

Conflict of Interest Policy

Version 3.0

Purpose:	To advise and inform Trust staff of our Conflict of Interest Policy relating to Apprenticeship delivery
For use by:	Staff responsible for and involved in the delivery of an Apprenticeship Standard
This document is compliant with/ supports compliance with:	Codes of practice and regulations laid down by Awarding Organisations for Apprenticeship delivery and to support the internal quality process.
This document supersedes:	Conflict of Interest Policy v2.0 - ESNEFT
Approved by:	Apprenticeships Steering Group and Faculty of Education Management Group – Chair's Actions
Approval date:	28 th August, 2024
Implementation date:	27 th September, 2024
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In case of queries contact Responsible Officer:	Head of Apprenticeships and Leadership Development
Division and Department	Faculty of Education, Apprenticeship Delivery Team
Archive Date i.e. date document no longer in force	<i>To be inserted by Information Governance Department when this document is superseded. This will be the same date as the implementation date of the new document.</i>
Date document to be destroyed:	<i>To be inserted Information Governance Department when this document superseded</i>

Version and document control:

Version number	Date of issue	Change Description	Author
0.1	February 2022	First Draft	
0.2	April 2022	Second Draft	
1.0	May 2022	First Approved/Ratified version	
1.1	May 2022	Re-draft to new format	
1.2	September 2023	Policy renewals, name changes only	
2.0	September 2023	Second Approved/Ratified version	
2.1	September 2024	Policy renewal. Job title changes only	
3.0	September 2024	Third Approved/Ratified version	

This is a Controlled Document

Printed copies of this document may not be up to date. Please check the Trust intranet for the latest version and destroy all previous versions.

Trust documents may be disclosed as required by the Freedom of Information Act 2000.

Sharing this document with third parties

As part of the Trust's networking arrangements and sharing best practice, the Trust supports the practice of sharing documents with other organisations. However, where the Trust holds copyright to a document, the document or part thereof so shared must not be used by any third party for its own commercial gain unless this Trust has given its express permission and is entitled to charge a fee.

Release of any strategy, policy, procedure, guideline or other such material must be agreed with the Lead Director or Deputy/Associate Director (for Trust -wide issues) or Business Unit/ Departmental Management Team (for Business Unit or Departmental specific issues). Any requests to share this document must be directed in the first instance to the Responsible Officer.

For further advice see the Development and Management of Trust wide Procedural Documents Policy

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Section 1 – Introduction

1.1 Policy Statement and Rationale

To provide all Trust staff involved in the delivery of Apprenticeship Programmes with the understanding required to declare any conflict of interest, why this is important and the process available.

1.2 Key Principles

- To ensure that any aspect of the Apprenticeship Programme is open, honest and not subject to any allegations of favourable or preferential treatment.
- To provide all staff with the mechanism to declare a conflict of interest at the beginning of each programme and review regularly should circumstances change
- To treat all apprentices equitably, without fear or favour.

1.3 Definitions

Term	Definition
GDPR	General Data Protection Regulations
ESFA	Education and Skills Funding Agency

Section 2 – Duties and Responsibilities

- 2.1 Assessor/coach, Lead Technical Trainers responsibility to declare any conflict of interest at the start of any individual learner journey that fits within the scope of this policy.
- 2.2 The Head of Apprenticeships and Leadership Development has responsibility for all matters relating to a conflict of interest being raised or discovered.
- 2.3 The Head of Apprenticeships and Leadership Development has responsibility for any resulting decisions such as disciplinary action as a result of a conflict of interest being brought to their attention. Any such disciplinary action will be managed in line with the Trusts HR Disciplinary Policy.

Section 3 – Requirements

To cover all delivery activities carried out within ESNEFT by the Apprenticeships team. A conflict of interest to include but not be limited to:

- Any employee involved in the delivery of a programme being related to an apprentice who is part of their case load
- Any employee involved in the delivery of a programme being personally connected to the apprentice through means other than a relation
- Any employee involved in the delivery of a programme having knowledge or information which may render the learning programme invalid, or compromise the integrity of the programme

When any member of staff joins the Apprenticeships Team they will be asked to complete the Conflict of Interest form below and discuss any resulting conflict with the Head of Apprenticeships and Leadership Development

If at any point during the programme a member of staff feels that their circumstances have changed, or they become aware of a situation which could be considered a conflict of interest, they must raise this within 48 working hours of the suspicion of conflict and complete a new Conflict of Interest form to reflect the changes.

The Head of Apprenticeships and Leadership Development will review the new form and make a judgement on whether there needs to be any change implemented in light of the information.

Section 4 – Training and Education

Education/Training Need	Staff group	Method of training/education	Responsibility for training	Timescale to complete
Familiarisation with the policy and when to use	All Apprenticeship delivery staff	Induction and when the policy is reviewed	Head of Apprenticeships and Leadership Development	Within one month

Section 5 – Development and Implementation including Dissemination

All staff involved in the delivery of apprenticeships as part of the Trust as an Employer Provider are required to familiarise themselves with this policy and confirm that it has been read and understood as part of the on boarding process, and whenever the policy is reviewed and amendments made.

Each conflict of interest form will be stored securely and reviewed annually. Any completed form for a new conflict of interest declared will supersede any declaration of no conflict.

Once the subject of the conflict of interest is no longer applicable, the form will be retained within the learner file, or most appropriate place in line with GDPR or ESFA requirements.

