



CONFLICTS OF INTEREST POLICY

Issue Number	Effective Date	Amendments	Reason for Amendments
6	25 Nov 2019	Rebranding of the header, footer and font	Companywide rebranding on all IMI material

INTRODUCTION

This purpose of this policy is to ensure the successful management of conflicts of interest, or potential conflicts of interest, which may arise specifically from the IMI's activities and to ensure that there is a clear separation between multiple functions.

This policy outlines:

- how different IMI activities (e.g. National Occupational Standards (NOS), development and award of IMI qualifications or delivery of end point assessment services) are all kept sufficiently separate from other IMI activities where there is potential for a conflict of interest
- our approach to identifying and monitoring all actual/potential conflicts of interest that may affect the IMI's activities both now and in the foreseeable future
- the possible conflicts of interest that may arise and the arrangements in place to prevent these from occurring

DEFINITION OF A CONFLICT OF INTEREST

A conflict of interest exists in relation to the IMI's activities where:

- its interests in any activity undertaken by the IMI / on its behalf by a member of its staff or person connected, have the potential to lead it or them to act contrary to its interests in:
 - the development of shared standards and/or frameworks in accordance with stakeholder requirements
 - the development, delivery and award of regulated qualifications, apprenticeship standards or other IMI products or services in accordance with regulatory and or/other requirements
 - the delivery of end point assessment services
- an informed and reasonable observer would conclude that any of these situations was the case.

CONFLICTS OF INTEREST PRINCIPLES

In implementing our approach to identifying and managing actual/potential conflicts of interest, all staff must:

- commit to identifying and managing all actual/potential conflicts of interest that may affect the IMI and in doing so raise possible conflicts of interest with their line manager and/or head of department, even if in doubt;
- be proactive in the identification and management of conflicts of interest that may affect our effectiveness, level of regulatory compliance and/or reputation;

- be open about the nature of any potential/actual conflicts of interest and not try to hide or present them in a better light – managing conflicts of interest is about preventing issues from occurring that may impact on our operational effectiveness and/or regulatory compliance;
- strive to identify and deal with conflicts of interest sooner rather than later;
- ensure that our controls to managing any potential conflicts of interest are proportionate to the risks associated with the identified conflict(s).

All staff must adhere to this policy. Where there are significant failings to comply with the policy, disciplinary action may be taken.

Contract arrangements

Before engaging any organisation or individual, the IMI will make sufficient inquiries to ensure that there is no potential conflicts of interests in relation to the work being undertaken.

Organisations or individuals contracted to support the development, delivery, award of IMI products and services or delivery of end-point assessment activity (e.g. assessors, employers, providers) must be aware of this policy, their requirement to comply with it and declare any potential conflicts of interest at the start or during their term of employment. A copy will be included within their contract held with the IMI and managed in accordance with this policy.

Information management

There will be separate storage systems for storing information relating to each IMI activity where there is a potential for conflict. This will include:

- lockable room and storage systems for certificates
- electronic secure storage on the IMI's internal network which only specific departments or staff have access to

Governance

Processes are in place to identify and help prevent potential conflicts of interest relating to the governance of the IMI. IMI ensures members of the Board, Committees or the Senior Management Team do not unduly influence decisions so as to ensure a personal or commercial material benefit (e.g. in relation to interests they may have which are external to the IMI).

We will also ensure that investigations into possible conflicts of interest into direct/indirect members of IMI are carried out by someone who does not have a vested interest in the outcome.

In addition, the requirements laid down in the HR Policies and the IMI Financial Controls Handbook are designed to ensure that staff do not receive undue gifts or hospitality that may affect their judgment or may be considered by others as impacting upon their judgment.

IDENTIFYING CONFLICTS OF INTEREST

Throughout the course of their work, everyone must identify and monitor whether conflicts of interest exist or might arise. In particular:

- in the establishment of any new business relationship which is expected to be more than brief or trivial;
- at the beginning of any new project or activity that has not been carried out by IMI before
- whenever there is a significant and unexpected development in the course of a piece of work or activity.

If you are uncertain whether or not particular circumstances do present a conflict of interest, then you should discuss the matter in the first instance with your line manager. If required, managers should seek guidance from the relevant Head of Department.

RECORDING CONFLICTS OF INTEREST

Where a conflict or potential conflict of interest has been identified, it will be captured using key controls embedded in internal procedures. Details include the nature of the actual or potential conflict of interest and the steps taken, or planned, to monitor and manage the conflict.

REPORTING CONFLICTS (INTERNAL)

Reporting conflicts where you are personally conflicted

If you consider that you are personally conflicted, or may become conflicted, in relation to an activity, then you should report this to your line manager immediately. Managers should identify what risks the conflict presents and plan how these risks will be managed. Where practicable, individually conflicted staff should be removed from the activity concerned. Full details should be recorded in the IMI Conflicts of Interest Register.

Reporting conflicts where you are not personally conflicted

If you consider that a conflict of interest exists, or may arise, in relation to an activity, but that you are not personally conflicted then you should also report this to your line manager immediately. Again, managers should identify what risks the conflict presents and plan how these risks will be managed. Where practicable, individually conflicted staff should be removed from the activity concerned. Full details should be recorded in the IMI Conflicts of Interest Register.

Reporting conflicts in confidence and whistleblowing

In certain circumstances you may wish to report a conflict of interest confidentially. In this case you should follow the process set out in the Whistleblowing Policy for raising concerns. The person who handles your report will make an appropriate record of the conflict in the IMI Conflicts of Interest Register, without disclosing your identity (unless you agree to them doing so). Where the circumstances are such that recording the conflict in the Register is likely to reveal your identity as the person making the report, then an entry will not be made in the Register but the details of the conflict will be communicated to relevant persons by confidential means.

DEALING WITH CONFLICTS OF INTEREST

IMI Managers are required to manage and monitor any identified conflicts of interest that relate to their area of operations using key controls embedded into internal procedures. Should the status of any identified conflict, or the associated controls change, then the manager for the team should inform the appropriate Head of Department so that these can be updated, as required.

In addition individuals, including contractors, agency or temporary staff, are expected to identify and inform their line manager or main point of contact, of any actual/potential conflicts of interest that could impact upon the IMI and which are not already identified in the guidance to this policy.

All external parties engaged for specific activities will be required to declare any conflicts of interest in accordance with their obligations as set out in the contract/agreement prior to engagement. Declarations, whether made at the start of engagement or at any point during the engagement, will require approval and written consent will be provided as part of the agreement/contract.

Conflicts or potential conflicts are reviewed monthly by the Executive Director Team who will report to the Board as appropriate.

Should a manager and/or head of department believe there has been a breach of this policy, or unforeseen conflicts of interest emerge the Chief Operating Officer (COO) must be informed immediately.

INVESTIGATING ALLEGATIONS OF CONFLICT OF INTEREST

Should an external party feel there has been an actual conflict of interest involving IMI then they should raise the matter with the Chief Operating Officer who will instigate an investigation. The outcomes will be reported to the Executive Director team who will advise the IMI Board accordingly.

At all times we will ensure that personnel assigned to the investigation have the appropriate level of training and competence and they have had no previous involvement or personal interest in the matter. If required an external party will be appointed to carry out the investigation.

If any actual or potential conflict of interest identified is likely to cause an 'Adverse Effect' the Compliance Manager will inform the relevant qualifications regulator in accordance with our Reporting Regulatory Notifications procedure.