

CONFLICT OF INTEREST POLICY

EPAO STANDARDS



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1 Terms & Definitions

Title	Definition
IMechE	Institution of Mechanical Engineers
EPAO	End Point Assessment Organisation
EPA	End Point Assessment
ESFA	Education & Skills Funding Agency
Ofqual	The Office of Qualifications & Examinations Regulation
SRO	Senior Responsible Officer
IfATE	Institute for Apprentices & Technical Education
PDC	Professional Development Consultant
Centre	Where an organisation takes part in the delivery of an end point assessment. Activities related to delivery include: <ul style="list-style-type: none">- taking delivery of written question papers in advance of the assessment- handing out written question papers to Learners- setting up online assessments- delivering instructions to Learners before the assessment commences- invigilating assessments- collecting assessment paper and sending then to IMechE
Third Party	An organisation that IMechE have arranged to undertake, on their behalf, any part of the development, delivery or award of qualifications. It does not include organisations involved in the delivery of assessment, as they are centres.

2 Scope

This policy encompasses the full qualification lifecycle, and all those involved with the EPAO service of IMechE, from design and development, through to delivery and award, and onto monitoring, evaluation and continuous improvement.

The policy applies to:

- IMechE staff, employed or contracted
 - o Design team
 - o Administrative team (selection and contracting, gateway, booking, scheduling, invoicing, results and certification)
 - o Assessors
 - o Quality assurers
- IMechE Board members (Exec Board, Board of Trustees, and EPA Standards Committee)
- IMechE centres and third parties
- Independent panel members for panels dealing with appeals, complaints, sanctions, and malpractice

The policy:

- Provides guidance on what a conflict is
- Provides examples of the types of conflicts that may arise
- Details the action that needs to be taken to avoid conflicts of interest
- Identifies the principles we follow to manage conflicts of interest
- Identifies the actions to be taken by any individual who encounters a conflict of interest
- Provides guidance on how the IMechE will manage conflicts of interest that have been identified.

The policy is designed to:

- protect apprentices who complete their EPA with the IMechE
- Minimise the risk of an adverse effect occurring
- Support the members of the EPA Operating Team involved in day-to-day risk management

- Provide the framework for Approved Centre compliance to ensure that the IMechE meets or exceeds relevant legislation and guidance including the Ofqual's General Conditions of Recognition and the ESFA Conditions of Acceptance for End Point Assessment Organisations (EPAO).

Should there be conflict between this policy and the relevant legislations or regulations, the legislations or regulations shall have precedence. Approved Centres are required to maintain appropriate procedures for compliance with the legislation and regulations.

3 Reference to other policies

The following, in whole or in part, are referenced in this document and are indispensable for its application:

- Complaints and Appeals Policy
- Reasonable Adjustments and Special Considerations Policy
- Malpractice Maladministration and Whistleblowing Policy
- ESFA Conditions of Acceptance
- Ofqual Conditions of Recognition

4 Responsibilities

Responsibility for this policy, and its implementation, is as follows: -

Role Holder	Responsibility
Senior Responsible Officer for Conflicts of Interest SRO (Member of EPA Exec Board)	<ul style="list-style-type: none"> - Ultimate responsibility for the policy & distribution - Advising and actioning any potential/ actual conflicts - Where appropriate, seek advice or resolution from the IMechE's external quality assurer. - Investigate allegations of conflict, malpractice or maladministration relating to conflicts of interest. - Report to the EPA Executive Board and the Board of Trustees
EPA Executive Board (Governing Board – operations)	<ul style="list-style-type: none"> - Communicating the policy to all Approved Centres - Dealing with any breaches, conflicts of interest and associated appeals alongside the EPA Operating Team. - Prepare an Annual report for the Trustee Board providing a summary of conflicts and mitigating action
EPA Standards Committee	<ul style="list-style-type: none"> - Is a committee which ensures the Institution is applying standards and ensuring compliance with EPA regulations in its role as an EPAO
Head of UK Business Development	<ul style="list-style-type: none"> - Communicating the policy to the EPA Operating Team including assessors - Inform EPA Executive Board of any Conflicts of Interest as part of monthly report - Conduct an annual review of the policy and identify areas for continuous improvement
EPA Manager	<ul style="list-style-type: none"> - Maintain the conflict of interest register - Ensure that all new staff, including freelance, contractors, assessors and third parties have received conflict of interest training

5 Definition

Ofqual guidance on conflicts of interest states that “In general terms, a conflict of interest exists when an organisation or an individual has competing interests, which might impair its or their ability to make objective, unbiased decisions”, it then defines that 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 a way that complies 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 a way that complies 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.

