



## Conflict of Interest & Whistleblowing Policy

### 1. Policy Purpose

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 End Point Assessment (EPA) of Apprentices. This policy applies to all 1st for EPA Ltd employees and contracted staff.

This Conflict of Interest Policy forms part of 1st for EPA Ltd's process to ensure that its assessments are valid, reliable, comparable, manageable and minimise bias.

### 2. Definition

Whilst it is not possible to provide a definitive list of examples of conflict of interest, the overarching concept is that 1st for EPA Ltd will not engage in any activity that has the potential to lead the organisation to act in a manner contrary to the specific requirements of the ESFA Register of End Point Assessment Organisations. Some examples of actual, potential or perceived conflicts of interest are:

- 1st for EPA Ltd or its staff being involved in both the EPA and the on-programme delivery of a standard.
- Staff or contractors employed by 1st for EPA Ltd having links with and/or being employed by the same organisation as the apprentice or the organisation undertaking the on-programme delivery. A link could be established by a number of factors, such as family members studying at or employed by the main provider, employer provider or sub-contracted provider or a transactional link (financial or otherwise).
- Staff or contractors employed by 1st for EPA Ltd to undertake EPA having a prior link with an apprentice, their employer or an organisation involved in the on-programme delivery (for example, having friends or relatives involved in the delivery).

### 3. Scope

This policy applies to all key stakeholders engaged with End Point Assessment activities on behalf of 1st for EPA Ltd and any person who can influence the outcomes of End Point Assessment. This includes employees, contractors and anyone involved in the design, development, delivery, award, quality improvement or operations stages.

### 4. Recognising Conflicts

On appointment, all 1st for EPA Ltd employees and contractors are required to declare any known conflicts of interest, whether actual, potential or perceived. 1st for EPA Ltd acknowledges that it is not always possible to pre-empt when a conflict of interest is likely to arise so mechanisms for identifying and reporting actual, perceived and potential conflicts of interest before, during and after End Point Assessment activities are also covered by this policy.

An actual, perceived or potential conflict of interest may be declared by any key stakeholder at any point in the End Point Assessment process. Declarations of known conflict made by a third party will come under the auspices of the Public Interest Disclosure Act 1998. It should be noted however that to be protected by the law, a whistle-blower must fall within the stringent legal rules. Anyone who does not act in good faith or is motivated by personal gain will not be protected.

### 5. Interests in End Point Assessment

1st for EPA Ltd acknowledges that there is a requirement to minimise or eliminate any conflicts of interest. Where this is not possible, action will be taken to manage conflicts appropriately in order that assessments continue to be valid, reliable, comparable, manageable and with minimised bias.

1st for EPA Ltd policy is that any assessor or invigilator with a conflict of interest with, or personal interest in the outcome of assessment for, an apprentice, employer or training provider will not be assigned to assess or invigilate these parties. Instead, another assessor or invigilator will be assigned.



Where, having taken all reasonable steps, an assessment or invigilation by such a person cannot be avoided, 1st for EPA Ltd will make arrangements for the relevant part of the End Point Assessment to be subject to scrutiny by another person.

It is felt that by adhering to the principles of neutrality, openness and fairness, conflicts can be avoided or managed without compromising the integrity of the individual, the End Point Assessment process or 1st for EPA Ltd as an Awarding Organisation.

## 6. Managing Conflicts

In most cases, it is envisaged that simple measures will be enough to manage conflicts of interest. It may be that the activity can be managed differently so that conflicts of interest are avoided.

1st for EPA Ltd maintains an internal process for making decisions on all conflicts of interest that have been identified or declared. This process seeks to mitigate the conflict whilst ensuring assessments are valid, reliable, comparable, manageable and minimise bias.

All staff and contractors are asked to declare any known conflicts of interest on recruitment, annually, and as they arise. The internal process is then followed for managing these and mitigating their effects.

All conflicts of interest identified whether actual, potential or perceived, are detailed in an internal register alongside actions and dates for completion. These are monitored and reviewed regularly.

This register will be checked before any individual is asked to undertake End Point Assessment activities on behalf of 1st for EPA Ltd and will be available for review by our external quality assurers (EQA).

Our EPA management systems, EPA Pro and ACE360, ask assessors and invigilators to declare any known conflict of interest prior to carrying out any work. This includes conflicts with the apprentice, their employer or the training provider.

## 7. Responsibilities

It is the responsibility of all persons, when involved in the End Point Assessment of Apprentices and other associated activities to:

- conduct their activities so that 1st for EPA Ltd maintains a high standard of quality assurance;
- ensure that they make their role clear – and separate this from their other functions, in so far as is possible;
- monitor their activities, so as to maintain the integrity of 1st for EPA Ltd;
- devote enough time and intellectual ability to their specific responsibilities;
- recognise and report any potential or existing conflict promptly, whether that be related to themselves or others.

Where an individual knows of a conflict and does not declare it, this may amount to malpractice, in which case the Malpractice and Maladministration Policy will be followed.

The Managing Director holds responsibility for monitoring conflicts of interest, maintaining the register and implementing actions in a timely manner. 1st for EPA Ltd.'s Governing Committee will have oversight of this process and hold the MD accountable.

## 8. Reporting Conflicts

Conflicts of interest, whether actual, potential or perceived, can be reported at any time.

For employees and contractors, this should be done on the Conflict of Interest Declaration if possible.

For all parties, conflicts can be reported directly to the Quality Team by putting details in writing and emailing [quality@1stforepa.co.uk](mailto:quality@1stforepa.co.uk)



For any queries, please contact [quality@1stforepa.co.uk](mailto:quality@1stforepa.co.uk) or call 01642 205207.

## 9. Recording Procedure

This register will be checked before any individual is asked to undertake End Point Assessment activities on behalf of 1st for EPA Ltd and will be available for review by our external quality assurers (EQA).

## 10. Whistleblowing

### 10.1 What is a whistle-blower?

A whistle-blower is a worker who reports certain types of wrongdoing. This will usually be something seen at work. The wrongdoing disclosed must be in the public interest, i.e. it must affect others, for example the general public.

As a whistle-blower you're protected by law. You will not be treated unfairly or lose your job because you 'blow the whistle'. You can raise your concern at any time about an incident that happened in the past, is happening now, or you believe will happen in the near future.

### 10.2 Complaints that count as whistleblowing

You're protected by law if you report any of the following:

- a criminal offence, for example fraud
- someone's health and safety is in danger
- risk or actual damage to the environment
- a miscarriage of justice
- the company is breaking the law, for example does not have the right insurance
- you believe someone is covering up wrongdoing

### 10.3 Complaints that do not count as whistleblowing

Personal grievances (for example bullying, harassment, discrimination) are not covered by whistleblowing law, unless your particular case is in the public interest. These should be reported under the Complaints and Appeals Policy. For further help and advice on these, contact the [Advisory, Conciliation and Arbitration Service \(Acas\)](#).

### 10.4 Reporting concerns as a whistle-blower

To raise a concern as a whistle-blower, you should put your concern in writing and send it to [quality@1stforepa.co.uk](mailto:quality@1stforepa.co.uk).

## 11. Policy Review

This policy was last reviewed on 11<sup>th</sup> August 2023. It will be reviewed annually and as legislation requires.