



# ECITB Awarding Organisation Conflict of Interest Policy and Procedures

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## Regulatory authorities

ECITB is regulated by Ofqual, SQA Accreditation and Qualifications Wales (the Regulators). We are required to comply with Ofqual's General Conditions of Recognition, SQA Accreditation's Regulatory Principles and Qualification Wales Standard Conditions of Recognition.

Every attempt has been made to ensure that the contents of this policy are consistent with the requirements of the Regulators. Where regulatory requirements are amended and require change, such changes will be made as soon as practicable.

## Scope

This policy covers potential and actual conflict of interest, both from the activities of individuals, third parties and Approved Centres engaged in the development, delivery and award of qualifications, including the assessment of candidates and from the infrastructure of the ECITB (as described in Appendix 1).

The purpose of this policy is to set out the guidelines and procedures for identifying, monitoring, and managing actual, perceived, and potential conflicts of interest relating to the design, development, delivery, or award of ECITB qualifications.

## Definition of conflict of interest

A conflict of interest exists where an organisation or an individual has competing interests, which might impair its, or their ability to make objective and unbiased decisions.

A personal interest is a conflict of interest that relates to an individual, where any informed and reasonable observer would conclude that a person who is connected to the development, delivery or award of qualifications on behalf of the Awarding Organisation and/or its Approved Centres, has interests in any activity that could have the potential to lead that person to act contrary to his or her own interests. A personal interest can be financial or non-financial in nature, an example could include an assessor assessing a candidate who is a family member, or an assessor is paid based on the outcome of an assessment.

A potential conflict of interest may arise from any scenario in which it is reasonably foreseeable that a Conflict of Interest might arise in the future.

## Approved centres' responsibility

Approved Centres must have a conflict of interest policy and procedure in place to identify, monitor on a regular basis, and manage any actual or potential conflict of interest arising from within the Centre. The Approved Centre procedure must include the reporting to the ECITB Awarding Organisation of any identified conflicts of interest that cause, or have the potential to cause, an adverse effect.

Approved Centres must take all reasonable steps to ensure that their staff involved in the management, assessment, and quality assurance of ECITB qualifications, and their candidates, are aware of the contents of this policy.

Centres will also need to maintain their own record of conflicts of interest and how they have been/are being managed. These records will be monitored through external quality assurance activities and should be made available to ECITB Awarding Organisation upon request.

Approved Centre personnel must declare any interest that is relevant and material, personal or business, which may conflict with their duties and responsibilities. Examples of such conflicts of interest could include, but are not limited to:

- a member of the Approved Centre assessment team who has a personal relationship with a candidate;
- an individual invigilating the assessment of a candidate with whom they have a personal relationship;
- a trainer/tutor invigilating their own candidates in an assessment;
- a candidate being assessed at an Approved Centre at which they also work;
- a member of staff has a direct or indirect financial interest in the outcome of any assessment.

## Reporting conflicts of interest to ECITB Awarding Organisation

Approved Centres must report any identified potential or actual conflicts of interest that has caused, or may have the potential to cause an adverse effect, in writing to [qualifications@ecitb.org.uk](mailto:qualifications@ecitb.org.uk) outlining the nature of the conflict and adverse effect, the qualification affected and the mitigating actions that have been taken.

Notifications will normally be acknowledged:

- no later than **5 working days** from receipt for correspondence sent via email to: [qualifications@ecitb.org.uk](mailto:qualifications@ecitb.org.uk)
- no later than **15 working days** from receipt for any other correspondence and correspondence sent via post.

This information will be reviewed by a senior member of the ECITB Awarding Organisation management and/or quality assurance team who will assess the nature of the conflict and any risk to the Awarding Organisation and/or its regulators. Additional information may be requested to establish if an actual conflict exists and whether there is potential for the conflict to cause an adverse effect.

The ECITB Awarding Organisation will decide whether the conflict requires further action/mitigation to be taken to avoid or manage the conflict or adverse effect, this may include the application of restrictions as outlined in the *ECITB Awarding Organisation Restrictions and Sanctions Policy*.



Awarding Organisation staff, including contractors, are aware that they must comply with ECITB's Code of Conduct and Whistleblowing Policy which includes information on the requirement to report any potential conflict of interest relating to their work for the Awarding Organisation.

