



Conflict of Interest Policy and Procedure

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1. Overview

PAL's EPA conflict of interest policy defines potential areas of conflict of interest that PAL in its normal work activities could face, and it describes how we would respond and mitigate such conflicts of interest.

PAL has a separate Conflict of Interest Policy for Awarding activities and assessment with the reformed apprenticeship standards and plans. Centres should request this policy if they are undertaking qualifications or apprenticeship assessments with PAL.

Where there is any conflict between this policy and procedures and relevant legislation or regulations, the legislation or regulations shall have precedence.

A consequence of a non-declared conflict of interest can be an adverse effect, as defined by qualification regulatory bodies, which is regarded as serious because of their potential or actual undermining of assessment outcomes, which in turn can undermine public confidence in regulated qualifications and standards.

The term EPAO is used in this policy, we are aware that this form of organisational identity will evolve over time to assessment organisation (AO), so we have used both forms of organisational identification.

2. Policy Scope

This policy covers all PAL's end-point assessment activities.

Associated Policies

- Maladministration and Malpractice Policy
- Appeals and Enquiry Policy
- Whistleblowing Policy
- Confidentiality Policy
- Plagiarism and Cheating Policy
- Invigilation Policy
- Special Considerations and Reasonable Adjustments Policy
- Suspensions and Sanctions Policy
- Sanctions Policy
- Contracting and Account Management Activities for Providers

3. Who is this policy for?

The conflict-of-Interest procedures will apply to everyone involved in the design/development, delivery, and award of PAL's end-point assessment service, including:

- Quality and Standards Committee
- Senior Management team (Managing Director; Qualifications Director; Business Operations Director; Audit and Compliance Director; Assessment/Account Managers and Quality Manager and Resource and Development Leads)
- All End-Point Assessors/Independent (EPAs) (Associates and Employed Assessors)
- All Assessment administrative/support services personnel
- Audit and Compliance team,
- Internal Quality Assurers (IQA) (Associates and Employed IQAs)
- Resource Development Team
- Stakeholders to include Apprentices, training providers, colleges and Employers
- Consultants, Contractors and Suppliers
- Stakeholders to include government agencies and regulatory bodies

4. Purpose

The purpose of this policy is to protect PAL's integrity as a business and the veracity of end-point assessments, facilitated by PAL by minimising the potential of conflicts of interest that could undermine assessment validity and cause doubt in assessment outcomes.

The Policy is designed to support a range of PAL stakeholders by providing guidance on handling possible conflicts of interest that may happen because of our role as an end-point assessment organisation (EPAO). This policy:

- Defines what is meant by conflict of interest
- Outlines roles and responsibilities for conflict of management identification, mitigation and monitoring of conflicts of interest
- Regulatory Conditions
- PAL's commitment to managing conflicts of interest
- Identifying and Declaring conflicts of interest and supporting professional conduct
- Managing conflicts and mitigation
- Organisational Conflicts and the Parent Company in the EPA context
- Adverse Effects
- Conflict of interest investigative reviews
- Breaches and Sanctions
- Examples of Conflict and how PAL will address and mitigate, to include governance arrangements to ensure independence and impartiality from the parent company

5. Definition

A conflict of interest is a situation in which an individual, or organisation, has competing interests or loyalties. In the case of an individual, the conflict of interest could compromise or appear to compromise their decisions if it is not properly managed.

The over-arching goal of PAL is to provide an end-point assessment service that fairly reflect how apprentices have met the knowledge, skills and behaviours as detailed in a specific standard and assessment plan. All PAL employees, associates, consultants/technical advisors, advisory group members, partners, Centres, suppliers and third parties, should put this goal first, in the context of declaring any potential or actual interest.

Ofqual also state that their Conditions do not impose a general prohibition on an awarding organisation operating when conflicts of interest exist. Rather, they require awarding organisations to identify, monitor and manage those conflicts of interest with a view to preventing any Adverse Effect that might arise from them, and to minimise any Adverse Effect should one nonetheless occur.

Any individual or organisational activity that could affect our ability to design/develop, deliver and award impartial and unbiased end-point assessment; or impact public confidence in our organisation and/or apprenticeship standards and their associated end-point assessment, is regarded as a conflict of interest.