Section 6 – Monitoring Compliance and Effectiveness

Compliance to be measured	Monitoring Tools	Responsibility for training (nominated by department)	Timescale
Conflicts of interest disclosed on the appropriate form	Conflict of Interest forms completed and updated on an annual basis or more frequently as required	Head of Apprenticeships and Leadership Development	Within one month

Section 7 – Control of Document including Archiving Arrangements

- 7.1** Once ratified by the Faculty of Education Management Group, the Responsible Officer will forward this document to the Information Governance Department for a document index registration number to be assigned and for the document to be recorded onto the central hospital master index and central document library of current documentation.
- 7.2** In order that this document adheres to the Hospital's Records Management Policy, the Information Governance Department will:
- Ensure that the most up-to-date version of this document is stored on the documentation library.
 - Archive previous versions of this document.
 - Retain previous versions of this guideline for a period of time in accordance with the NHS Records Retention and Disposal Schedule.

Section 8 – Supporting Compliance and References

- 8.1** This document will support the Trust's compliance with
- Awarding Organisations compliance requirements for Registered Centre status relating to the delivery of accredited qualifications.
 - Ofsted Safer Recruitment requirements under our Safeguarding obligations Keeping Children Safe in Education 2021

Appendix A – Equality Impact Assessment Form

The purpose of this Equality Impact Assessment form is to determine the extent to which policies, procedures and practices impact upon individuals and groups in relation to one or more of the equality categories.

If the policy, procedure or practice is found to have an adverse impact, the author/s must consider all other alternatives, which may more effectively achieve the promotion of equality of opportunity. This may include the development of specific measures to mitigate the adverse impact.

This Equality Impact Assessment form must be completed and forwarded to Human Resources Administration Office, Post Point N020 attached to the draft document prior to it being considered for approval. The Responsible Officer must retain the original. In the event that the document appears to be discriminatory, please refer to your Human Resources Manager/Adviser who will be able to advise you in accordance with employment legislation.

DOCUMENT TITLE:	Conflict of Interest Policy					
GROUP/DIVISION/DEPARTMENT:	Apprenticeship Delivery Team – Faculty of Education					
NAME AND JOB TITLE OF RESPONSIBLE OFFICER	Head of Apprenticeships and Leadership Development					
1. SERVICE USERS – Check for <u>DIRECT</u> discrimination against any minority group						
Does your document contain any statements which may exclude people from using services who otherwise meet the criteria under the grounds of:	Response		Action Required		Resource Implication	
	Yes	No	Yes	No	Yes	No
Age		X		X		
Gender		X		X		
Disability		X		X		
Race		X		X		
Religion or Belief		X		X		
Sexual Orientation		X		X		
If yes is answered to any of the above, the document may be considered discriminatory and requires review and further work to ensure compliance with legislation						
2. EMPLOYEES – Check for <u>DIRECT</u> discrimination against any minority group						
Does your document contain any statements which may exclude employees from operating under the grounds of:	Response		Action Required		Resource Implication	
	Yes	No	Yes	No	Yes	No
Age		X		X		
Gender		X		X		
Disability		X		X		
Race		X		X		
Religion or Belief		X		X		
Sexual Orientation		X		X		
If yes is answered to any of the above, the document may be considered discriminatory and requires review and further work to ensure compliance with legislation						

3. SERVICE USERS – Check for INDIRECT discrimination against any minority group

Does your document contain any conditions or requirements which are applied equally to everyone, but may disadvantage certain individuals or groups because they cannot comply due to:	Response		Action Required		Resource Implication	
	Yes	No	Yes	No	Yes	No
Age		X		X		
Gender		X		X		
Disability		X		X		
Race		X		X		
Religion or Belief		X		X		
Sexual Orientation		X		X		
If yes is answered to any of the above, the document may be considered discriminatory and requires review and further work to ensure compliance with legislation						
4. EMPLOYEES – Check for INDIRECT discrimination against any minority group						
Does your document contain any statements which may exclude employees from operating under the grounds of:	Response		Action Required		Resource Implication	
	Yes	No	Yes	No	Yes	No
Age		X		X		
Gender		X		X		
Disability		X		X		
Race		X		X		
Religion or Belief		X		X		
Sexual Orientation		X		X		
If yes is answered to any of the above, the document may be considered discriminatory and requires review and further work to ensure compliance with legislation						
5. Check for ACCESS Discrimination						
Is your document accessible:	Response		Action Required		Resource Implication	
	Yes	No	Yes	No	Yes	No
In a variety of languages		X		X		
To specific disabled service users/employees	X			X		
If no is answered to any of the above, the document may be considered discriminatory and requires review and further work to ensure compliance with legislation						

Name of group/s consulted with on document:	
Signature of Responsible Officer:	
Date:	

Appendix B – Conflict of Interest Form

CONFLICT OF INTEREST FORM

This form is for all staff employed by ESNEFT who deliver apprenticeship training or administration across all programmes. Below are examples of a conflict of interest which must be declared, these could be but are not limited to:

- Any employee involved in the delivery of a programme being related to an apprentice on their case load.
- Any employee involved in the delivery of a programme being personally connected to the apprentice through means other than a relation.
- Any employee involved in the delivery of a programme having knowledge or information which may render the learning programme invalid, or compromise the integrity of the programme.

Please complete the form below and return to the Head of Apprenticeships as soon as possible, either following your appointment to ESNEFT or as soon as you identify a potential conflict of interest.

Name:	
Position:	
Date:	
I have read the above statement and to the best of my knowledge am not aware of any conflict of interest relating to any learner or apprenticeship programme.	
Signed:.....	
I have read the above statement and feel that there is a conflict of interest to declare: <i>please provide details and attach any supporting documentation</i>	
Signed:.....	

Approved by Head of Apprenticeships.

Signed:..... Date:.....