Based on the regulatory definitions, we have defined a conflict of interest as a situation in which an individual or organisation has competing interest or loyalty. These can be:

- Financial or non-financial
- Personal or organisational
- Perceived or actual

Having a conflict of interest does not prohibit IMechE from operating, or from individuals being involved in the service, but IMechE must have in place rigorous methods to identify, mitigate, manage, monitor and review so as to prevent any adverse effects arising. However, some of the Ofqual Conditions do prohibit certain Conflicts of Interest in specific circumstances:

- a) Condition A8.3 prohibits anyone with a personal interest in the outcome of an investigation into potential malpractice from carrying out investigations of suspected or alleged malpractice
- b) Condition G4.6 prohibits anyone with a personal interest in the outcome of the investigation into potential breaches of confidentiality from carrying out investigations of suspected or alleged breaches of confidentiality
- c) Condition I1.2 prohibits anyone with a personal interest in the decision being appealed from taking decisions on that appeal.

5.1 Examples of Conflicts of interest

The following chart provides examples of potential conflicts of interest. The list is not exhaustive and it is important to remember that not every perceived conflict of interest is an actual conflict, and not every potential conflict of interest becomes an actual conflict of interest, which is why IMechE has a process to minimise, identify and investigate potential conflicts in order to determine appropriate mitigating actions:

Type	Example of perceived or potential conflicts of interest
Organisational	If IMechE: <ul style="list-style-type: none"> • Is a training provider • Is a membership body • provides qualifications that form part of the apprenticeship • has a financial stake in any of its suppliers or third parties • has a financial stake in any of its centres
Centres	Where a centre: <ul style="list-style-type: none"> • creates or follows a procedure that conflicts with those of IMechE and its regulatory responsibilities • incentivises its staff by offering a bonus for the number of learners achieving a pass, merit or distinction • member of staff is involved in both the end point assessment and the on-programme delivery of an apprenticeship
Personal	<ul style="list-style-type: none"> • Where a staff member: <ul style="list-style-type: none"> ○ Accepts or offers over generous gifts or hospitality;

Type	Example of perceived or potential conflicts of interest
	<ul style="list-style-type: none"> ○ Holds shares in a company that is in direct competition with IMechE. ● Where an expert designing the end-point assessment materials: <ul style="list-style-type: none"> ○ is also carrying out work for a training provider that will be delivering the apprenticeship standard; ○ is also working for another end-point assessment organisation delivering in competition to IMechE; ○ is employed by an employer of the apprentices undertaking the apprenticeship standard. ● Where an assessor: <ul style="list-style-type: none"> ○ has been involved in any element of apprenticeship on-programme delivery; ○ has line managed an apprentice; ○ is related to the apprentice or has family members related to, or friends with, the apprentice; ○ works (employee or freelance) in the same employer as the apprentice; ○ works (employee, freelance or volunteer) or has worked for the training provider, even if they have not trained the apprentice. ● Where a member of the Board of trustees has: <ul style="list-style-type: none"> ○ a financial interest in IMechE, such as shares ○ a financial interest in customers of IMechE ○ a professional or financial interest in a IMechE approved Centre ● Where a complaint, appeal or malpractice investigator has a link to the person or activity being investigated

6 Minimising the risk of a conflict of interest

Because conflicts can occur across the qualification lifecycle, and across both the organisation or individual, IMechE separates its organisational and EPAO functions, provides training to ensure that all staff and centres understand what constitutes a conflict of interest and what do, and refers to conflicts of interest identification and notification across its contracts:

