

# Policy Conflict of Interest

<b>Approver</b>	Senior Management Team
<b>Policy</b>	Conflict of Interest
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## 1. Policy Principles

- 1.1. For the purpose of this policy, a conflict of interest is defined as a situation in which an individual or organisation has, or may be perceived to have, competing interests or loyalties which could lead to a potentially subjective, biased, or corrupt decision being made by that individual or organisation. AreYou - Training and Consultancy recognise and encourage the promotion of building successful business and external relationships. In doing so, we are mindful that there may be situations when a perceived or potential conflict of interest may arise and that we have a duty to identify, manage and mitigate potential conflicts of interest. As such, where a potential conflict may be identified, AreYou - Training and Consultancy team members must follow the guidance outlined in this document.

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## 2. Introduction

- 2.1. This document and its associated procedures support us in ensuring that working relationships do not conflict with our requirement to engage in business relationships in a legal, transparent, ethical, and responsible manner. AreYou - Training and Consultancy recognises that conflicts of interest may arise that could lead to individuals making decisions, or appearing to make decisions, that are based on personal interest and not the interest of the organisation or what is ethically correct. Such conflicts of interest may also constitute a form of corruption and risk the organisation becoming legally non-compliant.

## 3. Purpose

- 3.1. This document outlines AreYou - Training and Consultancy's approach to identifying and managing conflicts relating to all AreYou - Training and Consultancy team members and Directors. The document clearly outlines responsibilities for reporting and mitigating potential or actual conflicts, provides guidance for different departments across the organisation, and outlines how a conflict can be raised and recorded.

## 4. Scope

- 4.1. This policy applies to all individuals working for or on behalf of AreYou - Training and Consultancy, including all team members at all locations and at all levels including Directors, external contractors, agency workers, flexible workers, partners, suppliers, centres, customers, any associates, any subsidiaries or their employees or any other person associated with us (collectively referred to in this document as 'individuals'). This policy extends to all of AreYou - Training and Consultancy's dealings and transactions in all countries in which it or its consultants, partners, stakeholders, associates, and all future companies operate.

## 5. Responsibilities/Duties

- 5.1. This policy sets out the responsibilities of all individuals, in line with their Statement of Terms & Conditions of Employment (or other contractual arrangement). Managers and Directors are responsible for ensuring that, where they are responsible for recording or monitoring conflicts, this policy is kept under review and followed where a potential or actual conflict is identified.

## 6. Conflicts of Interest Guidelines

- 6.1. Assessing the risks to AreYou - Training and Consultancy arising from potential conflicts of interest is an integral part of AreYou - Training and Consultancy's overall risk management process. Identified conflicts of interest are mitigated as far as possible and are monitored as part of overall risk management and internal control processes. Periodic reviews of our conflicts of interest policy and procedures are undertaken as part of our governance and accountability processes. All existing and reasonably foreseeable conflicts of interest will be identified and monitored by our organisation in line with this procedure and escalated to a

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Director where appropriate. Documented conflicts of interest will be monitored closely, particularly during periods of change, to mitigate the possible impact of any potential adverse effect. Wider conflicts must also be considered where they relate to AreYou - Training and Consultancy, its subsidiaries, or its providers to ensure that the likelihood of fraud or wrongdoing is mitigated.

## 7. Role Specific Requirements (Roles and Procedures)

### *Director*

7.1 In the case of a conflict of interest arising for a Director, where a conflict is not authorised by virtue of the Memorandum or the Articles, the un-conflicted Directors may authorise conflicts of interest where the following conditions apply:

- The Director who has declared the conflict of interest withdraws from the part of the meeting at which there is discussion of any arrangement or transaction affecting that other organisation or person.
- The Director who has the conflict of interest does not vote on any such matter and is not to be counted when considering whether a quorum of Directors is present at the meeting.
- The Directors who have no conflict of interest in this matter consider it is in the interests of the company to authorise the conflict of interest in the circumstances applying.
- Any such disclosure and the subsequent actions taken are noted in the minutes.

### *Management*

7.2 All team members are responsible for ensuring this document is complied with. All managers are responsible for reviewing any conflicts to ensure awareness and enable them to make decisions relating to potential conflicts. Line managers are responsible for monitoring at-risk activities and performance of those they are managing in relation to conflicts.

### *Management receiving a Conflict-of-Interest notification*

7.3 All managers receiving information on actual or potential conflicts of interest must ensure that any potential conflicts not causing a significant risk to the business are appropriately recorded, monitored, and managed.

7.4 Managers are required to maintain knowledge of this policy and any procedures in place within their area for managing potential conflicts. Where further guidance is required, managers should contact the Directors for support.

7.5 Conflicts, or potential conflicts that may pose a significant risk to the business, must be escalated in confidence to the Directors to raise awareness and ensure that appropriate action can be taken to minimise any risks and where possible resolve the issue. The issue must be recorded in accordance with confidentiality.

