



## Conflict of Interest Policy

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## Conflict of Interest Policy

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### **1.0 General Statement**

- 1.1 Conflicts of interest situations arise where an individual's commercial, professional, personal or family interests and/or loyalties could have, or could be viewed by others as having, the potential to influence decisions they have to make in relation to the activities of Children in Wales, notwithstanding that there is no reason to believe that the individual would not act with integrity.
- 1.2 The aim of this policy is to establish transparent procedures to protect both the organisation and the individuals involved from any possible appearance of impropriety, whilst ensuring compliance with all Children in Wales and external requirements.
- 1.3 This policy forms part of Children in Wales' recognition as a Centre for Accredited Training.

### **2.0 Principles**

- 2.1 This policy is designed to identify and manage all relevant potential conflicts of interest to ensure so far as is possible that integrity is embedded throughout Children in Wales' activities.

### **3.0 Scope of Policy**

- 3.1 This Policy relates to:
- Employees, staff, trustees, volunteers and associates of Children in Wales
  - Assessors/Tutors/Trainers, Internal Verifiers, Learners, Quality Assurance Managers of awarding bodies and Associates of Children in Wales involved in delivering accredited training
- 3.2 This policy and procedures accompanying it will apply to any accredited training course provided by Children in Wales or its Associates.

### **4.0 Related Policies**

- 4.1 This Policy should be read in conjunction with the following:
- Children in Wales Accredited Training Policy Series
  - Children in Wales Anti Bribery and Corruption Policy
  - Children in Wales Gifts and Hospitality Policy
  - Children in Wales Whistleblowing (Public Disclosure) Policy

## **5.0 Guidance**

- 5.1 The guidance, at Appendix 1, sets out: what steps will be taken to identify and manage conflicts of interest.

## **6.0 Appendices**

1. Guidance, Principles & Procedures to be followed in relation to Conflict of Interest

## Appendix 1

### Guidance, Principles & Procedures to be followed in relation to Conflict of Interest

#### 1. Introduction

- 1.1 Conflicts of interest situations arise where an individual's commercial, professional, personal or family interests and/or loyalties could have, or could be viewed by others as having, the potential to influence decisions they have to make in relation to the activities of Children in Wales, notwithstanding that there is no reason to believe that the individual would not act with integrity.
- 1.2 The aim of this policy is to establish transparent procedures to protect both the organisation and the individuals involved from any possible appearance of impropriety, whilst ensuring compliance with all Children in Wales and external requirements.
- 1.3 Children in Wales will apply this policy to all its activities wherever relevant.

#### 2. Definition of Conflict of Interest

- 2.1 A conflict of interest exists where:
  - A member of staff, trustee or any person within the scope of this policy has an interest in any activity undertaken by Children in Wales or on its behalf, and has the potential to lead it to act contrary to the organisations interests.
  - In respect of accredited training provision, a person who is connected to the development, delivery or award of qualifications by the awarding organisation has interests in any other activity which has 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
  - an informed and reasonable observer would conclude that either of these situations was the case.<sup>1</sup>

#### 3. Trustees, committee members and core staff

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<sup>1</sup> General Conditions of Recognition A4.1

- 3.1 Trustees, committee members and core staff are asked to complete a declaration of interest form before their appointment is ratified.
- 3.2 Following their initial appointment trustees, committee members and core staff are required to complete a declaration of interests form annually and to update it immediately if circumstances change.
- 3.3 To meet regulatory requirements, the contracts of employment for the Chief Executive Officer and Directors will include an additional disclosure clause.<sup>2</sup>
- 3.4 It is the duty of all core staff to disclose any actual or possible conflict of interest. Failure to declare an interest could justify disciplinary action.
- 3.5 The information included on the Declaration of Interest form is transferred to a register of interests document which is maintained by the Administration Manager.
- 3.6 A separate register of interests is used to record all gifts of a value over £20 received by trustees, staff and agents. Any gifts are recorded on the charity's register of interests, which is maintained by the Administration Manager. The register is accessible via the Administration Manager.

#### **4. Associate staff**

- 4.1 Associate staff are offered casual employment to perform consultancy and other work including external verification, training and specialist unit reading on behalf of Children in Wales. An associate member of staff is issued with a zero hour contract with any subsequent work offered via individual work assignments.
- 4.2 Those Associate staff engaged to undertake assignments relating to accredited training provision are required to confirm they are free of any personal, financial or contractual obligation to the centre, centre staff or individual learners which could compromise their ability to act independently on behalf of Children in Wales.

#### **5. External verifiers**

- 5.1 Associate staff working as external verifiers for accredited training provision are also required to confirm, before accepting individual work assignments, that they are free of any personal, financial or contractual obligation to the

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<sup>2</sup> General Conditions of Recognition A1.3, A1.4

centre, centre staff or individual learners which could compromise their ability to act independently on behalf of Children in Wales.<sup>3</sup> This includes holding a position in any receiving institution, the nature of which could create a conflict of interest or limit learners' progression opportunities (for example, through direct involvement in admissions decisions for learners progressing from Access to HE courses).<sup>4</sup>

## **6. Chair and members of Access to Higher Education (AHE) Validation Panels**

- 6.1** The Chair and members of the validation panel are required to confirm that they have no conflicts of interest in respect of the outcome of the validation event. Individuals from centres intending to deliver the Diploma may be invited to attend the validation event, but do not attend as full panel members and are not involved in making validation decisions.

## **7. Members of qualification steering groups**

- 7.1** The members of qualification steering groups are required to confirm that they have no interests in any other activities which could compromise their ability to act independently on behalf of Children in Wales in the development, delivery or award of the qualification(s) that are being developed.

## **8. Assessors and internal verifiers in recognised centres**

- 8.1** Where members of staff in recognised centres act as an assessor or internally verify learners' work, any member of staff who has a personal interest in the outcome of that assessment must declare it and should, as far as possible, not be involved in the assessment of the learner(s). Where this is not possible centres should ensure that they have policies and procedures in place to ensure that the assessment of the learner(s) concerned are verified by an internal verifier who has no interest in the learners' work and the sample included in the selection for external verification.<sup>5</sup>

## **9. Contractors and Consultants**

- 9.1** Any contractors or consultants supplying goods or services must be free from conflicts of interest that could adversely affect the goods or service provided to Children in Wales. It is recognised that contractors and consultants may take part in legitimate financial business outside of the service provided to

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<sup>3</sup> GCoR 4.4,4.6

<sup>4</sup> QAA licensing criteria 5.10

<sup>5</sup> GCoR 4.5,4.6

Children in Wales but any potential conflict of interest raised by those activities must be disclosed.

## **10. Risk register**

- 10.1 The risk register will include any specific risks identified resulting from a conflict of interest and the mitigating actions planned to manage such conflicts of interest. Risks will be added as they arise.

## **11. Data Protection**

- 11.1 Information provided to comply with this policy is processed and maintained in accordance with data protection principles as set out in the data Protection Act 1998. Data is processed only to ensure that trustees, staff and agents act in the best interests of Children in Wales. The information provided is not used for any other purpose.

## **12. Monitoring and Reviewing the Conflict on Interest Policy**

- 12.1 The Corporate Management Team is accountable for ensuring the review of this policy. The review takes account of monitoring activity carried out in respect of policies and procedures and will also take account of any customer and stakeholder feedback, changes in practice, requirements of the qualifications regulators, external agencies and amendments to legislation.
- 12.2 The policy is reviewed in line with Children in Wales's policy review cycle. This policy is reviewed on a biennial basis.