1) Separation of functions at an organisational level:

- IMechE membership – Those apprentices who successfully complete the Engineering Technician apprenticeship are deemed competent to apply for Engineering Technician status with the IMechE. To ensure there is no conflict of interest, this cannot form any part of the assessment process and assessors cannot influence apprentices in pursuing Professional Registration with the IMechE.
- Training and Qualifications – sells training to organisations. Whilst organisations might be represented as employers of apprentices completing EPA with the IMechE there is no cross over with the EPAO's Operating Systems. Additionally Training and Qualifications does not provide training which contributes to the completion of the Engineering Technician Standard. The Institution does not operate cross organisational deals/discounts. For example, if you complete EPA with the IMechE you can have a discount in another commercial organisation owned by the IMechE. No members of staff have influence or involvement with EPA. Should an EPA employee assessor have or were involved with Training and Qualifications this should be declared as a potential conflict of interest. Training and Qualifications have no influence Boards/Committees associated with the EPAO.
- Argyll Ruane -is an NDT, Corrosion and Coatings Training and Consultancy organisation. There is no crossover with the EPAO's Operating Systems. The training that Argyll Ruane provides is not linked in any way to the Engineering Technician Standard and would not form part of an apprenticeship that IMechE EPAO would assess. The Institution does not operate cross organisational deals/discounts. For example, if you complete EPA with the IMechE you can have a discount in another commercial organisation owned by the IMechE. No members of staff have influence or involvement with EPA. Should an EPA employee assessor have or were involved with Argyll Ruane this should be declared as a potential conflict of interest. Argyll Ruane have no influence Boards/Committees associated with the EPAO.
- Sonaspection – is a manufacturer of flawed specimens in the Non Destructive Testing and Non Evaluation Industry. There is no crossover with the EPAO's Operating Systems. Whilst customers may

be employers of End Point Assessment apprentices, Sonaspection has no influence over EPA. Should an EPA employee assessor have or were involved with Sonaspection this should be declared as a potential conflict of interest. Sonaspection have no influence Boards/Committees associated with the EPAO.

- Policy research – policy research can be undertaken in a number of sectors including education research and also with industry and academia. Whilst policy research is part of the Charity the Policy Team are not involved with End Point Assessment or have any influence Boards/Committees associated with the EPAO.
- Supporting Teachers- the IMechE runs programmes to support teachers in schools to promote STEM. The teachers we support work with primary and secondary school students and have to involvement with apprenticeships. STEM activity has no influence or involvement with the EPAO, and the function is there purely to support in the promotion of STEM activity for school aged children.

2) Separation across EPAO functions:

- EPA Standards Committee Members are not involved in the delivery, training or assessment of Apprentices. Their role focuses on ensuring that the standards delivered comply with the Ofqual Conditions of Recognition. They also provide a review and audit function for the EPAO.
- The EPA Executive board are not involved with assessment or training of apprentices or in the design of EPA assessment material.

3) Codes of conduct:

- All Trustees are governed by a Code of Conduct.

4) Training in conflicts of interest for:

- Board of Trustees and EPA Standards Board
- All IMechE staff, including assessors and quality assurers
- Any new staff at induction
- Centres and third parties must undertake training and provide evidence when requested
- Conflict of interest refresher training at annual standardisation meetings for all assessors.

5) Contracting:

- All contracts and agreements, including those for centres and third parties, contain reference to conflict of interest, the requirements and how to declare
- Contracted Assessors are bound to confidentiality within their contract terms
- All contracts are subject to annual review.

6.1 Managing Conflicts of interest across appeals

If an assessment decision is appealed, any assessors involved in the assessment of the applicant cannot be part of the appeals panel but can be asked to contribute to the panel as part of the evidence gathering process. Additionally, if a member of staff has been involved in decisions relating to for example reasonable adjustments, they cannot be a part of the panel. Those involved in the panel are required to declare if there is a conflict of interest, full details are provided in the appeals policy.

6.2 Managing conflicts of interest specific to the assessment plan

The assessment plan for the Engineering Technician Standard states that the assessment should be delivered by an employer assessor. In some cases, employers are unable to undertake this due to a lack of impartiality. In these cases, an assessor will be provided by IMechE.

