

Conflict of Interest Policy

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Version 8



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1. Introduction

1.1. Purpose of the policy

The purpose of this policy is to protect the integrity of VTCT as a business and the integrity of VTCT qualifications and assessments. The policy is designed to guide any VTCT stakeholders in terms of handling potential conflicts of interest that may arise as a result of VTCT and approved centre roles in the development, delivery, assessment and awarding of VTCT and ITEC qualifications.

This policy:

- provides a definition of conflict of interest ;
- provides VTCT's principles underpinning the management of conflict of interest;
- sets out the responsibilities for managing conflict of interest;
- outlines the procedures to mitigate potential conflicts of interest; and
- describes the action(s) which will be taken if the policy is breached.

1.2. Scope of the policy

This policy applies to all VTCT staff and other individuals who interact or potentially interact with the work of VTCT. This includes individuals involved with any aspect of the design and development, marketing, sales, distribution, delivery, marking, examining, quality assurance, awarding or any other activity for VTCT's qualifications and assessments, and supporting resources and services.

The individuals within the scope of this policy include trustees, directors, employees, workers, home and remote workers, agency workers and any associate staff, including external quality assurers, examiners and freelance staff.

1.3. Definition of conflict of interest

VTCT defines conflict of interest as follows:

A conflict of interest exists in relation to an awarding organisation where:

- 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 regulatory requirements;
- 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 regulatory requirements; or
- an informed and reasonable observer would conclude that either of these situations was the case.

There is the potential for conflicts of interest to arise in a number of circumstances relating to VTCT's activity, for example, where an individual:

- has a position of authority in one organisation that conflicts with their interests in another organisation;
- works for or carries out work on VTCT's behalf, but may have personal interests in another business which either uses VTCT or ITEC products or services, or produces similar products or services; or
- has friends or relatives taking VTCT or ITEC assessments.

1.4. Regulatory authorities

This policy addresses the requirements of the relevant regulatory authorities' criteria.

The policy may from time to time be provided to the regulators upon request to satisfy them of VTCT's ability to comply with their requirements in relation to conflicts of interest and to prevent such conflicts becoming adverse effects as defined by regulators.

1.5. Responsibilities

VTCT is responsible for monitoring compliance with the Conflicts of Interest Policy and taking appropriate action when non-compliance is suspected or known to exist.

VTCT is responsible for ensuring that all employees and individuals with a role relating to the development, delivery and awarding of VTCT or ITEC qualifications and assessment are aware of this policy and proactive in addressing it.

VTCT:

- ensures that the contractual arrangements with qualifications, assessment and quality assurance associates clearly set out any obligations on them to manage conflicts of interest arising from other activities that they undertake;
- ensures that anyone who has access to confidential assessment material for a qualification is not permitted to deliver or be present at training events on that qualification;
- ensures that all members of staff declare any interest for friends or family sitting upcoming VTCT examinations or assessments;
- expects its individual teams to identify and inform their Head of Department of any actual/potential conflicts of interest that could impact on VTCT and which are not already identified in the table at the end of this policy; and
- requires its individual teams to manage and monitor any identified conflicts of interest that relate to their area of operations (as outlined in the table at the end of this document.) Should the status of any identified conflict, or the associated controls change, Head of Department should inform the Chief Academic Officer and arrange for the table to be updated.

The Chief Academic Officer:

- holds the ultimate responsibility for the Conflict of Interest policy, dissemination of the policy and management of potential and actual conflicts of interest that are escalated by VTCT;
- reviews compliance with the policy regularly;

- is responsible for escalating reports of actual or potential conflicts of interest, when necessary, to regulatory authorities;
- is responsible for advising on the management of conflicts of interest of the qualifications, assessment and quality assurance teams, including ensuring contractual arrangements are in place to oblige staff and workers to notify VTCT of conflicts of interest; and
- is responsible for ensuring conflicts of interest for the assessment team are reviewed prior to each assessment series or annually depending upon which occurs first.