Conflicts of interest can be on a personal or organisational level, and can be:

- **Perceived, Potential, or Actual**
- **Specific or non-specific**
- **Financial or non-financial**
 - **An interest is 'specific' if it refers directly to the matter under discussion / assessment or review**
 - **An interest is 'non-specific' if it does not refer directly to the matter under discussion / assessment or review**

The impact of Conflicts of Interest

Conflicts of interest can have a significant and lasting impact on the apprentice, their employer and on PAL, for example, it may result in:

- One apprentice or employer being favoured over another such favouritism can include the inequitable use of reasonable adjustments, special considerations and pausing of assessments
- The design of assessment tools and materials being compromised
- The requirements of the assessment not being delivered/met
- Lower quality, unreliable quality assurance and sampling
- The validity and reliability of assessment decisions being compromised
- Apprentices not being fully competent in their job role creating a risk to their employer and their business
- Damage to the reputation of PAL
- Damage to the image and reputation of apprenticeship standards and their associated end-point assessment

Because Conflicts can be so wide ranging, and the impact / adverse effect so significant, we have a range of policies that support professional conduct and alignment to the conditions, governing the operations of an EPAO/AO. Examples include the commissioning policy, confidentiality policy, fraud policy, competition policy, malpractice and maladministration policy, risk, and incident management policy, working from home and code of conduct policy business continuity policy and plan all of which serve to minimise the potential for conflict of interest across our service.

Additionally for EPA activities PAL has assessor protocols that explain how PAL wants independent assessors to discharge their work, and this is underpinned by assessor risk gradings/bandings.

6. Roles and Responsibilities

It is the responsibility of all those within the scope of the policy to ensure they are familiar with what constitutes a conflict of interest, how to declare such an interest, and to be aware of the consequences of not declaring (the declaration process is detailed later in this policy).

The ultimate responsibility for the content and circulation of this policy and the management of potential and actual conflicts rests with the PAL Board.

- **All PAL Staff and Associates:** Must proactively identify and declare any situation where they have an interest that could compromise, or be seen to compromise, their decisions. This duty is continuous. PAL personnel also must refuse any task (e.g. marking, moderating, quality assuring) if they feel they cannot be impartial – and report this so alternative arrangements can be made. Non-disclosure or mismanagement of conflicts by staff is treated as a serious issue and may lead to disciplinary action and termination of service level agreements or contracts.
- **Third Parties (Providers/Colleges¹ and their Staff):** Providers are responsible for managing conflicts within their own teams and informing PAL of any such conflicts, where there is a concern that such a relationship could adversely influence the outcomes of end-point assessment. PAL will expect Providers to have a conflict-of-interest policy, even though they do not partake in any aspect of assessment or quality assurance during PAL conducted end-point assessments
- **PAL Line Managers:** Managers should foster a culture of openness where staff are comfortable declaring conflicts. They and BOD will maintain the central register and coordinate the management of each case. PAL's 'Support services and Quality team provide guidance to staff/centres on whether something constitutes a conflict and how to handle in accordance with PAL's policies.

¹ For the purpose of this policy the term providers is used to cover organisations who register apprentices with PAL for end-point assessment

- **Governing Body / Quality and Standards Committee:** PAL's Governing Body (Board) has ultimate oversight of conflict-of-interest management. It delegates detailed oversight to a Quality and Standards Committee (with independent membership) that reviews the operation of this policy. This committee ensures that all conflicts are identified that appropriate mitigations are in place, and that those mitigations are effective in preventing bias. The Board also ensures that any conflict posing an unacceptably high risk is resolved – e.g. by removing individuals from certain role or withdrawing from a service level contract.

7. Limitations Regarding Conflict of Interest

PAL cannot pre-empt when every conflict of interest is likely to arise, or detail within this summary policy, every type of conflict that exists in the design/development, delivery, and award of endpoint assessment.

PAL has a robust policy and procedure to minimise, identify and mitigate any potential or actual conflicts of interest, our full policy is available on request.

However, there are some circumstances where any type of conflict of interest is forbidden:

- **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- see Maladministration and Malpractice policy**
- **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- see confidentiality policy**
- **Condition I1.2 prohibits anyone with a personal interest in the decision being appealed from taking decisions on that appeal- see PAL's appeals and enquiry policy**

8. Regulatory Conditions A4

Identifying Conflicts of Interest

A4.1 An awarding organisation must identify and monitor –

- (a) all Conflicts of Interest which relate to it, and
- (b) any scenario in which it is reasonably foreseeable that any such Conflict of Interest will arise in the future.

A4.2 An awarding organisation must establish and maintain an up-to-date record of all Conflicts of Interest which relate to it.

Managing Conflicts of Interest

A4.3 An awarding organisation must take all reasonable steps to ensure that no Conflict of Interest which relates to it has an Adverse Effect.

A4.4 Where such a Conflict of Interest has had an Adverse Effect, the awarding organisation must take all reasonable steps to mitigate the Adverse Effect as far as possible and correct it.

Interests in assessment

A4.5 An awarding organisation must take all reasonable steps to avoid any part of the assessment of a Learner (including by way of Centre Assessment Standards Scrutiny) being undertaken by any person who has a personal interest in the result of the assessment.

