



CONFLICT OF INTEREST POLICY



Version Number	Date	Purpose of Change	Classification	Sign Off
V4.1	10/11/2025	Merge of EPA and Awarding, and new Formatting	Public	Kerry Ore

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1. SCOPE

1.1 The purpose of this policy is to provide a consistent and transparent approach to the identification, declaration, management, and monitoring of conflicts of interest within Smart Awards.

1.2 This policy applies to Smart Awards staff, Centres, Employers, Training Providers, Apprentices, Independent Assessors, External Quality Assurers (EQAs), contractors, and all third parties involved in any aspect of the design, development, delivery, assessment, quality assurance, or award of qualifications, apprenticeship assessments, and End-Point Assessments (EPA).

1.3 The policy aims to ensure that all decisions, judgements, and actions made by individuals or organisations on behalf of Smart Awards are fair, impartial, objective, and free from personal or professional bias, thereby maintaining public confidence in Smart Awards' qualifications and assessment outcomes.

1.4 Having a conflict of interest is not in itself a breach of policy; however, it must be identified early, declared, recorded, and managed effectively to prevent any potential or actual Adverse Effect.

2. PRINCIPLES

2.1 All individuals and organisations acting on behalf of Smart Awards must adhere to the following principles:

- Selflessness: Act solely in the interest of Smart Awards, learners, and stakeholders.
- Integrity: Avoid obligations or situations that might inappropriately influence decisions or actions.
- Objectivity: Act fairly and make decisions based on merit and evidence.
- Accountability: Be accountable for actions and decisions and be prepared for scrutiny.
- Openness: Act transparently and be willing to justify decisions.
- Honesty: Be truthful, declare conflicts promptly, and cooperate fully in managing them.

2.2 All persons must ensure that:

- Any personal, financial, or professional interests are declared where they could cause, or appear to cause, a conflict with Smart Awards' activities.
- Conflicts are managed in accordance with this policy and relevant legislation.
- Decisions are not influenced by self-interest, personal gain, or relationships.
- Records of all declared conflicts and management actions are retained and made available for audit.

3. RESPONSIBILITIES

3.1 Smart Awards Board/CEO

- Has ultimate responsibility for the governance of conflict management.
- Ensures systems are in place to identify and mitigate risks associated with conflicts of interest.
- Reviews all high-risk or unresolved conflicts quarterly.

3.2 Responsible Officer

- Holds overall accountability for policy implementation and compliance.
- Reviews declared conflicts and ensures appropriate mitigations are in place.
- Reports to the Board on emerging or unresolved risks.

3.3 Quality and Compliance Team / Managers

- Administer the Conflict of Interest Register within SAMS.
- Provide guidance, training, and compliance oversight to staff, Centres, and partners.
- Undertake internal audits and ensure follow-up of all reported conflicts.

3.4 All Staff, Centres, Employers, Training Providers, Apprentices, and Third Parties

- Are responsible for identifying and declaring conflicts of interest.
- Must cooperate fully with Smart Awards in managing or resolving conflicts.
- Must not conceal, ignore, or misuse any information relating to a conflict.

4. TYPES OF CONFLICT OF INTEREST

4.1 Actual conflict: Where a conflict currently exists between a person's duties and private interests.

4.2 Perceived conflict: Where it could be seen by others that private interests might improperly influence professional judgement.

4.3 Potential conflict: Where private interests may, in the future, interfere with professional responsibilities.

PART A – QUALIFICATIONS AND CENTRES

5. IDENTIFICATION AND MANAGEMENT OF CONFLICTS

5.1 Conflicts may arise in centres where:

- Delivery and assessment are conducted within the same organisation.
- Individuals hold roles across multiple organisations or awarding bodies.
- Personal or financial relationships could influence assessment outcomes.
- Senior staff have authority that may influence decisions relating to learners or qualifications.

5.2 Smart Awards will deliver regular training to Centres on identifying and managing conflicts of interest. Centres are required to cascade this training to staff to ensure consistent awareness across all levels.

6. ACTIONS TO BE TAKEN BY CENTRES

6.1 Identify

- Centres must actively review staff roles to assess whether any conflicts exist or could arise. Roles to be reviewed include but are not limited to:
 - Teachers and Trainers
 - Assessors and Internal Quality Assurers (IQAs)
 - Invigilators and Examinations Officers
 - Centre Managers, Directors, and Governors
 - Administrative staff involved in learner registration, assessment, or certification
- All centre staff must complete a Conflict of Interest Declaration upon appointment and renew it annually, or whenever circumstances change, even when no conflict exists.

