



UNITED CENTRE  
*of*  
EXCELLENCE

# End Point Assessment Policies

Conflict in Interest Policy  
**GP01**



## Document History

Version	Date	Reason for Revision	Issued by
V1.1	May 2019	Initial release	Alan Bates
V1.2	Nov 2020	Document review during covid-19 (Section 3 updated)	Alan Bates
V1.3	Jul 2021	Review of documentation for Ofqual submission for recognition (Section 3 updated)	Alan Bates



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# Conflict in interest policy

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## 1. Overview of the policy

### 1.1 Scope of the policy

This policy covers the delivery of United Centre of Excellence End-Point Assessment's (EPA) that are subject to internal and external quality assurance.

The policy is 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
- 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 UCE website and from our Assessment Team:

- Malpractice and Maladministration Policy
- Plagiarism Policy
- Moderation and Verification Policy
- Recruitment Policy and Procedure
- Complaints, Refunds and Appeals Policy

### 1.2 Purpose of the policy

UCE is committed to the highest standards of integrity, openness and probity. We are 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.



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 reasonable 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 UCE 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 UCE website or obtain copies from our UCE Assessment Team.

### **1.5 Reviewing the policy**

We will review this policy annually 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.

## **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 UCE, 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, and in the Ofqual Conditions of Recognition (A4.7).

All existing and reasonably foreseeable Conflicts of Interest will be identified by our organisation, and monitored in line with our standard procedures and escalated to the CEO or Managing Director where appropriate.

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 Apprenticeship Programme, a Director will be identified and monitor the conflict in line with UCE's Conflict of Interest policy and current practices.

### 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 UCE or the UCE Assessment Team which conflicts with his or her interests in another organisation;
- when an individual has a position of authority in one part of the UCE Assessment Team which conflicts with his or her interests in another part of the UCE;
- 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 UCE Assessment Teams behalf, but who may have personal interests – paid or unpaid – in another business which either uses UCE EPA products or services, or produces similar products to UCE Assessment Team;
- where an individual works for or carries out work on UCE Assessment Teams behalf, who has friends or relatives taking UCE's End Point Assessments, including examinations;
- when one part of UCE Assessment 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 UCE Assessment Team which conflicts with the work of UCE.



Conflicts of interest can also arise where:

- an individual may be employed in one organisation involved in EPA and has links with and/or is employed in the same organisation as the apprentice or an organisation undertaking the on- programme delivery.
- an individual involved in EPA has a prior link with the apprentice, their employer or an organisation involved in the on-programme delivery for the standard they are assessing against. For example, they may have friends or relatives involved in 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.
- at both organisational and individual level, the official role of the individual/organisation undertaking the EPA has any other interests that may compromise their assessment decisions.
  
- (a) its 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 (condition A4),
- (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.

## 4. Acknowledging a conflict of interest

If a conflict of interest arises or partners anticipate that it might arise, they need to let the UCE know using the Declaration of Conflict of Interest Form – Appendix B. 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 declarations of Conflicts of Interest should be logged by email using the template provided in Appendix B, to the assessment team under Conflict of Interest, partners can add as many conflicts 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! 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 assessor with no vested interest.



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.

We will 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.

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

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

## 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.

UCE will make every effort to manage and mitigate any potential or real conflict of interest in the delivery of the end-point assessment service. This may mean, for instance, removing individuals from any involvement in the assessment process where there is a risk of conflict. The independence of our decision on the competency of the apprentice is paramount. Any actual or perceived conflict of interest can undermine both the outcome of the end-point assessment and our credibility as a trusted assessor of apprentices.

All End Point Assessments will be delivered in such a way that no organisation or individual who has been involved in the management or training of the apprentice can conduct an assessment method without the independent assessor being present, or make the sole decision on competence and passing the EPA. This means that an end-point assessor or invigilator should not be employed by the same organisation as the apprentice, nor involved in, nor responsible for any on-programme delivery, line-management or on- programme assessment of the same apprentices.





As an organisation required to develop question banks and administer and mark those tests, we have in place clear arrangements to ensure the development, administration and marking of the tests is not subject to conflict of interest and that there is clear separation across these activities.

As of the date of this policy, UCE does not provide apprenticeship training, or intend to provide apprenticeship training, for any of the apprenticeship standards for which we have applied to be an EPAO. This is a significant mitigation factor in terms of potential conflict of interest.

## **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 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 Police or other relevant and / or Statutory Bodies.



## 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.

## 9. Contacts

Your contact for this policy

If you have any queries about the contents of the policy, please contact our UCE Assessment Team:

Email: [info@UCE.org.uk](mailto:info@UCE.org.uk)  
Telephone: 01332 987670  
Post: **UCE Assessment Team**  
United Centre of Excellence  
26 Royal Scot Road,  
Pride Park,  
Derby.  
DE24 8AJ

## Appendix A: Glossary of Terms

Abbreviation or Term	Meaning
<b>Contract</b>	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.
<b>EPA</b>	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.
<b>EPAO</b>	End-Point Assessment Organisation: an organisation providing EPA.
<b>Gateway</b>	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”.
<b>ITP</b>	Independent Training Provider: a person who delivers training to an apprentice to enable the apprentice to reach Gateway in conjunction with employers.
<b>IEPA</b>	Independent End-Point Assessor: a person who facilitates an unbiased assessment of an apprentice’s competencies against the KSBs of the standard.
<b>LIEPA</b>	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.
<b>Ofqual</b>	Office of Qualifications and Examinations Regulation: a government body regulating examinations, assessments, and qualifications in England and vocational qualifications in Northern Ireland.
<b>Partner</b>	This can be apprentices, employees, employers, external quality assessors, independent training providers and workers.



## Appendix B: Declaration of Conflict of Interest Form

### Conflict of Interest - Disclosure Form

#### Assessment-In-Confidence (When completed)

Name	
Position:	
Location	
Organisation (if applicable)	
Conflict of Interest or potential conflict of interest	
Describe the conflict of interest or potential conflict of interest that have the potential to impact on your ability to carry out, or be seen to carry out, your allocated role or your organisation's role with regards to the United Centre of Excellence Conflict of Interest Policy.	
Describe the expected roles/duties you are required to perform.	

#### Declaration

I declare that the above details of my private interests (or my organisation's interests) are correct to the best of my knowledge and am aware of my responsibilities to take reasonable steps to avoid any real or apparent conflict of interest in connection with my employment (or that of my organisation) and to advise Best UCE of any relevant changes in my (or our) personal (or professional) circumstances.

Signature:

Date:



## Action by Manager

Describe the action proposed to mitigate the real or perceived conflict which has been disclosed and the reasons for the decisions

The above action has been discussed with the employee and is appropriate to resolve the real or apparent conflict of interest disclosed above.

Signature of Manager:

Date:

Employee Endorsement:

Date:

When finalised this form is to be forwarded by email with subject header "Assessment-in-Confidence" to [info@UCE.org.uk](mailto:info@UCE.org.uk)

**You are advised to retain a copy.**