The HR Team:

- obtains conflict of interest declaration forms from all stakeholders on commencement of their role and maintains records;
- obtains annually up dated conflict of interest forms from all employees;
- must record and report immediately to the Chief Academic Officer any conflict of interest declared, including the nature and extent of the conflict, an outline of the discussion and the actions taken to manage the conflict; and
- is responsible for maintaining the conflict of interest records.

Managers in each department:

- are responsible for communicating and providing training about the policy to all relevant individuals within their area of responsibility, at least annually.

All departments:

- are required to review their procedures annually to ensure that they anticipate and manage potential or actual conflicts of interest adequately.

Line managers:

- are responsible for ensuring that all new staff members involved in activity relating to potential or actual conflicts of interest receive training.

All staff:

- All individuals involved with awarding and/or end-point assessment activities must be made aware of this policy as part of their induction and on-going training. The individual is responsible for ensuring that they are fully conversant with the policy and abide by the content;
- All individuals are responsible for disclosing any activity that might give rise to a potential conflict of interest either to their line manager or directly to the People Team;
- In accordance with their centre agreement, approved centres are required to establish, maintain and comply with a conflict of interest policy which is complementary to the relevant VTCT policies and procedures, identify and monitor all related conflicts and potential conflicts of interest; and
- A centre must take all reasonable steps to ensure that no conflict of interest which relates to it results in an Adverse Effect.

1.6. Review arrangements

This policy is reviewed annually as part of VTCT's self-evaluation activity, which considers customer and regulatory feedback and good practice guidance, changes in VTCT's practices, actions from the regulators, changes in legislation, or trends identified from previous cases.

In addition, this policy may be updated following:

- an issue arising in relation to an actual or potential conflict of interest; or
- consideration of operational feedback to ensure VTCT's arrangements for the withdrawal of approval remain effective.

1.7. Situations brought to our attention by the regulators

Where the regulators notify us of failures that have been discovered in the assessment process of another awarding organisation, we will review if a similar failure could affect our own assessment processes and arrangements.

1.8. Conflict of Interest Principles

The following principles apply:

- All managers and staff must be committed to and proactive in identifying and managing all actual/potential conflicts of interest that may affect VTCT;
- If there is any doubt, possible conflicts of interest must be raised with the Chief Academic Officer;
- Staff must be transparent, honest and objective when considering potential or actual conflicts of interest and must do so in a timely fashion;
- The controls for managing conflicts of interest must be proportionate to the risks associated with the identified conflict(s); and
- When VTCT develops and implements a procedure, it does not create a conflict with its regulatory responsibility as an awarding organisation.

2. Process

2.1. Identifying conflicts of interest

Stakeholders of VTCT are required to:

- declare at the start of their engagement by VTCT, if they have any current or recent relationship with any other organisation, by completing the Annual Conflict of Interest Declaration form (provided in appendix 1) so that VTCT can act to remove or manage the conflict where appropriate. Where there is nothing to declare, a signed and dated nil return is still required;
- submit the completed form to the People Team; and
- provide any updated information to Human Resources as soon as it arises.

The HR team:

- ensures that all declarations are received;
- records the information in the Declaration of Interest, including nil returns and any other related information

Chief Academic Officer:

- where a (potential) conflict has been identified, advises on management of the conflict, if applicable; and
- notifies the regulator, if applicable.

Department Heads

- Ensure the additional Academic Division workers Conflicts of Interest Declaration form (provided in appendix 2) is completed alongside the Annual Conflict of Interest Declaration form (provided in appendix 1) by all workers prior to commencement of any contract being undertaken and employees annually.

Any individual associated with VTCT or members of staff who identifies a potential or actual conflict of interest whilst going about their work should notify their Department Head or the Chief Academic Officer as soon as possible.

2.2. Mitigating potential conflicts of interest

The Department Managers who have been notified of a potential conflict of interest should seek advice from Chief Academic Officer to take reasonable steps to remove the conflict or manage it to VTCT's satisfaction. If this cannot be achieved, the relationship with the party/parties concerned may have to be terminated

The following table provides examples of conflicts of interest and the reasonable steps to ensure that they do not have an adverse effect or that such effects are mitigated as far as possible. This table is not intended to be exhaustive.