6.2 Avoid

- Centres must take reasonable steps to avoid conflicts where possible, including:
 - Ensuring clear separation between training and assessment activities.
 - Preventing individuals from assessing learners with whom they have a personal connection.
 - Avoiding situations where decisions could be influenced by personal or financial gain.
 - Assigning alternative assessors or moderators where bias may arise.

6.3 Report

- Where a conflict cannot be avoided, it must be reported to Smart Awards immediately.
- Reports should include details of:
 - The nature of the conflict.
 - The individuals and roles involved.
 - Any actions taken to mitigate or manage the situation.

6.4 Manage

Centres must maintain a Register of Interests and record all declared conflicts. Each entry must include:

- Details of the conflict.
- The evaluation outcome.
- Actions taken to manage or eliminate the conflict.
- Examples of management actions include:
 - Reassigning roles or responsibilities.
 - Independent verification of assessment decisions.
 - Restricting access to confidential assessment materials.
 - Enhanced monitoring by the EQA or Smart Awards.

6.5 Monitor

- Centres must review the Register of Interests at least annually and provide updates to Smart Awards upon request.
- Smart Awards may review conflict management as part of its annual quality assurance visit or audit activity.

PART B – APPRENTICESHIP ASSESSMENTS AND END-POINT ASSESSMENT (EPA)

7. IDENTIFICATION AND MANAGEMENT OF CONFLICTS

7.1 Conflicts may arise where any individual or organisation involved in EPA—Smart Awards staff, Independent Assessors, Technical Experts, Apprentices, Employers, or Training Providers—has interests or relationships that could, or could be seen to, influence assessment outcomes.

7.2 Examples include:

- Employment or financial interests in multiple organisations.
- Personal or family relationships between an Assessor, Apprentice, Employer, or Training Provider.
- Secondary employment or consultancy work with competing organisations.
- Public comments, endorsements, or disclosures affecting impartiality.
- Acceptance of gifts or favours linked to assessment outcomes.

8. ACTIONS TO BE TAKEN BY SMART AWARDS STAFF, ASSESSORS, APPRENTICES, EMPLOYERS, TRAINING PROVIDERS AND THIRD PARTIES

8.1 Identify

- All parties must identify actual, perceived, or potential conflicts that may compromise assessment integrity.

8.2 Avoid

Smart Awards will ensure:

- Independent End-Point Assessors (IEPAs) have no personal, financial, or professional conflict with the Apprentice, Employer, or Training Provider.
- Assessment planning includes checks to confirm impartiality.
- Allocation systems prevent assessors from assessing known contacts or previous learners.

8.3 Report

Any conflict must be reported immediately to the Quality Manager or the Responsible Officer.

The report should specify:

- Who is involved.
- The nature and timing of the conflict.
- Any steps already taken to address it.

8.4 Manage

- Smart Awards will take appropriate action to protect assessment integrity, such as:
- Reallocating the apprentice to a different Assessor or introducing additional verification.
- Restricting access to assessment systems or confidential information.
- Independent review of assessment outcomes.
- Removal of an Assessor or partner where impartiality cannot be assured.
- Contract termination or disciplinary action if a conflict is concealed.

8.5 Monitor

- All conflicts are logged and reviewed.
- The Quality Manager maintains a Conflict-of-Interest Register and monitors actions until resolution.
- High-risk conflicts are added to the Smart Awards Risk Register and reported to the Board quarterly.

9. ASSESSMENT CONTROLS

9.1 Smart Awards will take all reasonable steps to avoid any part of an assessment being conducted by someone with a personal interest in the result.

9.2 Where unavoidable, the assessment will be subject to independent scrutiny to maintain fairness, reliability, and validity.

10. INCIDENTS AND ADVERSE EFFECTS

10.1 Smart Awards will record and manage incidents that may have an Adverse Effect, such as:

- Apprentices made redundant before completion.
- Approved Centres or Employers ceasing to trade.
- Lack of assessment opportunities due to workplace constraints.

10.2 All such incidents will be logged on SAMS and reviewed within the Risk Register.

11. NOTIFICATION TO REGULATORS

11.1 Smart Awards will notify Ofqual or Qualifications Scotland Accreditation immediately if a conflict of interest results in, or risks causing, an Adverse Effect.

11.2 Notifications and corrective actions will be recorded and tracked until resolution.

12. RESTRICTED AND RELINQUISHED ACTIONS

12.1 Restricted Actions: Limiting involvement in decision-making, development, or quality assurance where a conflict exists.

12.2 Relinquished Actions: Removing an individual or organisation from duties or terminating contracts or approvals to eliminate the conflict.