The ECITB Awarding Organisation will retain a record of all Conflicts of Interest.

## **Process for sending correspondence with personal or sensitive data**

Before sending any information or data to ECITB that contains staff (including contractors) and/or candidate personal details that could be attributed to an individual and/or information that includes sensitive data about an individual, you are required to request a ShareFile link from [qualifications@ecitb.org.uk](mailto:qualifications@ecitb.org.uk).

ECITB will respond by sending an email from [qualifications@ecitb.org.uk](mailto:qualifications@ecitb.org.uk) containing the wording '[Click here](#) to upload files'. This enables you to upload your files to the ECITB secure ShareFile system.

No personal or sensitive data should be sent via email as this method of transferring data is less secure than ShareFile.

Should you be sending such data by post, please mark the correspondence 'Confidential – For the Attention of the Awarding Organisation'.

ECITB will ensure that such information is kept secure and used only for the purposes of the request.

## **Managing conflicts of interest**

The ECITB Awarding Organisation will take all reasonable steps to ensure that no Conflict of Interest that relates to its operations, causes or has the potential to cause an Adverse Effect, and where such a Conflict of Interest has had an Adverse Effect, will take all reasonable steps to mitigate the Adverse Effect as far as possible and correct it.

Conflicts of interest relating to Awarding Organisation activities are managed and mitigated for example, but not limited to, by ensuring:

- there is in place a governing body for the Awarding Organisation whose primary purpose is to oversee regulatory compliance. The Chair is a member of the ECITB Board to which the governing body is accountable;
- records are retained of any potential or actual conflict of interest and any mitigating steps taken to minimise risk;
- the Awarding Organisation monitors conflicts of interest and associated records on a regular basis;
- contractual relationships are in place with all its Approved Centres which requires the centre to be subject to the same policies, procedures, requirements and fees, regardless of any other relationship that they may have with other ECITB departments;

- awarding organisation staff, including contractors, are aware that they must comply with ECITB's Code of Conduct and Whistleblowing Policy which includes conflicts of interest and the requirement to report any potential conflict of interest relating to their work for the Awarding Organisation;
- where appropriate, through its qualification assessment strategy, assessors and internal verifiers are not directly involved in the delivery of training for candidates for whom they have assessment and quality assurance responsibility for;
- approved centres provide assessment records and/or marking sheets where a centre is allowed to mark and grade an assessment and these are subject to both internal and external quality assurance;
- anyone with a personal interest in the outcome of an investigation into potential malpractice will be prohibited from carrying out investigations of suspected or alleged malpractice;
- anyone with a personal interest in the outcome of the investigation into potential breaches of confidentiality will be prohibited from carrying out investigations of suspected or alleged breaches of confidentiality;
- anyone with a personal interest in the outcome of any appeal will be prohibited from taking decisions on that appeal;
- Confidentiality of those involved in development of assessment materials and/or any related training events.

## Review arrangements

To ensure this policy remains relevant, useful and fit for purpose, it will be reviewed along with associated procedures every three years, as part of our self-evaluation process. There may be instances however that trigger the need to review the policy earlier, such as, in response to customer, candidate or regulatory feedback, or trends that emerge from processing conflicts of interest.

## Contact us

If you have any queries about any aspect of this policy, please contact:

The Awarding Organisation  
Engineering Construction Industry Training Board  
Office F15, Kings House Business Centre, Home Park Estate, Station Road, Kings Langley, WD4 8LZ

Telephone: 01923 260 000  
Email: [Qualifications@ecitb.org.uk](mailto:Qualifications@ecitb.org.uk)  
Website: [www.ecitb.org.uk](http://www.ecitb.org.uk)



## **Appendix 1 -The ECITB Awarding Organisation Infrastructure**

The ECITB Awarding Organisation is part of The Engineering Industry Training Board (ECITB) which is a statutory Industry Training Board which collects a statutory levy and pays grants to in-scope employers for a variety of programmes and achievements, including qualifications. The Awarding Organisation has no responsibility relating to the setting and payment of grants to employers.

The ECITB Awarding Organisation utilises a number of shared support services including:

- Finance and Accounts
- Human Resources
- IT
- Policy & Corporate Affairs
- Research and Development
- Communications and Marketing