		
ISSUED BY: AO Director Caroline Walton	Awarding Organisation Policies and Procedures	**ISSUE DATE:** September 2026 **REVIEW DATE:** September 2027
	Conflict of Interest Policy	**ISSUE:** V7

Scope and Purpose

The purpose of this policy is to set out guidelines and procedures for identifying, monitoring and managing actual, perceived and potential conflicts of interest relating to the delivery of Apprenticeship Assessment.).

The policy will be facilitated and implemented by training and guidance for all Apprenticeship Assessments contributors and relevant others on recognising and managing possible conflicts of interest, be they perceived or actual, that may arise in circumstances such as thosedetailed below.

This policy applies to:

- All those involved in the design & development, delivery & award, review & evaluation, and quality & continuous improvement of ELS Apprenticeship Assessments, including staff and contributions.
- Any staff that may lead to a conflict of interest, such as through advice, support and guidance offered to apprentices, employers on the education and training of the apprentice leading up to the Apprenticeship Assessment.
- Anyone else involved with ELS in any activity from which there is potential for conflicts of interest with ELS as a provider of the Apprenticeship Assessment.

Definition of Conflict of Interest

The definition of Conflict of Interest in Ofqual guidance says:

“In general, terms a conflict of interest exists when an organisation or an individual has competing interests, which might impair it’s or their ability to make objective, unbiased decisions”.

This includes:

- Actual conflict which relates to ELS and its interests in any activity undertaken by it or on ELS’ behalf, have the potential to lead it to act contrary to its interests in the design, development, delivery and award of Apprenticeship Assessments.
- Actual conflict which relates to a person who is connected to the design, development, delivery, award and review of qualifications by the awarding

organisation, and has interests in any other activity which has the potential to lead that person to act contrary to his or her interests in the development, delivery or award of Apprenticeship Assessment.
- A perceived conflict where an informed and reasonable observer would conclude that either of these situations was the case.

Please see the Conflicts of Interest Table in Appendix A for examples of how ELS investigate and mitigate Conflicts of Interest.

Potential Conflict of Interests

ELS recognises that Conflicts of Interest could arise and potentially have impact on the way we provide our services. Conflicts of Interest may arise when an individual is engaged to contribute to the Apprenticeship Assessment and:

- A member of the ELS staff is undertaking Apprenticeship Assessment with ELS as an apprentice, who is assessed and internally quality assured by another ELS staff member.
- A member of the Board of Governors becomes involved with anotherAO and/or is asked to sit on another Board of Governors
- Is not directly involved in the apprentice's programme but is employed by ELS with an interest in their apprentice's completion of the programme.
- A member of the ELS staff who has access to apprentice records has a close personal relationship with an apprentice who is undertaking Apprenticeship Assessment.
- ELS member of staff has a personal relationship with an apprentice who is undertaking Apprenticeship Assessment with ELS.
- A member of ELS staff undertaking an assessment and/or internal quality assurance role for an ELS training provider as well as acting as an apprenticeship assessor.
- Where someone works for or carries out work on ELS' behalf and has colleagues, friends or relatives taking Apprenticeship Assessment provided by ELS.

Aims

The aims of this policy are to:

- Ensure individuals understand what constitutes a conflict of interest
- Ensure individuals understand they have a responsibility to recognise and declare any conflicts that might arise for them.
- Document the conflict and action(s) taken to ensure that the conflict does not affect decision-making.
- Any individual can raise a conflict of interest
- The policy and processes associated with it reviewed regularly for fitness for purpose.
- Processes and procedures are in place that enable the policy to be enacted and managed.

Responsibilities

In relation to Apprenticeship Assessment, outside of current members of the ELS staff who work on Apprenticeship Assessment (AO Director, Delivery Managers and

Apprenticeship Assessment Coordinators) the apprentice, employer, training provider, independent end-point assessor and internal quality assurer will all have to declare or inform ELS of a Conflict of Interest, which could potentially cause disruption to the Apprenticeship Assessment.

Management of Conflicts of Interest

Identifying potential Conflicts of Interest

All ELS staff, and staff involved in the life cycle of our Apprenticeship Assessments, are appropriately trained to recognise and report any potential or actual conflicts of interest.

All stakeholders involved in the design & development, delivery & award, review & evaluation and quality & continuous improvement of Apprenticeship Assessment are required to declare any conflicts of interest they currently have or could have going forward. This will happen upon recruitment and is requested annually. Any new conflicts of interest must be declared during the year by emailing:

assessments@explosivelearningsolutions.com

Assessors, IQA's and Apprenticeship Assessment Coordinators may also declare potential conflicts of interest at any point through their monthly one to one's with their line manager.

If there are any doubts that a situation represents a conflict of interest, ELS recommend you still declare it. If an individual has observed a potential conflict of interest, they must notify the AO Director, following the same process as above.