13. MONITORING, AUDIT AND REVIEW

13.1 Smart Awards monitors compliance with this policy through audits, quality assurance activities, and Board reviews.

13.2 High-risk conflicts are reviewed quarterly by the Board.

13.3 The policy is reviewed annually, or earlier if regulatory or legislative requirements change.

14. RELATED LEGISLATION AND POLICIES

Legislation:

- Bribery Act 2010
- Fraud Act 2006
- Public Interest Disclosure Act 1998
- Data Protection Act 2018 and UK GDPR

Related Smart Awards Policies:

- Risk Management
- Malpractice and Maladministration
- Appeals and Complaints
- Sanctions
- Data Protection

15. OFQUAL GENERAL CONDITIONS

15.1 A4.1 For the purposes of this condition, a conflict of interest exists in relation to an awarding organisation where – (a) 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 accordance with its Conditions of Recognition,(b) 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 accordance with the awarding organisation's Conditions of Recognition, or (c) an informed and reasonable observer would conclude that either of these situations was the case.

15.2 A4.2 An awarding organisation must identify and monitor – (a) all conflicts of interest which relate to it, and(b) any scenario in which it is reasonably foreseeable that any such conflict of interest will arise in the future.

15.3 A4.3 An awarding organisation must establish and maintain an up-to-date record of all conflicts of interest which relate to it.

15.4 A4.4 An awarding organisation must take all reasonable steps to ensure that no conflict of interest which relates to it has an Adverse Effect.

15.5 A4.5 Where such a conflict of interest has had an Adverse Effect, the awarding organisation must take all reasonable steps to mitigate the Adverse Effect as far as possible and correct it. Interests in assessment

15.6 A4.6 An awarding organisation must take all reasonable steps to avoid any part of the assessment of a Learner (including by way of Moderation) being undertaken by any person who has a personal interest in the result of the assessment.

15.7 A4.7 Where, having taken all such reasonable steps, an assessment by such a person cannot be avoided, the awarding organisation must make arrangements for the relevant part of the assessment to be subject to scrutiny by another person.

15.8 A4.8 An awarding organisation must establish, maintain, and at all times comply with an up-to-date written conflict of interest policy, which must include procedures on how the awarding organisation intends to comply with the requirements of this condition

15.9 A4.9 When requested to do so by Ofqual in writing, an awarding organisation must promptly submit to Ofqual its conflict-of-interest policy and must subsequently ensure that the policy complies with any requirements which Ofqual has communicated to it in writing.

16. OFQUAL APPRENTICESHIP CONDITIONS

16.1 EPA6.1: You must make every effort to manage and mitigate any potential or real conflict of interest in the delivery of your EPA service.

16.2 EPA 6.2: Where a potential conflict emerges you must take appropriate action to ensure that the integrity and validity of the EPA you deliver is not compromised.

16.3 EPA 6.4: Your conflict of interest policy must operate at an organisational as well as at individual assessor level, including any organisations and individuals with which you have contracted to support your delivery of EPA.

16.4 EPA 6.8: You must not collude with other EPAOs, providers, employers or any other organisation in the delivery of EPA.

17. QUALIFICATION SCOTLAND ACCREDITATION PRINCIPLES

17.1 Principle 1. The awarding body must have an accountable officer and demonstrate that it has clearly defined and effective governance arrangements.

17.2 Principle 13. The awarding body and its providers must ensure that they have systems and processes which ensure the effective quality assurance of accredited qualifications.

PROCESS FOR SUBMITTING A DECLARATION

Process Step Description	Process	Person Responsibility	Organisation Responsibility
Centre declaration issued to Smart Awards annually	Process	Centre Manager	Centre
Staff, third party declaration issued to Smart Awards annually	Process	Individuals	Staff, third party
Declaration logged on SAMS	Process	Quality Manager	Smart Awards
Log declarations that pose a risk added to the risk log on SAMS	Process	Responsible Officer	Smart Awards
Board reviews risk	Decision	Board - holds responsibility and experience to make decisions and measured risks	Smart Awards
Mitigate risk	Decision	Responsible Officer - holds responsibility and experience to make decisions and measured risks	Smart Awards
Action	Decision	Responsible Officer - holds responsibility and experience to make decisions and apply suitable actions.	Smart Awards
Report to regulators if adverse effects	Process	Responsible Officer	Smart Awards
Communicate risk outcome to Centre	Process	Responsible Officer	Smart Awards
Lessons learned	Process	CEO	Smart Awards
Keep under review on risk register	Process	Board	Smart Awards
Stop	End	CEO	Smart Awards