In all cases upon completion of the occupational assessment a moderation is undertaken by the Internal Quality Assurer of IMechE.

Additional sampling and standardisation is also undertaken by the EPA Manager.

Sampling and moderation is undertaken for all assessments (professional and occupational) by the EPA Standards Committee.

Some assessments do require a panel of technical experts as part of the assessment process. Technical Experts are required to complete a conflict of interest declaration prior to attending the assessment.

7 Identifying and Reviewing Conflict of Interests

IMEchE has a range of approaches to identify potential conflicts before they occur, thus enabling IMechE, to carry out any necessary investigations, and to put in place the appropriate mitigations. The following chart summarises the range of methods of identification and the next section details the investigation process should a conflict be identified:

Approach	Activity	Carried out by
Recruitment	<ul style="list-style-type: none"> - Checks of staff and assessor (employed and contracted) CVs and employment histories prior to offers of employment - Due diligence checks of board members: <ul style="list-style-type: none"> o Checks for Disqualified directors via the register on gov.co.uk: https://www.gov.uk/search-the-register-of-disqualified-company-directors o Bankruptcy and insolvency register checks http://www.gov.uk/search-bankruptcy-insolvency-register 	<p>Line Manager</p> <p>Corporate Governance and Risk Office which reports to the Chief Risk Officer</p>
Declarations	<ul style="list-style-type: none"> - Board Members (Board of Trustees and EPA Standards Committee) are required to complete a conflict of interest declaration on appointment and thereafter annually - EPA Executive Board members are required to complete a conflict of interest declaration on appointment and thereafter annually - All employees - conflict of interest declaration on appointment and thereafter annually. This declaration is retained in their employment file. - All assessors (both occupational and professional) are required to complete a conflict of interest declaration annually - All assessors and panel technical experts are required to declare any conflicts for each employer and each apprentice they are provisionally scheduled to end-point assess - All appeal panel members are required to complete a conflict of interest declaration prior to selection as a panel member - All centres must notify any potential or actual conflicts of interest using the Centre Declaration form 	<p>Declarations issued by Corporate Governance and Risk office</p> <p>Declarations collated and added to conflict of interest register by Chief Risk Officer</p> <p>Declarations reviewed by Head of Finance to determine whether there is no conflict or if an investigation is required</p> <p>If no potential conflicts are found following a declaration this should still be recorded in the register and reasons for decision.</p> <p>Declarations by Trustees and Executive Board of the Charity and all Executive Boards linked to the Commercial Operations of the Institution are also recorded in the Annual Accounts</p>
Ongoing identification	<ul style="list-style-type: none"> - All staff have a requirement to notify their line manager if their circumstances change. - All staff have a requirement to notify their line manager immediately should they believe that they have become the subject of a potential, perceived or actual conflict of interest <p>If either of these has been notified verbally it must be followed up in writing</p>	<ul style="list-style-type: none"> - Review of the change of circumstances added to register by EPA Manager and reviewed by Senior Responsible Officer
Review	<ul style="list-style-type: none"> - Review of CPD as part of annual review / appraisal - CPD may involve time back in industry, which could lead to new or emerging conflicts of interest - Annual centre and third-party contract reviews 	<ul style="list-style-type: none"> - Annual review carried out by line manager - Centre and third-party contract reviews carried out by the Centre and

Approach	Activity	Carried out by
		<p>reported to the IMechE through the EPA Manager</p> <p>Any changes to conflicts of interest status must be added to the conflict of interest register and reported to EPA manager in order that the register can be updated and investigation undertaken</p>
Quality assurance	<ul style="list-style-type: none"> - IMechE quality assurance work, such as sampling and observation - Complaints and appeals - Malpractice and maladministration - Whistleblowing 	<ul style="list-style-type: none"> - Sampling and observation carried out by IMechE internal quality assurers and the EPA Executive Board <p>Should these processes identify potential or actual conflicts that have impacted the qualification lifecycle (design / development, delivery or award) they must be formally investigated as detailed in section 11</p>

7.1 Last minute identifications of conflict

All declarations are carried out annually and refreshed should circumstances change. However, there may be occasions where a conflict has not been known in advance. For example, an Occupational Assessor may not have known an apprentice by their name, but when they see them at the assessment they recognise them, perhaps from activities from outside of work. In these instances, the assessor must contact the Centre in the first instance, if they are unable to reach the Centre then they should contact the EPA Manager 07919566635.