2.3. Table of potential conflicts of interests

Potential conflict of interest	Reasonable steps to ensure that no conflicts of interest have an adverse effect and/or that such effects are mitigated as far as possible	Responsibility for monitoring this process
<p>Members of the Board (Trustees) may unduly influence decisions to ensure a personal or commercial material benefit (e.g., in relation to interests they may have which are external to VTCT)</p>	<p>All staff and members in attendance at VTCT meetings are required to declare, at the beginning of a meeting, any private interest they have in an agenda item. This ‘declaration of possible conflicts of interest’ is a standard agenda item.</p> <p>In doing so they will then abstain from any vote/decision that may pose a conflict of interest to the member – especially where they may directly or indirectly receive a material benefit from the decision and/or have a conflict in loyalties (e.g., their overriding duty is to act in the best interests of the other party.) They may be allowed to engage in the discussion if the other members do not object and/or the possible conflict is already known to the rest of the members/attendees.</p> <p>Where an actual or possible conflict of interest exists for a particular agenda item, the decision recorded and reported in the meeting minutes will include details of: the nature and extent of the conflict an outline of the discussion the actions taken to manage the conflict</p>	<p>Responsible Officer</p>
<p>Staff may have a conflict of interest that affects their ability to carry out their role appropriately, consistently and with integrity.</p>	<p>All staff at VTCT are committed to carrying out their role to the best of their ability and are aware of the need to identify and manage any potential conflicts of interest.</p> <p>Staff must declare any possible conflicts they have, using the Conflict of Interest Declaration form upon starting work with VTCT and update this information as necessary.</p> <p>The HR team is responsible for maintaining the Register of Interests.</p>	<p>Chief Academic Officer</p>

Potential conflict of interest	Reasonable steps to ensure that no conflicts of interest have an adverse effect and/or that such effects are mitigated as far as possible	Responsibility for monitoring this process
<p>Quality assurance staff and external quality assurers / examiners / moderators involved in the design of assessments may not objectively highlight issues with the assessment when they carry out their quality assurance role (e.g. they may be less likely to identify adverse issues with the assessments).</p>	<p>All staff at VTCT are committed to carrying out their role to the best of their ability and are aware of the need to identify and manage any potential conflicts of interest.</p> <p>The work of all external quality assurers / examiners / independent apprenticeship examiners and moderators is subject to review by the contracting Development Lead or Head of Department to ensure that they have carried out their role as effectively and consistently as they would with qualifications / assessments where they have had no involvement in the design.</p> <p>The Department Head considers, as part of the ongoing standardisation and review arrangements, the nature of the findings/reports/activities of those role-holders to ensure they have acted consistently and appropriately.</p>	<p>Chief Academic Officer and Department Head</p>
<p>Allocating external quality assurers / examiners / moderators to centres where they may have an interest, e.g. they work / have worked for the centre, work for a competitor centre, have a family member working at the centre, have a financial stake or shares in the centre, or are a governor at the Centre.</p>	<p>VTCT records the details of any actual / potential conflicts of interest recorded in the Register of Interests in the external verifiers' / examiners / moderators' profile records.</p> <p>Profile records are checked by the quality assurance team when external quality assurers / examiners / moderators are allocated to centres to avoid allocation to a centre where a personal interest exists or has existed.</p> <p>If for any reason this cannot be avoided, the contracting Development Lead scrutinises their work at the centre to ensure no conflicts have occurred.</p>	<p>Chief Academic Officer and Head of Department</p>

