

CONFLICT OF INTEREST POLICY & PROCEDURE (v3.1021)

Introduction

RTITB aims to deliver all of its training-related services (examination, audit, instructor training, accreditation etc.) and assessment services free from any possible conflict of interest; where a conflict cannot be avoided RTITB will manage and mitigate the conflict as far as is reasonably practicable in order to protect the integrity of the service provided. Conflict of Interest resolution will be on the basis of ensuring the interests of the apprentice/learner/customer is uppermost.

The RTITB Board is ultimately accountable for this policy, its dissemination, and its management of potential and actual conflicts of interest.

Documents associated with this policy & procedure are shown in **bold, italic, underline**.

Breaches of this policy will be dealt with under the Disciplinary procedure.

Purpose

This policy & procedure aims to:

- Increase awareness and understanding of conflicts of interest
- Explain how to recognise and record conflicts of interest
- Explain how to mitigate and manage conflicts of interest
- Provide a structure of regular review for conflicts of interest

Scope

This policy applies to all RTITB services and to all individuals involved with any aspect of developing, administering, delivering and marking RTITB services. This includes; Directors, employees, contractors, agency workers and third parties and anyone else involved with RTITB in any activity from which there is potential for conflicts of interest with any other RTITB activity.

What is a Conflict of Interest

A conflict of interest is a situation in which an individual, or organisation, has competing interests or loyalties. The conflict of interest may adversely affect judgement, or could influence objectivity when making decisions if it is not properly managed.

Ofqual defines a Conflict of Interest as:

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 a way that complies with its Conditions of Recognition, 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 a way that complies with the awarding organisation's Conditions of Recognition, or an informed and reasonable observer would conclude that either of these situations was the case

Example of Conflicts of Interest (this list is not exhaustive)

Organisational	<ul style="list-style-type: none">• Organisation provides End-point assessments and delivers training courses• Organisation provides End-point assessments and provides qualifications that form part of the apprenticeship• Organisation has a financial stake in any of its suppliers/third parties
Individual	<ul style="list-style-type: none">• Where someone works for or carries out work on RTITB's behalf, but has personal interests – paid or unpaid – in another business which either uses the services/products of RTITB, or produces similar products.

	<ul style="list-style-type: none"> • Where someone works for or carries out work on RTITB's behalf and has colleagues, friends or relatives taking end point assessments/examinations provided by RTITB • Where an examiner/assessor has been involved in any element of training/apprenticeship delivery for the candidate • Works or has worked for the organisation being audited/having a candidate examined/having an apprentice assessed • Where a complaint, appeal or malpractice investigator has a personal interest in the outcome of the investigation - please note this type of conflict is prohibited and cannot be managed/mitigated.
Financial	<ul style="list-style-type: none"> • Where a member of the board of directors has a financial interest in RTITB (e.g. shares) • Where a member of the board of directors has a financial interest in RTITB customers

Recognising & recording conflicts of interest

To help individuals recognise potential and actual Conflicts of Interest all employees and contracted human resource complete the RTITB Conflicts of Interest elearning course every 12 months. To ensure context and effectiveness, the course has been developed and is maintained by RTITB based on our business operations.

RTITB maintains a **conflicts of interest register**. The Operations Director is responsible for the maintenance of the **conflicts of interest register**. The **conflicts of interest register** records all organisational, individual and financial conflicts (alongside any other types that may be identified), relevant dates, the details of the conflict and how the conflict will be mitigated/managed. The **conflicts of interest register** is reviewed at the

4-monthly senior team meeting. The **conflicts of interest register** is available to all employees and contracted human resource in the RTITB HR platform library, this enables individuals to ensure that their entry on the register is accurate.

All employees, contracted human resource and Directors make a **Declaration of Interests** upon employment/contracting and thereafter annually. The Operations Director is responsible for ensuring these declarations are completed. **Declaration of Interests** are retained in the individual's file.

In addition, all employees and contracted human resource are responsible for emailing COI@rtitb.com with any conflicts of interest (potential/actual/perceived) they identify which are not already on the **conflicts of interest register** or if there is a change to the nature of the conflict of interest recorded on the register (for example they are allocated an EPA or examination for an apprentice/candidate whom they have trained in a prior role or they have a personal interest in). Notification must be made within 5 working days of identifying the conflict/change to the conflict or sooner if there is the potential for an immediate impact on the integrity of services. If there is any doubt whether or not a matter represents a conflict of interest it should be reported.

Mitigating & managing conflicts of interest

Any identified potential or actual conflict of interest are handled and documented by RTITB's Operations Director. The Operations Director will identify the actions needed to resolve/mitigate the issue or, for issues that cannot be resolved/mitigated at this level, escalate the issue to RTITB's Managing Director for advice and guidance. Additionally the Operations Director will communicate the required actions and ensure they have been appropriately implemented.

Following is a summary of RTITB's overall approach and policy stance regarding conflicts of interest.

Organisational

- The EPA sub-committee of the board of directors exists to ensure independent decision making and oversight of the EPAO.

Individual

- An individual cannot provide any service on behalf of RTITB to an organisation by which they have been employed or contracted within the last 24 months.
- Reciprocal arrangements are prohibited (e.g. RTITB Academy instructors cannot examine each other's candidates)
- Where an apprentice has been trained by an instructor/trainer who has attended a course at the RTITB Instructor Academy within the last 24 months, the individual who ran the course cannot conduct the apprentice's end-point assessment.
- An individual cannot audit an RTITB customer and then conduct an end-point assessment at the audited site within 12 months (and vice versa).
- Individuals who run lift truck instructor and LGV courses at the RTITB Instructor Academy cannot examine courses ran by the RTITB Instructor Academy (unless 24 months has passed since the last course delivery).
- An individual cannot work for an accredited operator training organisation or RTITB consortium member and conduct audits on behalf of RTITB.
- Quality assurance of service outputs (e.g. audits, exams, EPAs) cannot be carried out by the person who provided the service. The quality assurance process must be carried out separately.

Financial

- Technical persons involved in the delivery of services will not be given financial or completion targets.
- Exam and assessment outcomes will not be linked to pay.

Steps we take to mitigate conflicts of interest include:

- Allocate service to a different individual
- Rearrange service delivery to a different day when an on unconflicted individual is available

- Identify alternative experts to work on design/development

Where a conflict of interest is unavoidable (for example where EPA plan requirements override the conflict of interest) , the service will be carried out under observation by another person wherever reasonably practicable. Where this is not possible (for example for safety reasons) the service output (e.g assessment results, audit report, exam results et.c) will undergo independent review and scrutiny prior to release of the service output.

Feedback & Further Advice

To provide feedback on this policy or for further advice and guidance please contact the Operations Director or email COI@rtitb.com

Regular Review

The Managing Director of RTITB will review this policy & procedure (including any associated documents) no less than twice-yearly. The policy & procedure will be revised as necessary and in line with feedback from stakeholders, changes in legislation or identified trends.

Conflict of Interest Procedure

