and manage any conflicts of interest in assessment outcomes. ATCs must take all reasonable steps to avoid any part of the assessment and verification of a learner's work being undertaken by any person who has a personal interest in the result of the assessment. This includes internal marking, assessment and quality assurance activities. The assessor role and the internal verifier role must be carried out separately. The assessor cannot quality assure their own assessments as this presents a conflict of interest. Where individuals have a personal interest in assessment decisions for a particular learner, they must not be involved in the assessment or the quality assurance for that learner. In cases where this does happen, the ATC must ensure that the assessment process is subject to scrutiny by those without personal interest. ATCs need to have procedures in place for avoiding conflicts of interest and where a conflict of interest cannot be avoided, have procedures in place for managing that conflict of interest.

All conflicts should be documented in a conflicts of interest register which is maintained and monitored on an ongoing basis. The ATCs conflict of interest register should record the nature of the conflict, the mitigating actions to be taken and the timescales for these actions. The ATCs management team should regularly review potential conflicts to ensure that that appropriate mitigation factors are in place. All ATC staff must be familiar with both this document and the ATCs own conflict of interest policy, and the requirement to disclose any activity that has the potential to represent a conflict of interest. All ATC staff must be familiar with the implications of conflicts of interest when delivering, assessing and internally quality assuring STA qualifications. ATC staff must report any actual or potential conflicts of interest to the ATC Contact in a timely manner. The ATCs conflicts of interest register may be reviewed by their allocated EQA as part of their ongoing compliance monitoring of the ATC.

Safety Training Awards ATCs must comply with this conflict of interest policy and ensure ongoing compliance with the following:

#### **Take steps to avoid or reduce any existing or potential conflicts of interest**

- ATCs must consider how they should manage working arrangements to avoid potential conflicts of interest. For example, a member of staff at the ATC undergoing an assessment must be assessed by an unrelated Assessor.

#### **Complete and submit a copy of the conflict of interest disclosure form to Safety Training Awards via the website**

- All sections on the form must be completed providing as much information as possible on how the ATC will mitigate any risk.

#### **Maintain up to date records of all conflict of interest**

- ATCs must maintain accurate records of all existing and/or potential conflicts of interest, details of all mitigating actions must be included.

#### **Update records with any changes in circumstances and notify Safety Training Awards of any changes**

- ATCs must notify Safety Training Awards of any changes to circumstances relating to any previously declared conflicts of interest and must submit a new disclosure form to STA, detailing any changes which may lead to new or potential conflicts of interest.

#### **Inspect activities and assessments where there is a conflict of interest that cannot be avoided**

- ATCs carry out additional quality assurance monitoring activities in cases where conflicts of interest are unavoidable

Examples:

- Personal or professional relationship between IQA's, Markers, Assessors, Tutors, and Learners'
- All personnel undertaking mandatory regulated qualifications within their own ATC
- Instances of mutual quality assurance activities between IQA's.

## **Procedures for Dealing with Conflicts of Interest**

Where any member of personnel at an ATC believes there has been a breach of this policy, or if any unforeseen conflicts of interest arise, the Compliance Team at STA must be notified so this can be investigated further. The process for the above is as follows:

- The conflict of interest disclosure form must be completed on STA Online and provide as much information as possible, ensuring all sections of the form are complete
- A conflict of interest disclosure form must be completed by all personnel on commencement with an ATC declaring any conflict of interest; the form is to be completed even when there are no conflicts of interest to declare. The form must be submitted to Safety Training Awards on STA Online, which will be retained on the ATCs record for quality assurance and monitoring purposes. This also allows the ATC to monitor their conflicts of interest and update them accordingly
- If an individual has any changes to their declared circumstances they must notify the ATC co-ordinator immediately by completing the conflict of interest disclosure form; the new information should be evaluated, dealt with accordingly and submitted to Safety Training Awards.

When all information relating to conflicts of interest are received at Safety Training Awards, they will be evaluated by the Compliance Team to identify if any further action is required. A written response of the outcome will be held on the ATCs record for audit and standardisation purposes.

Most situations will not require any further action other than the completion of the conflict of interest disclosure form, however by following this process Safety Training Awards can ensure that any follow up action is appropriately managed.

If a breach of this policy is also classified as an adverse effect, then Safety Training Awards Responsible Officer will inform the regulators in accordance with the procedures for dealing with an adverse effect. They will also inform the regulators of the reasonable steps that have been taken or propose steps to prevent, correct or mitigate the adverse effect.

**Examples of actions that could mitigate the conflicts are as follows:**

- Person(s) not taking part in the assessment or verification
- Referring decisions that affect the competence of learners to an independent person
- Agreeing not to be involved in a specific aspect of the ATCs activities or processes
- Referring the matter to the Compliance Team at STA for advice and guidance.

## Record keeping and monitoring

A conflict of interest register records the following information for all Trustees and committee members, STA staff and contracted external quality assurers:

- Name
- Position
- Nature of Interest (including whether an interest of the person or a person connected with them)
- Date first registered
- Conflict controls in place, for example how is any the potential conflict is to be managed, mitigated or prevented (where relevant).

In addition, an external conflict of interest register records the same information for ATCs. Although kept separately, these two registers are cross referenced to ensure that all potential conflicts of interest are identified and managed in a coherent manner.

## Monitoring and Review

This policy and its procedures will be reviewed regularly for improvements as part of our quality assurance requirements. This will ensure it is fit for purpose, reflects the services we deliver to our centres and that we are providing services which are relevant to the requirements of individual needs.

## Safety Training Awards contact details

Safety Training Awards, Anchor House, Birch Street, Walsall, West Midlands, WS2 8HZ

**Tel:** 01922 645097

**Opening Hours:** Monday to Friday 8.00-16.00

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