In these circumstances the assessor would postpone the assessment and a new date would be booked with an alternative assessor. The Centre must inform the EPA Manager immediately when this occurs. Additionally, the Assessor or the Centre on behalf of the assessor should complete a Centre Declaration form and send to the EPA Manager in order that the Conflicts of Interest register can be updated, and additionally so accurate records are maintained for the External Quality Assurer.

8 Recording a Conflict of Interest

IMechE operates a Conflict of Interest Register which captures the results of all declarations, and all potential and actual areas of conflict across the organisation, staff, third parties and centres. The register also includes records of any investigations, mitigating actions and their associated timeframes.

The register is managed on a day-to-day basis by EPA Manager and reviewed by the Executive Board through the monthly report. Any conflicts identified in declarations will be flagged immediately with the Senior Responsible Officer rather than waiting for the monthly review.

The information included on each Register will be processed in accordance with data protection principles as set out in the Data Protection Act 2018. Data will be processed only to ensure that staff act in the best interests of IMechE. The information provided will not be used for any other purpose.

The register captures the following information:

- the name and role of the person;
- the name of the centre or third party
- method of notification – annual declaration, ad hoc / change of circumstance declaration, whistleblowing, quality assurance

- date of declaration or notification

Conflict of interest declarations, including notifications from Centres	Conflict of interest via whistleblowing or quality assurance
<ul style="list-style-type: none"> • nature of potential or actual conflict; • senior staff member at IMechE to which the (potential) conflict has been referred for review • date of review and decision (with details) <ul style="list-style-type: none"> ○ prevention ○ mitigation ○ no action required (upon review it is not a conflict) • date for review 	<ul style="list-style-type: none"> • nature of conflict; • senior staff member at IMechE to which the (potential) conflict has been referred for review • date of review to determine next steps • officer responsible for investigation • conflict of interest check for investigator <ul style="list-style-type: none"> ○ if there is a conflict the investigation will be allocated to an individual who has no personal interest in the outcome of the investigation, and where it is unavoidable, ensure any part of the investigation they do is scrutinised by someone else who does not have such an interest • The investigation and outcome, including the mitigating actions and the associated timescales • Level of risk, including details of any potential or actual adverse effects • Date reported to Executive Board • date of report to regulator (if applicable – if there has been or may be adverse effects) <ul style="list-style-type: none"> ○ the SRO will report to the regulator • date for review

In addition, to the IMechE register, all centres maintain a register of conflict of interests and mitigation taken. This register must be submitted to the IMechE EPA Manager on an annual basis as part of the audit process.

9 Mitigating Conflicts of Interest

In accordance with the Conditions of recognition, all reasonable steps should be taken to avoid any part of the end Point Assessment process (including assessing, interviewing, quality assurance) being undertaken by any person who has a personal interest in the result of the assessment. Where, having taken all such reasonable steps, as assessment by such a person cannot be avoided, arrangements should be made for the relevant part of the assessment to be subject to additional scrutiny by another person.

Mitigating actions will be proportionate to the nature of the conflict and may include:

- Preventing the assessors from undertaking assessments for a particular employer, apprentice or cohort
- reorganising activities and /or key functions
- allocating an alternative assessor
- changing the expert being used to design assessment tools and materials
- use of internal resources rather than third parties

Other actions to address the levels of risk may include:

- additional observations and sampling
- termination of supplier/third party contracts

Mitigation may also be timebound, and as such a date for review is captured as part of the review and investigation. For example:

- An assessor may be removed from assessing a cohort because, in their declaration, they had identified that they had been involved in delivering a module of training for a particular employer. This will need to be reviewed in a timely manner depending on circumstances, as they may only have delivered as a one off, standing in for a trainer, or it could be a more permanent arrangement, meaning that they can never end-point assess for that employer

- A staff member may have failed to update their declaration. This may mean that any mitigation can be removed once updated declarations have been received. However, this will depend on the severity as it may result in maladministration investigations.