The conflicts of interest register will be owned, monitored and maintained by the Assessment Delivery Managers and checked monthly by the AO Director.

Decisions on conflicts of interests are made by the AO Director based on the following factors:

- Assess the nature of the conflict
- Assess the risk or threat to the organisation functions
- Decide whether the conflict warrants further action/mitigation to be taken
- Decide on what steps to take to avoid or manage the conflict or adverse effect.
- All conflicts of interest are reviewed fairly and objectively.

On occasions where the nature of the conflict is not clear and where a concise decision cannot be made, the AO Director will consult with Quality Assurance Manager to come to a joint decision.

The AO Director will liaise with the person notifying the potential conflict of interest to determine if an actual conflict exists, possible adverse effects and what can be done to mitigate the conflict.

All Apprenticeship Assessment staff are asked during one-to-ones if they need to raise any conflicts of interest. If none are identified, this is recorded and logged as

'n/a'. If conflicts of interest are identified this is recorded on the one-to-one form, transferred into the Conflicts of Interest Register, monitored and review regularly by the Assessment Delivery Managers.

All meetings relating to conflict of interest are minuted and recorded in the Conflict of Interest register.

Conflicts of interest are discussed at the monthly ELS management meetings and during the Board of Governors meetings.

ELS will take reasonable steps to ensure all staff involved in Apprenticeship Assessment must declare conflict of interest regarding friends or family who are sitting Apprenticeship Assessment with ELS.

If a conflict of interest is declared on the day of the assessment, which had not been previously identified through declaration, the Assessor or Invigilator present will have to contact an IQA immediately before any assessment takes place.

ELS will contact the Training Provider/Employer and discuss an alternative provision or put in place mitigating actions to ensure the integrity of the Apprenticeship Assessment activity.

Managing the conflicts

Where a conflict of interest is identified, we would review to see if this could causean adverse effect.

The Ofqual definition of Adverse Effect is:

"An act, omission, event, incident, or circumstance has an Adverse Effect if it –

1. *(a) gives rise to prejudice to Learners or potential Learners, or*
2. *(b) adversely affects –*
    (i) The ability of the awarding organisation to undertake the development, delivery or award of qualifications in a way that complies with its Conditionsof Recognition,
    (ii) The standards of qualifications which the awarding organisation makes available or proposes to make available, or
    (iii) Public confidence in qualifications"

Where an adverse effect could potentially occur, the AO Director will take the necessary steps to ensure any such adverse effect is mitigated.

ELS will consider reorganising activities where reasonable, so adverse effects are minimised.

ELS will also look to gain an understanding of the individual(s) concerned, to determine which of their roles and responsibilities may potentially undermine the integrity of ELS, the Apprenticeship Assessment and themselves.

If the AO Director is unable to reach a solution based on the points above, another member of staff will be assigned to undertake the end-point assessment. Doing this would reduce the risk of the assessment being compromised and possibly being voided.

If elimination is not possible due to lack of resource or finance, measures must beput in place which can show the conflict is being managed effectively so as not to compromise the outcome of the assessment.

All reasonable steps will be taken to avoid any part of the Apprenticeship Assessment being undertaken by any person who has a personal interest in the result of the assessment. If this situation is unavoidable, then arrangements will be made for the whole or relevant part of the assessment to be subject to scrutiny by another person.

Internal Conflicts
The contractual arrangements with contributors to the Apprenticeship Assessment clearly set out any obligations on them to declare and manage conflicts of interest arising from otheractivities that they undertake.

Recording Conflicts of Interest

The AO Director will maintain a register of its contributors appropriately updated with details of any conflicts of interest declared by the members. This register will capture information, which helps ELS understand, assess and mitigate adverse effect for any conflict of interest declared.

ELS' conflict of interest form is shared with all stakeholders, and they will be required to complete and return this form to assessments@explosivelearningsolutions.com This form will ask the stakeholder to read, understand and provide accurate information, to ensure independence when selecting individuals for thedevelopment, administration, delivery and marking of the Apprenticeship Assessment.

The information provided by key stakeholders should be processed in accordance with data protection principles as set out in the Data Protection Act 2018 and GDPR 2018. Data will be processed only for the purposes set out in this policy and not for any other purpose.

Monitoring and reviewing conflicts

The Assessment Delivery Manager, in conjunction with the AO Director is responsible for maintaining the conflicts of interest register and will:

- Record all conflicts of interest and personal interest
- Make the conflicts of interest register available to any stakeholder at any time for reference purposes
- Keep a log of any actions taken to manage a conflict of interest

The register of conflicts of interest will be available for inspection by the relevant body.

Conflict of interest investigations

Where ELS conduct investigations for apprenticeship malpractice, maladministration, and breach of confidentiality, appeals or complaints, all reasonable steps are taken to avoid those concerned being investigated by anyone with a personal interest in the outcome.