7.6 The Directors will support in the evaluation of whether any identified significant risks may result in an adverse effect. Potential cases which may introduce other regulatory risks (e.g. those governed by other specific legislation) will be escalated as appropriate. This will allow the evaluation of whether external specialist advice via Legal Services is required in assessing/mitigating the risk. All declarations are to be reviewed on an annual basis and this

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responsibility sits with the Directors. All amendments because of this review must be recorded.

## *Team members*

- 7.2 No team member within AreYou - Training and Consultancy shall provide or accept preferential treatment (including discounts on services and bribery) where such a transaction may adversely affect the business or other relevant parties. Such actions may also be construed as bribery and may be subject to criminal prosecution. For further information on this, team members should review the Anti-Bribery and Corruption Policy. To assist us in managing significant risks with regards to potential conflicts of interest, individuals must tell us about any relevant risk and/or issue in relation to a conflict of interest (or potential conflict) that has come to their attention. This will be covered as part of the onboarding and induction process where new starters will complete a conflict-of-interest declaration that will be shared with their Line Manager.
- 7.3 Managers are advised to prompt team members with long service to consider whether an updated declaration is required. If any change of circumstances occurs that could result in any potential conflict of interest, the team member should update their Conflict-of-Interest declaration via Microsoft Forms, where the Line Manager will receive an automatic update. We appreciate that team members may wish to do so in confidence, for example where they are uncomfortable with raising concern directly to their Line Manager, and request that team members refer to our Whistleblowing policy for more information on maintaining anonymity when raising a concern. Any person or body employed by or acting on behalf of AreYou - Training and Consultancy is personally responsible for ensuring that they adhere to the policy and procedures in this document.
- 7.4 If team members have a query relating to conflicts of interest which is not included in this policy, they must refer the matter to their immediate line manager in the first instance, or a Director. Line managers are recommended to escalate queries to the Directors where they are unsure. If a conflict of interest arises, or it is anticipated that one may arise, team members must inform their line manager or a Director, to protect the business and relevant individuals.
- 7.5 If there is any doubt whether an activity represents a conflict of interest, the matter should be raised in this way, in order that an objective assessment may be made. Line managers who require additional advice should contact the Directors for more guidance. All potential conflicts of interest which relate directly to the team member themselves must be recorded by the line manager on the team member's record. The record must contain information on how the conflict of interest will be managed. This record must be maintained and kept under review by the line manager. Conflicts of Interest relating to another individual (e.g., such as conflicts reported under the Whistleblowing policy) will be recorded by a line manager/Director, subject to confidentiality, particularly in relation to the confidential recording of information.

## *Quality assurance and assessment related roles*

- 7.6 Quality Assurance and Assessment Related Roles applies to all individuals working for or on behalf of AreYou - Training and Consultancy, in the context of assessment, whereby they may be producing, reviewing, marking, or conducting assessments. The aim of the procedure is to provide assurance that the integrity of confidential assessment materials is being upheld and always protected. It extends to all of AREYOU - TRAINING AND CONSULTANCY's

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dealings and transactions in all countries in which it or its consultants, partners, stakeholders, and associates operate.

## 8 Specific areas for consideration regarding potential conflicts of interest

### *Additional paid work*

- 7.2 Team members under employment with AreYou - Training and Consultancy are expected to devote their working time to AreYou - Training and Consultancy as outlined in their employment contract.
- 7.3 Any team member considering undertaking additional paid work (on either an employed or self-employed basis) outside AreYou - Training and Consultancy should consult with their line manager beforehand. Team members are not permitted to take on any such activities that could be deemed to compete or conflict with AreYou - Training and Consultancy's activities.

### *Potential for conflicts with regards to AreYou - Training and Consultancy qualifications*

- 7.2 Team members engaged in a team or role with access to qualification assessment materials, content, or mark schemes, may not be permitted to take an AreYou - Training and Consultancy qualification due to the risk of a high conflict of interest and the potential impact on our regulatory requirements. Such team members must speak to their line manager prior to registering for an AreYou - Training and Consultancy qualification.
- 7.3 Anyone who has access to confidential assessment material for a qualification is not permitted to deliver external training on that qualification, including contractors and casual/flexible workers who wish to attend a training event for which they have been involved in writing/reviewing assessment material for the qualification that is part of the training event. Such team members must consult with their line manager should they wish to attend these training events.

## 8 Where do I record my disclosure?

- 8.2 Disclosures should be made via the Conflict of Interest Form on Microsoft Forms. Individuals must ensure they alert their Line Manager unless maintaining confidentiality as part of Whistleblowing. Team members making disclosures will be asked on an annual basis to review conflicts of interest during supervision with their line manager.