Potential conflict of interest	Reasonable steps to ensure that no conflicts of interest have an adverse effect and/or that such effects are mitigated as far as possible	Responsibility for monitoring this process
<p>Ensuring assessments are not carried out by any person who has a personal interest in the result of the assessment (e.g. internal verifiers signing off their own assessments; an assessor assessing the work of a family member; financial or material incentives for positive results).</p>	<p>VTCT issues guidance to centres on how to manage and prevent conflicts of interest from occurring in centre-based assessment undertaken at the centre.</p> <p>Suspected or actual financial or material incentivising, will be investigated following the Malpractice and Maladministration Policy and Procedures</p> <p>External quality assurers/examiners/moderators check for the above at centre level when reviewing assessment arrangements at centres, and record details of any such checks/conflicts identified in the associated centre engagement reports.</p> <p>If such conflicts cannot be avoided (e.g. due to a lack of alternative competent staff at the centre), the external verifier/examiner/moderator will seek approval from the Quality Lead(s) or Development Leads to make arrangements for the relevant part of the assessment to be subject to scrutiny by another suitably qualified person.</p>	<p>Chief Academic Officer</p>
<p>Ensuring that all contracted staff (e.g. unit writers, part-time external quality assurers / examiners / moderators, consultants and suppliers) sign an appropriate service agreement / contract which has relevant clauses governing confidentiality and ownership of information, and prevents them from trading on the name of VTCT or offering services or advice to learners or centres based on information they obtained while working at VTCT.</p>	<p>All external parties recruited for specific activities will be required to sign an appropriate service agreement/contract along with a non-disclosure agreement (if not already covered by the service agreement/contract.)</p> <p>They will be asked to declare any conflicts of interest in accordance with their duty of confidentiality and/or any other legal duty.</p> <p>Their work is monitored by the responsible member of staff to ensure they operate effectively and in accordance with the expectations for the role and that if they have a role external to VTCT, they do not take any actions that are contrary to the interests of VTCT in the development, delivery or award of VTCT qualifications.</p>	<p>Chief Academic Officer, Head of Department</p>