10 Centres and Conflicts of Interest

It is incumbent upon the IMechE as the Recognised EPAO to ensure that Centre Agreements do not put learners at risk and that they comply with the Ofqual General Conditions of Recognition.

All Approved Centres must have in place a robust Conflict of Interest Policy. Evidence of a policy and its implementation within the Approved Centre must be maintained and provided to the IMechE on request. In the absence of their own policy (ie an employer providing a workplace assessor) the Approved Centre must adopt the IMechE's policy in its entirety. Once again evidence of conformance must be provided on request, such as but not limited to evidence of distribution of the policy, evidence of training.

Upon request all Approved Centres are required to provide evidence of conflict of interest training provided within their organisation. This must be submitted to the EPA Manager.

If an Employer Assessor is undertaking the Occupational Assessment, they must attend a one day training course which incorporates awareness of conflicts of interest.

If an Employer Assessor is to continue to assess on an ongoing basis they are also required to take part in Standardisation activities.

All centres must notify the EPA Manager at IMechE promptly of any potential or actual conflicts of interest using the Centre Declaration form. This form should be completed by the Individual who is declaring a potential or actual conflict of interest.

In addition, all centres maintain a register of conflict of interests and mitigation taken. This register must be submitted to the IMechE EPA Manager on an annual basis as part of the audit process.

The IMechE EPA Manager will record any conflicts of interest in the EPAO Conflict of Interest Register. This will form part of the annual report provided to the IMechE Trustee Board.

Where Centres are undertaking Internal Quality Assurance, they must ensure that staff attend conflict of interest training and make known any conflicts of Interest through the declaration process, either in advance or at the time of assessment if relevant. An alternative member of the team should then undertake the quality assurance process.

Where centres are using employer assessors for occupational assessment, evidence of moderation must be provided upon request.

Centres must provide access to assessments in order that sampling, and moderation can be undertaken by the IMechE EPA Standards Board.

Centres must not offer any financial inducement linked to the assessment of apprentices.

11 Notifying suspected breaches of conflicts of interest

If there is any doubt whether or not something represents a conflict of interest, it must be reported.

Whistleblowing is a term used to refer to an individual who discloses information relating to actual malpractice or maladministration and / or the covering up of such practices. Whistle-blowers are protected by legislation which confirms they are protected from harassment and unfair or damaging treatment regardless of whether the allegations are unfounded.

A whistle-blower is protected by law if they 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 organisation is breaking the law
- someone is covering up wrong doing (ie conflict of interest)

Personal grievances (for example bullying, harassment, discrimination) are not covered by whistleblowing law, unless the case is in the public interest.

The IMechE will always endeavour to keep a whistle-blower's identity confidential were asked to do so, although we cannot guarantee this and we may need to disclose the identity to the police or other law enforcement agencies, the courts, or another person to whom we are required by law to disclose their identity to. A whistle-blower should also recognise that they may be identifiable by others due to the nature or circumstances of the disclosure.

While the IMechE are prepared to investigate issues which are reported to us anonymously, we shall always try to confirm an allegation by means of a separate investigation before taking up the matter with those the complaint / allegation relates to. It is not always possible to investigate or substantiate anonymous reports.

Further information about whistleblowing can be accessed via the government website <https://www.gov.uk/whistleblowing>

12 Investigating Breaches of Conflict of Interest

When a potential conflict of interest has been identified, an investigation is required to determine the extent of the conflicts, its impact, and the methods of mitigation and/or sanction (refer to the malpractice policy for more detail). The impact takes account of whether the conflict could have an 'Adverse Effect'. An Adverse Effect is defined as 'An act, omission, event, incident or circumstance has an Adverse Effect if it:

- a) gives rise to prejudice to Apprentices or potential Apprentices or
- b) adversely affects-
 - i. the ability of the End Point Assessment Organisation to undertake the development, delivery or provision of the End Point Assessment
 - ii. or public confidence in qualifications.