Policy Review Arrangements

We will review this policy annually as part of our self-evaluation arrangements and revise it in line with any feedback from stakeholders, regulatory authorities or external agencies, or changes in our practices.

RELATED DOCUMENTS:-	**APPROVED BY:-**
AO Appeals Policy	Caroline Walton, AO Director

Appendix A

Conflict of Interest Scenarios.

This table represents potential conflict of interest, which may arise during Apprenticeship Assessment and how ELS would identify and mitigate these conflicts of interest.

Serial No.	Possible Conflict of Interest	How ELS would Identify	How ELS can Mitigate
1.	Departmental resources i.e. staff being asked to support wider ELS work or projects	The AO Director is trained and qualified at Prince 2, Management of Risk and Project Planning and Controls. These methodologies and approaches are applied throughout ELS. Risks, issues and conflicts are identified and recorded as part of normal practice. We identify and monitor the scale of Apprenticeship Assessment work from the outset of a contract and confirm when the requirements need to be met alongside other ELS tasks within our matrix management approach.	By following robust project planning and controls and by utilising associates and external occupationally competent, approved SME's Apprenticeship Assessment tasks are appropriately managed and covered. ELS calls this the 'Make' (recruit) or 'Buy' (external short-term associate support) decision.
2.	A new member staff joins ELS, they are also an apprentice undertaking an apprenticeship. An AO has not yet been identified by their training provider or previous employer. The training provider asks ELS to be the AO.	Through discussions with the new member of staff (apprentice) during recruitment stages or when the new member of staff decides to tell ELS they are doing an apprenticeship.	ELS will not conduct and carry out Apprenticeship Assessment services/practices with our own staff. We would consider this to be unethical and a conflict of interest. An alternative AO would be sourced.

3.	ELS has a member of Apprenticeship Assessment staff who is undergoing an apprenticeship. ELS has an interest in the apprentice completing their programme timely. The apprentice may be struggling to complete their evidence to the set deadlines provided by the training provider. The apprentice may be tempted to use others work as them evidence.	ELS recognises the continued development of our staff. We take an interest in our apprentices completing their programmes and encourage them to do so. The AO Director gets involved with monthly meetings with apprentices and with the training coordinator from the training provider. Work plans are set and agreed with the line manager of the apprentice.	ELS support apprentices following guidance from the training provider. ELS support apprentices with them on and off the job training. Time is provided to apprentices to complete their apprenticeship evidence. This is also discussed during one-to-ones. ELS ensure all work submitted to the training provider i.e. Portfolios of evidence is the work of the learner only. Evidence is verified by the line manager.
4.	A member of the ELS Apprenticeship Assessment team, who has access to apprentice records (ie ACE360), is a relative or a close friend to the apprentice who is undertaking their Apprenticeship Assessment. The apprentice needs to pass three Apprenticeship Assessment components and explains to their relative that they are struggling with one of their components and asks their relative to ensure they pass that component.	ELS staff (core and associates) are requested to declare any conflicts of interests.	Contractual arrangements are put in place for all staff and third parties who have or have had access to confidential assessment information through the assessment development process. Conflicts of Interests must be declared through several ways as per our Conflicts of Interest policy: One to one's Standardisation Team Meetings Quarterly meetings All assessment decisions and judgements are internally quality assured through our IQA's before grades are given. All learner feedback is checked and sampled. If any kind of cheating, malpractice or maladministration is identified the appropriate policy and procedures will be followed.

5.	An Apprenticeship Assessor is in a relationship with one of our apprentices who is about to go through Gateway and undertake end-point assessment with ELS.	A conflict of interest has been declared as per the Conflict of Interest Policy.	ELS will immediately use another assessor if for any reason it is not possible for another assessor to undertake Apprenticeship Assessment the AO Director will request full scrutiny on all parts of the Apprenticeship Assessment and full sampling will be conducted on all Apprenticeship Assessment components to ensure the grades and feedback given can clearly be justified.
6.	Viewpoints – an Apprenticeship Assessor or IQA's opinion that could prevent them from operating in an impartial manner	Line managers or project managers seek to identify through standardisation.	All Apprenticeship Assessment practices, policies procedures and decisions are standardised with all assessors and IQA's so assessment decisions are valid, consistent, fair and reliable.
7.	The training provider puts pressure on the ELS AO to put apprentices through their Apprenticeship Assessment in a much quicker manner due to time constraints/funding, or if the training provider has forgotten to put the apprentice through Gateway	Increased telephones calls and emails coming in from the training provider/employer pushing for quick Apprenticeship Assessment	ELS use the Learner Management System ACE360. This enables ELS to see apprentices on programme, during their training period and leading up to Gateway. We factor in time to liaise with the training provider to make sure apprentices are on track. DWP/DfE now require apprentices to be registered for Apprenticeship Assessment 6 months prior to Gateway. ELS will ensure fair and reliable assessment is conducted and will work with the employer and training provider if timescales are tight but not to the disadvantage of the learner, or which may