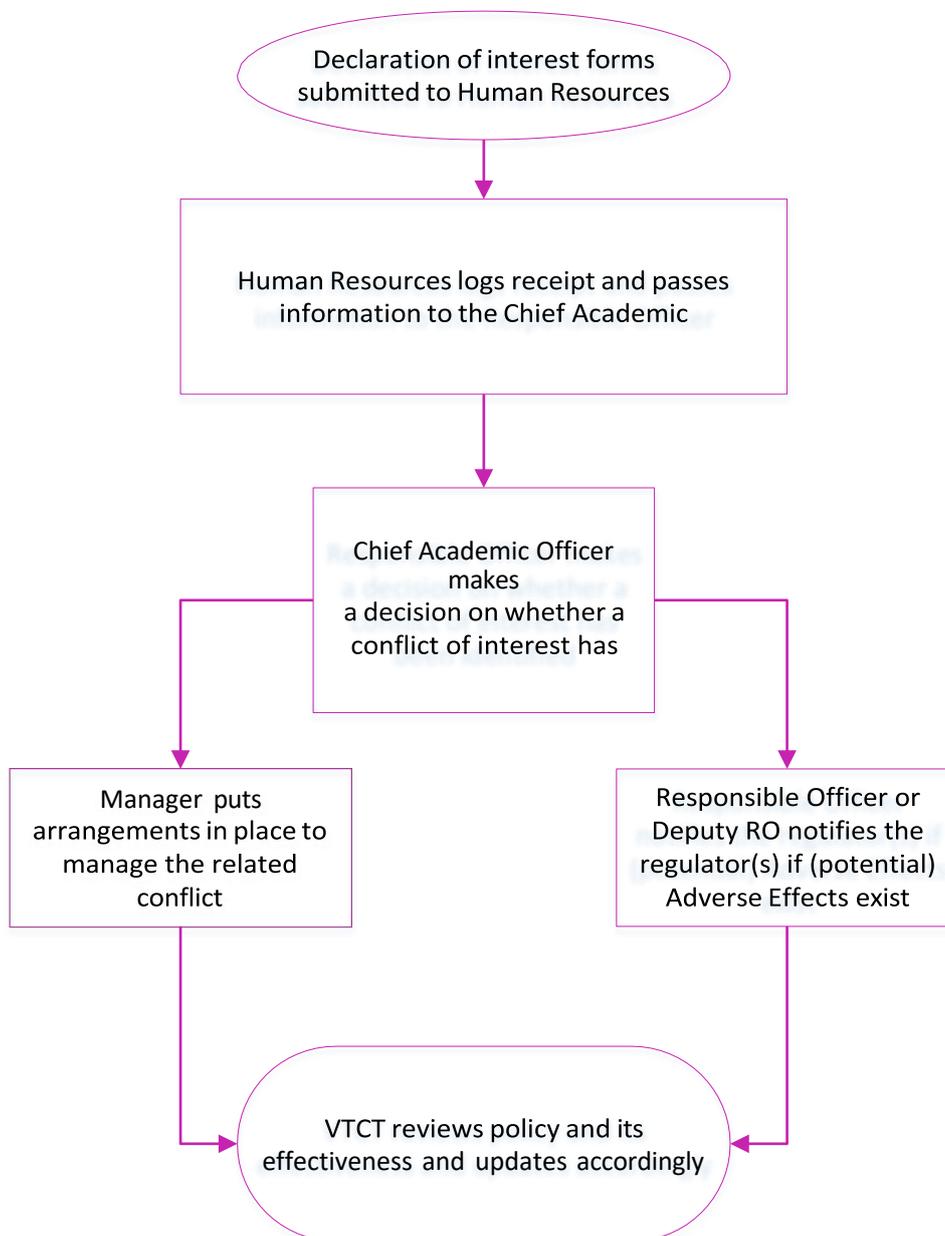
Potential conflict of interest	Reasonable steps to ensure that no conflicts of interest have an adverse effect and/or that such effects are mitigated as far as possible	Responsibility for monitoring this process
<p>Ensuring staff do not receive gifts or hospitality which may affect their judgment or be considered by others as impacting on their judgment.</p>	<p>Hospitality of any kind which might reasonably be seen to compromise an employee’s personal judgment or integrity and be viewed as attempting to exert influence to obtain preferential consideration must be refused.</p> <p>Offers of one off gifts should be politely but firmly declined. If they are pressed, the recipient should inform the HR team and their line manager, who will report this to the Chief Executive.</p> <p>Gifts such as chocolates/biscuits should where possible be shared with colleagues. Other gifts should be passed to the HR Team for safe keeping. Please notify your line manager when you receive gifts and the action you have taken.</p>	<p>Chief Executive</p>