The following steps will take place as part of an investigation:

- **Assign** an investigator: Investigations will be led by the SRO, unless a conflict of interest is identified with the investigator. In which case, another member of the EPA Executive Board will undertake the role of investigator
 - If the reported breach relates to the SRO the matter will be investigated by the Chief Executive Officer who will agree the appropriate actions to manage or remove the conflict of interest with the Chair of the Board of Trustees
- **Notify** the person or organisation subject to the investigation
- **Consult and plan:** work with IMechE HR to plan investigation activities and notify EPA Standards Committee
- **Deliver:** carry out investigation, which may include interviews and data gathering
- **Risks and adverse effects:** identification of the potential risks to IMechE and adverse effects for the apprentice (learner) and the end-point assessment service
- **Review:** review the investigation findings
- **Report:** produce an investigation report with findings and recommended actions
- **Decision:** made by the Investigator in consultation with EPA Executive Board and an update provided to the Trustee Board, to inform of actions and sanction with reference to related policies:
 - Malpractice and maladministration.
 - Sanctions Policy
 - Risk Register updated where appropriate
- Should there be adverse effects, or potential adverse effects, these will be reported to the regulator by the Responsible Officer.

IMechE, aim to complete all investigations within 4 weeks of notification. Where the investigation timeframe needs to be extended, all parties will be notified, and a revised timeframe agreed.

13 Ongoing Management of Conflict of Interests

To ensure ongoing compliance IMechE carry out annual reviews of all processes linked to conflicts of interest to ensure they are compliant and continuously assessed and maintains a watching brief of all policy developments across the ESFA, IfATE and Ofqual. This is undertaken at an operational and governance level.

Should staffing levels change, the conflict of interest policy will be reviewed to ensure it is fit for process.

Should the apprenticeship standard and associated assessment plan be updated. IMechE will carry out a review to ensure that the approaches to assessment remain in line and that any potential new conflicts are identified and managed.

All assessors work (both occupational and professional) is assessed and reviewed through random sampling by the EPA Standards Committee, in addition to internal and external quality assurance and performance reviews, including reviews of CPD.

All assessors and quality assurers must attend standardisation events, which includes refresher conflict of interest training, alongside the annual refresh of the conflict of interest and confidentiality declarations / non-disclosure agreements.

The above list is not exhaustive and potential conflicts and the processes to identify, mitigate and manage will be reviewed regularly, led by the SRO in conjunction with the EPA Executive Board, EPA Standards Committee and EPA Operating Team. Where conflicts of interest arise, all actions taken are to ensure that apprentices are protected and that we are minimising the risk of an adverse effect occurring.

14 Noncompliance

Non Compliance would lead to an investigation into Malpractice/Maladministration. Please refer to Malpractice Maladministration Policy for further information.

Appendix 1

Conflict of Interest Declaration Form

Confidential (when completed)

Name:
Company/Employer:
Position:
Team:
Role in end-point assessment:

Conflict of interest or potential conflict of interest		
Category of interest	Details of the interest	Does this interest apply to yourself or a member of your immediate family, or connected persons? (Please state name of individual(s) if interest refers to someone other than you)
Employment - current employment, and any previous employment in which you continue to have a financial interest / income		
Other paid / remunerated work – eg paid trusteeships, directorships		
Voluntary work – eg, unpaid trusteeships, directorships, volunteer.		
Memberships - of any professional bodies or special interest groups		
Investments – eg shareholdings		
Gifts or hospitality - offered to you by organisations other than IMechE, whether this was declined or accepted in the last 12 months		
Any association with IMechE approved centres		
Involvement with any other End Point Assessment Organisation		
Any involvement with a training provider		
Any other potential conflicts not covered by the above		

