



Skills and Training Services (STS)

Local Operating Procedure

Conflict of Interest Policy

Version Control Sheet

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| Mike Hampton | Quality Improvement and Audit Manager | 31/10/2023 | <i>M. Hampton</i> |
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Change Control

Any requested changes to this document should be emailed to: mike.hampton@serco.com

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Introduction

The term “learner,” within this policy, is used to describe all learners and apprentices involved with Skills and Training Services, this also includes those learners enrolled with subcontractors. This policy covers all Skills and Training Services staff and partner providers/suppliers/freelance/associates.

Conflicts of Interest (COI) are a common and unavoidable part of employment and management that can arise across a range of functions and environments. The existence of a COI does not necessarily mean that anyone has done something wrong, however, it is imperative that actual, potential, and suspected COIs are identified and declared so that Serco operates a fair, open, and transparent process in order that appropriate mitigating and management steps can be taken.

What is a Conflict of Interest?

A COI consists of:

“a set of circumstances that creates a risk that an individual or organisation’s ability to apply judgement or act in one role is, or could be, impaired or influenced by a secondary interest.”

The key test is when an individual could be influenced by the private interest (or a reasonable person might perceive that this is the case).

Generally, a conflict of interest may occur when:

- There is a direct or indirect financial interest.
 - There is a personal interest (non-financial).
 - A direct relative has an interest, such as partner, children.
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Why is it important that we manage them?

Failing to recognise or take appropriate steps in relation to an actual, potential, or suspected COI could result in criminal action, e.g. fraud, bribery, and corruption as well as pose a major risk to Serco, with the potential to significantly affect reputation and undermine stakeholder confidence.

Responsibilities Statement

It is the responsibility of all staff, including partner providers/suppliers, to:

- Identify situations in which a conflict of interest has arisen or has a potential to arise.
- To disclose any, including potential, conflicts of interest to Serco.
- To take action to minimise risks associated to the conflict of interest.
- Any breaches of conflict of interest should fall under disciplinary procedures (as appropriate).

Skills and Training Services Staff

All Skills and Training Services staff are required to complete a Serco wide COI form. All staff must familiarise themselves with the following **internal page** and attachments: [Understanding a Conflict of Interest \(COI\) - myserco](#). This will outline the process of submitting a COI.

Line managers are responsible for following the Serco process outlined in the link above.

- **New employees** – all new employees will be required to complete a COI declaration as part of their onboarding. This will be once they have been allocated an SAP number. The notification will be sent automatically from the MyHR Online system.
- **Leaders and Managers** – All Leaders and managers (L1-4) will be required to complete an annual COI declaration. A notification will be sent automatically 1 year after the initial declaration was made
- **High risk roles** – there are number of identified high risk roles that will also be required to complete an annual COI declaration. A notification will be sent automatically 1 year after the initial declaration was made.
- **Change in circumstance** – if an employee's circumstances change which mean that they may now be facing a COI, they are required to register it by completing a COI declaration. They can do this by accessing their personal account on MyHR Online and clicking on My Details > Raise Conflict of Interest. This will take them to the COI declaration form.

Partner Providers/Suppliers

All Partner Providers/Suppliers must declare a COI at the onboarding stage into Serco. All Partner Providers/Suppliers must read, understand, and sign up to the Serco Supplier Code of Conduct: [Supplier Code of Conduct](#) at the onboarding stage into Serco. COIs will also be declared by providers/suppliers via the expression of interest portal.

All Partner Providers/Suppliers must have their own COI policy/processes in place for any staff involved with any Skills and Training Services run contracts. These will be reviewed as part of the Skills and Training Services Due Diligence processes and reviewed annually thereafter.

On occasions where a COI arises this must be reported to the Skills and Training Services Business Assurance Manager (BAM) monthly, or sooner if appropriate. The following form must be used to report any COIs: <https://forms.office.com/r/3Ze2arHjg1>.

Awarding Organisations

Each awarding body will have its own guidance on conflict of interests that centres must follow. It is the responsibility of the Internal Quality Assurance (IQA) and Skills and Training Services Programme Leads to ensure all individual awarding body requirements around conflicts of interest are adhered to.

As a rule, the following should apply:

- Delivery staff (including Internal Quality Assurers, Quality Improvement Advisors and Exam Invigilators) should avoid being involved in the learner journey for a learner/apprentice that they have:
 - a personal relationship with, such as friends or family.
 - a personal relationship or financial interest in the employing organisation.

- Where avoidance is not possible due to the size of the organisation/resource available then a conflict-of-interest form must be submitted before commencing any activity. Activity must not commence until approval and controls are agreed with management.
- Partner Providers should follow their own processes and are responsible for their own delivery staff assurance against Col.
- Where internal Staff (of Serco or partner provider) are carrying out a qualification, that is being delivered by the training provider (Serco or partner provider) – this must be reported to the awarding organisation concerned. The process will vary per awarding organisation, please raise this with the Quality Improvement and Audit Manager in the first instance.
- Clear records must be maintained for any conflict of interests including the measures put in place. This will be maintained by the Skills and Training Services Quality Team & Business Assurance Manager.

Potential Scenarios

Potential scenarios in which an organisational or personal conflict of interest could reasonably be foreseeable might be:

A. Potential conflict of organisation and/or personal conflict of involving learner assessment

- A member of staff has a close personal relationship (or one that could reasonably be perceived as such) with a learner who is undertaking a qualification with Serco/Partner Providers/Suppliers.
- A member of staff undertaking a qualification, and their work is being assessed and verified by another member of Serco staff (including Partner Providers/Suppliers).
- A member of staff assessing or verifying the work of a friend, acquaintance or family member undertaking a qualification with Serco/Partner Providers/Suppliers.
- A member of staff accessing learner records, who has a close personal relationship (or one that could be reasonably perceived as such) with the learner who is undertaking a qualification with Serco/Partner Providers/Suppliers, and can access learner records and data (e.g., assessment records).

It is the responsibility of all staff (including those within Partner Providers/Suppliers) to take all reasonable steps to avoid learners being assessed by anyone with a personal interest in the outcome of the assessment, and – where it is unavoidable – to ensure that any part of the assessment they do conduct is scrutinised by someone else who does not have such an interest.

B. Potential conflict of organisation and/or personal conflict of involving internal quality assurance

- There is only one Internal Quality Assurer (IQA) for a specific qualification, and this IQA also has a role as a facilitator/delivery staff.
- The relationship between the IQA staff and the assessors lacks independence and objectivity.

C. Potential conflict of organisation and/or personal conflict of involving external quality assurance

- EQA is carried out by a former employee.

D. Potential conflict of organisation and/or personal conflict of involving terms and conditions or financial aspects

- A member of staff having sole responsibility for the appointment, supervision, promotion, or performance review of a person with whom they have close ties (e.g., friend, family member)

E. Potential conflict of organisation and/or personal conflict of involving competitor organisations

- A member of staff working with / for another employer that is in direct competition with Serco.
- A member of staff that is employed both by Serco and an employer whose learners they teach or assess.

F. Potential conflict of organisation and/or personal conflict of involving learner work or data

- A member of staff using learner work for commercial gain or advantage.
- A member of staff using non-public data for personal gain.