2.4. Breach of conflict of interest policy

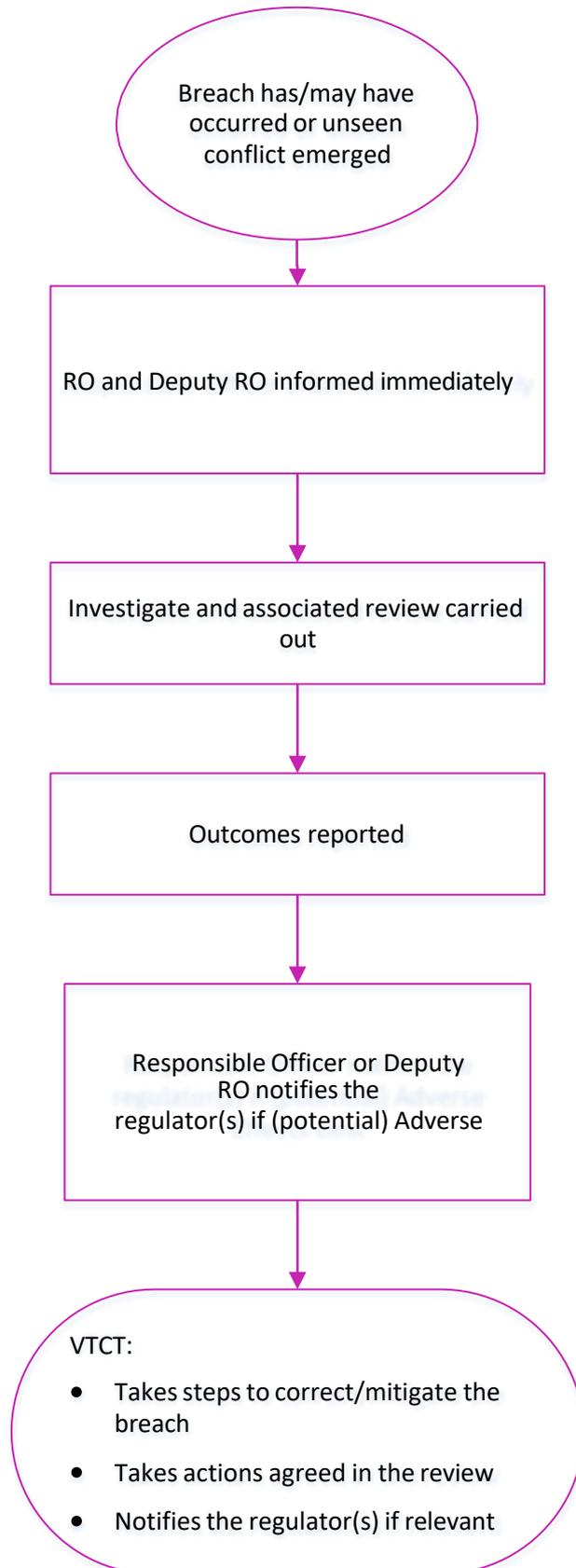
If a member of staff believes there has been a breach of the conflict of interest policy, or unforeseen conflicts of interest emerge, the Chief Academic Officer/Deputy Responsible Officer must be notified immediately;

- An investigation and a review of the associated procedures are launched immediately;
- The investigation is conducted by the Chief Academic Officer. Where the Chief Executive is the subject of the investigation, the responsibility for the investigation rests with the Chair of the Board of Trustees;
- Where the Chief Academic Officer or Deputy Chief Executive is the subject of the investigation, it is carried out by the CEO;
- The outcomes of the investigation and review are reported to the Chief Executive and escalated to the Board, where appropriate and relevant actions implemented; and
- If the breach is classified as an Adverse Effect, then the Responsible Officer must promptly inform the Regulators in accordance with the procedure for dealing with adverse effects. In doing so they will inform the regulator of the reasonable steps that VTCT has taken or intends to take, to prevent, correct or mitigate the adverse effect, including the outcomes of the associated review as soon as this is known.

2.5. Process for identifying conflicts of interest – flowchart



2.6. Process for dealing with a breach of the policy – flowchart



3. Data protection

Any information collected as a result of this policy will be processed in accordance with the principles set out in the Data Protection Act.

4. Document storage

Conflict of interest declarations should be signed either in paper or electronic format. Conflict of interest statements will be kept by the manager/ workers for service or activity for a period of 12 months after the end of the contract for services/activity is completed.

5. Appendix 1: Annual Conflicts of Interest Declaration Form

I have set out below my interests in accordance with the organisation's conflicts of interest policy.

Category	<i>Please give details of the interest and whether it applies to yourself or, where appropriate, a member of your immediate family, connected person or some other close personal connection.</i>
Current employment and any previous employment in which you continue to have a financial interest. e.g.: full/part time employment or other SLA contracts.	
Appointments (voluntary or otherwise) e.g. trusteeships, directorships, local authority membership, tribunals etc.	
Membership of any professional bodies, special interest groups or mutual support organisations.	
Investments in unlisted companies, partnerships and other forms of business, major shareholdings (i.e. more than 5% of issued share capital) and beneficial interests.	
Gifts or hospitality valued at £20 or over, offered to you by external bodies in relation to contract at VTCT and whether this was declined or accepted in the last 12 months.	
Any other contractual relationship with the company or its subsidiaries i.e. contracts within VTCT.	
Any other conflicts that are not covered above.	