			disadvantage the learner in any way. As this would be unfair and could possibly lead to an appeal. ELS are educating employers and training providers to register their learners as soon as possible.
8.	The AO Director needs to conduct Apprenticeship Assessment activities with Apprentices. They are also a named assessor and IQA on certain standards.	If an Apprenticeship Assessor is taken sick the AO Director may need to step in to ensure learners are not disadvantaged, if another assessor cannot be found in time.	The AO Director will only support apprenticeship standards, as an Apprenticeship Assessor and IQA where approval has been granted by the Ofqual. The AO Director attends standardisation activities, CPD training and must maintain occupational competence to be able to remain as an Apprenticeship Assessor or IQA on the standard. The AO Director follows all the same Apprenticeship Assessment policies and procedures as the rest of the apprenticeship assessment team. All work completed by the AO Director must be 100% sampled by the internal quality assurance team.

10.	The employer requests a member of staff to support ELS with Apprenticeship Assessment activities i.e. panel members with our Project Manager standard or a second person as part of the OME Technician Practical Demonstration. The employer or employer- providers' main source of income is payment based on the number of students who pass qualification.	All Apprenticeship Assessment stakeholders and staff are required to read, acknowledge and sign the conflict-of-interest policy on an annual basis. These requests would be checked at Gateway or sooner.	ELS will ensure the 'second person' in the Practical Demonstration or the panel member from the employer has not been involved with the apprentices training.
11.	ELS has received an allegation of malpractice against one of our Apprenticeship Assessors who has just completed an Apprenticeship Assessment component with a learner. The Apprenticeship Assessment is due to go back into the employer the following month.	Any forms allegations of Malpractice/Maladministration must go through ELS Malpractice/Maladministration policy and procedures. The Quality Assurance Manager and AO Director will follow the Malpractice / Maladministration process.	Investigation will be conducted by a 'person of appropriate competence' Depending on the nature of the case ELS will need to consider factors such as the nature, scale and scope of alleged or suspected malpractice. Depending on the outcome of the investigation, an alternative assessor may be assigned to the learner. If the investigation found the allegation to be invalid and unjustified the assessor will be asked if they wish to return to the employer. The employer will also be asked if they will accept the assessor returning. If the same assessor was to resume assessment activities at the employer an IQA would conduct 100% sampling on all assessment decisions for that learner to ensure fair and consistent judgement has been given. An IQA may also observe the Apprenticeship Assessment activities.

12.	ELS use a large pool of Apprenticeship Assessors and IQAs for us Apprenticeship Assessment's. Some of our Apprenticeship Assessors and IQAs also act as assessor's and IQAs for other AOs. An Apprenticeship Assessor asks to use our materials for the work they are doing with another AO or vice versa, they ask to use another AOs material within ELS.	An Apprenticeship Assessor makes the request, ELS notice materials are being sent to personal emails addresses or an employer or apprentice contact ELS due to copyright details on materials.	All our materials are securely stored on Microsoft SharePoint which is a cloud-based system. All ELS materials are copyright and must only be used for ELS Apprenticeship Assessment services. ELS Apprenticeship Assessment materials must not be shared with any other AO or amended in any way for the benefit of another AO. Standardisation sessions and training inform and enforce this rule. This works the same for materials from other AOs. Apprenticeship Assessors and IQA's are not permitted to bring in materials from other AOs.
13.	A learner has raised an appeal following an Apprenticeship Assessment grade/assessment judgement. The appeal has been investigated by the Quality Assurance Manager, and a decision has been provided to the learner. The learner is unsatisfied with the outcome from the Stage 1 appeals process. The learner initiates Stage 2 of the Appeals process.	The Stage 2 Appeals Form submission	As per the Appeals Policy and as part of the Stage 2 Appeals Process, ELS employ an independent, impartial, sector competent individual who will sit on the ELS Appeals Panel, who is paid for their time. This individual will support and determine the outcome from the Stage 2 Appeals. All Appeals are logged, and records are kept for five years. An Assessor or IQA that has been involved in the initial Apprenticeship Assessment of a learner is not allowed to be part of the Appeals process to reassess the evidence or be part of the Appeals Panel.

14.	A member of the Board of Governors becomes involved with another AO and/or is asked to sit on another Board of Governors	All Governors must declare any conflicts of interest.	When Governors are recruited and appointed onto the ELS Board of Governors, they must declare any conflicts of interest. Any conflicts of interest declared will be reviewed and discussed. If any conflicts of interest are deemed too damaging or too high risk to ELS or unethical the appropriate actions will be taken e.g. a member of the Board of Governors will be asked to step down.