Confidentiality
<p>All staff, whether employed or contracted, must demonstrate professionalism, good judgment, and care at all times in handling any information. No staff member, whether employed or contracted, can disclose any information belonging to IMechE, or subject to data protection law, unless IMechE, or the data subject, has formally authorised disclosure. This includes:</p> <ul style="list-style-type: none"> - Meeting agendas, documents, minutes or actions - company communications - assessment documents - customer details (apprentice, employer or provider) - commercial details about IMechE

Declaration
I declare that:

- ✓ the above details of my private interests (or my organisation's interests) are correct to the best of my knowledge and am aware of my responsibilities to take reasonable steps to avoid any real or apparent conflict of interest in connection with my employment (or that of my organisation) and to advise the EPA Operations Team of the relevant changes in my (or our) personal (or professional) circumstances
- ✓ I understand that I will be held personally responsible for maintaining the confidentiality of any documents or electronic files
- ✓ I agree to declare any interest as it arises, and as a minimum to complete, sign and return this declaration once a year, or upon request by IMechE
- ✓ I understand that IMechE may investigate the interests to determine whether they constitute a conflict, and agree the most appropriate method of management and mitigation
- ✓ I understand that this document will be retained by IMechE and the details recorded on a conflict-of-interest log, which can be accessed by the EPAO Team. and may be inspected by the regulator Ofqual.
- ✓ I understand that failure to declare an interest, or to maintain confidentiality, may result in malpractice investigations, disciplinary proceeding and sanctions

Signature	
Date	

Appendix 2



Conflict of Interest Declaration Form for Centres

Confidential (when completed)

Name:
Position:
Name of Centre:
Organisation (if applicable):

Conflict of interest or potential conflict of interest
Describe the conflict of interest or potential conflict of interest that has the potential to impact on your ability to carry out, or be seen to carry out, your allocated role with regard to the end-point assessment.

Describe the expected roles/duties you are required to perform.

Declaration

I declare that the above details of my private interests (or my organisation's interests) are correct to the best of my knowledge and am aware of my responsibilities to take reasonable steps to avoid any real or apparent conflict of interest in connection with my employment (or that of my organisation) and to advise the EPA Operations Team of the relevant changes in my (or our) personal (or professional) circumstances.

Signature:

Date:

Appendix 3

Independent requirements specific to IMechE's End Point Assessment

IMechE is approved to deliver End Point Assessment for 4 apprenticeship standards. The overarching approach to conflict of interest across all standards is that the Assessor and IQA will have no previous connection with the apprentice. No individuals involved in the on-programme delivery, assessment, mentoring or supervising will be involved in the EPA assessment for the same individual, or group of apprentices.

There are some specific Conflict of Interest checks unique to some standards, due to the wording of the assessment plans. The table below summaries specific independence statements from within the plans:

Standard	Level	Assessment Activity 1	Assessment Activity 2
Engineering Technician	3	Occupational Assessment - Viva Interview No current or past relationship with the apprentice, their employer or the training provider No specific details provided in the assessment plan	Professional Assessment No current or past relationship with the apprentice, their employer or the training provider

			Assessors must be a registered member of a PEI and not employer assessors
Rail Engineering Technician	3	<p>Occupational Assessment - Viva Interview</p> <p>No current or past relationship with the apprentice, their employer or the training provider</p> <p>No specific details provided in the assessment plan</p>	<p>Professional Assessment</p> <p>No current or past relationship with the apprentice, their employer or the training provider</p> <p>Assessors must be a registered member of a PEI and not employer assessors</p>
Rail Engineering Advanced Technician	4	<p>Occupational Assessment - Viva Interview</p> <p>No current or past relationship with the apprentice, their employer or the training provider</p> <p>No specific details provided in the assessment plan</p>	<p>Professional Assessment</p> <p>No current or past relationship with the apprentice, their employer or the training provider</p> <p>Assessors must be a registered member of a PEI and not employer assessors</p>
Railway Design Engineer	3	<p>Portfolio Assessment</p> <p>No current or past relationship with the apprentice, their employer or the training provider</p> <p>Assessors must be a registered member of a PEI and not employer assessors</p>	<p>Professional Assessment</p> <p>No current or past relationship with the apprentice, their employer or the training provider</p> <p>Assessors must be a registered member of a PEI and not employer assessors</p>