Category	<i>Please give details, for the previous 12 months, including date and outcome (or a nil response)</i>
Any criminal convictions or criminal proceedings in progress.	
Any finding by a court or any professional, regulatory or government body of a breach of provision of any legislation or regulatory obligation.	
Any bankruptcy, arrangement with creditors, or similar financial arrangement which has been applied and from which I have not been discharged.	
Any disqualification from holding a directorship or other public office.	
Any removal as a charity trustee by order of the Charity Commission or High Court on grounds of misconduct or mismanagement.	
Any finding of malpractice or maladministration in relation to a qualification (whether regulated or not).	

To the best of my knowledge, the above information is complete and correct. I undertake to update, as necessary, the information provided, and to review the accuracy of the information on an annual basis. I give my consent for it to be used in connection with my role with the company and for no other purpose.

Signature: _____

Name: _____

Date: _____

6. Appendix 2: Academic Division Workers Conflicts of Interest Declaration Form

Please use this form to declare any conflicts of interest that you have relating to the work that you will undertake for VTCT. This form supports General Conditions of Recognition – A4, A6, A8, G4.

Full name	
Job role	
Time period for the declaration	<i>For example: EQAs: 2022-2023, and for contracted writers and markers: Winter 2022 series, December 2022 to March 2023</i>

Qualification Suite	
Which qualifications have you been asked to work on? Please list the sector, qualification type and qualification code. <i>For example: EQAs - VTCT VRQ Beauty VTCT TLQ – Beauty and complementary therapies BT3D4 and CT3D1 ITEC VRQ - Sport</i>	
Which department has allocated work to you?	
Who is the manager, technical lead or project manager that you will report to?	

Declaration	
Are you or have you been contracted to work for another awarding or educational organisation? If so, please give details.	
Are you, or have you been, employed at a school, college or private training provider? This could be as a permanent member of staff or as a worker or contractor. If so, please give the centre name and VTCT centre code (where applicable)	
Which qualifications do you currently teach? Please give details of the qualification title, level and awarding organisation.	
Will your students take an examination set by VTCT? If so, please give details.	

<p>Do you have a child, sibling, partner/spouse, friend or close family member that is due to take an assessment set by VTCT?</p> <p>If so, please give details of their name, centre and the qualification.</p>	
<p>Do you have a partner/spouse or close family member that is teaching, or due to teach, an assessment set by VTCT?</p> <p>If so, please give details of their name, centre and the qualification.</p>	
<p>Are you a private tutor?</p> <p>If so, please give details.</p>	
<p>Are you an IQA for a school, college or private training provider?</p> <p>If so, please give details of the centre and the qualification.</p>	
<p>Please provide details of any other potential conflicts of interests:</p>	

<input type="checkbox"/>	I can confirm that to my knowledge there are no other conflicts of interest that could impact on my role at VTCT.
<input type="checkbox"/>	I will notify VTCT should a potential conflict of interest that I have not already declared become apparent.
<input type="checkbox"/>	I will inform VTCT if I subsequently teach the qualification for which I have developed assessment materials.
<input type="checkbox"/>	I give my consent for my information to be held securely by VTCT for a period of six years; this information is of legitimate interest of the organisation under GDPR legislation.

Signature:	
Name:	
Date:	

Internal Use

Received: _____

Scanned: _____

Document amendment history page

Version	Issue Date	Changes	Role
6	21/01/2022	Minor changes made to reflect staff position changes and correct the date of document on front of policy	Chief Financial Officer
7	19/06/2023	Updated to new template, reallocated policy to HR and updated document reference number, updated document owners	HR Advisor
8	28/11/2023	Updated responsibilities for HR team repository and Deputy RO and RO decision-making and reporting responsibilities.	Chief Academic Officer

Document Review

Role	Review Status
Chief Academic Officer	Update complete

Document Owner

Document Owner	Document shared with
Chief Academic Officer	Deputy Chief Executive
Head of People and Development	Head of Standards and Head of Product Development

Document Sign-off

Role	Sign-off Date
Chief Academic Officer	28/11/23