A4.6 Where, having taken all such reasonable steps, an assessment by such a person cannot be avoided, the awarding organisation must make arrangements for the relevant part of the assessment to be subject to scrutiny by another person.

The written conflict of interest policy

A4.7 An awarding organisation must establish, maintain, and at all times comply with an up-to-date written conflict of interest policy, which must include procedures on how the awarding organisation intends to comply with the requirements of this condition.

A4.8 When requested to do so by Ofqual in writing, an awarding organisation must promptly submit to Ofqual its conflict-of-interest policy and must subsequently ensure that the policy complies with any requirements which Ofqual has communicated to it in writing.

PAL's commitment to managing Conflicts of Interest

As part of PAL's commitment to managing conflicts of Interest we will:

- Make clear to all people who undertake work for PAL, including employers and providers, the obligations on them to declare conflicts of interest, which will allow us to manage and mitigate against activities that could be construed or are conflicts of interest
- Make sure that anyone with access to, or involved in the design of assessment materials for EPA does not deliver training events in respect of those assessment instruments
- Make sure that all PAL personnel declare any conflicts in accordance with PAL's policy and ensure third parties know how to notify PAL of any conflict of management concerns
- Make sure that anyone involved in assessment design, development, or delivery of end-point assessment instruments, is not actively training individuals or working directly with cohorts of apprentices, undertaking the same standard
- Ensure our working arrangements in connection with the Parent Company identify any potential areas of conflict and mitigate against these and that our contracting arrangements with the parent organisation, safeguard's PAL independence and ensures equitable treatment across all of PAL's clients and service users (see appendix one)

9. Identifying & Declaring Conflicts and supporting professional conduct

Recruitment: We have a range of methods to identify potential conflicts of interest:

- Recruitment- checks of CVs, employment histories and references and a range of self-declaration checks, as detailed in our recruitment policy
- Contracts
- Checks of staff (employed and contract), CVs and employment histories upon recruitment
- Staff contracts of employment refer to declaring conflicts of interest
- Associates and Consultants/ Technical Advisors Service Level Agreement make reference to data protection, confidentiality and ownership of intellectual property

Awareness and Training and Account Management: Recruitment and engagement checks review previous working history and for associates the BOD undertakes checks, as we recognise associates can work with a range of EPAOs All PAL personnel² and are informed at induction on what constitutes a conflict and how to declare it. They are provided with examples of conflicts from our policies to guide their understanding.

The overarching principle is: **"If in doubt, disclose."** Any **potential conflict, no matter how minor**, should be raised and discussed. PAL recognises our group structure for all employed personnel and imposes no assessment or quality assurance activities involving the parent should be undertaken by any individual who has been directly employed by the Parent in the areas of training and quality assurance in the last two years³, this extends to having any direct connection with an apprentice/learner and employers in that timescale. Where there are any direct personal relationships for example between PAL assessor and apprentice, that assessor will not be assigned to that apprentice. The two-year rule applies to any assessor or IQA who has worked with a Provider in a training or quality assurance capacity, they will not be assigned to that Provider.

² Personnel includes associates

³ We use 2 years as most learning programmes and apprenticeships average at 12 months, so the break of 2 years means it is highly unlikely that there will be learners/apprentices in learning that he individual may have had contact with.

Learner and staff churn are a feature of work-based learning and FE, so an important aspect of PAL's account management activities is to track such changes, and the BOD will refer to the QSC any changes to conflict-of-interest declaration where they could cause a potential or adverse effect.

Disciplinary Policy and Procedures: For PAL employed personnel the policy makes clear the penalties for not declaring conflicts of interest and reference to non-declarations are cited in PAL's maladministration and malpractice policy.

Service Level Agreements (associates, consultants, qualification writers and reviewers): Service Level Agreements make clear that PAL has the right to terminate any agreement where an individual has not declared a known conflict of interest.

Ongoing Declarations: PAL personnel⁴ complete a monthly declaration⁵ any interests that could conflict with their PAL duties. PAL maintains a structured process: e.g., staff personnel are required to **declare any new potential conflict as soon as it is identified**, without waiting for the monthly update. Conflict of interest declarations renewals are issued in line with PAL's Conflict of Interest Policies and support and encourage an open approach to such declarations.

Declaration Renewals -Business Interest for PAL personnel: Directors and Managers and Leads are required to renew business interest declarations on an annual basis these are reviewed by the DAC and MD. Advisory Group members are also required to complete such checks, and the DAC is responsible for the issue and review of these declarations. Service Level agreements with associates and consultant engagement requires the commissioning Director to confirm any business interests held by individuals that could be regarded as an actual or potential conflict of interest

The declaration process assists with awareness raising, identification, investigation, prevention, or mitigation processes and helps PAL to embed conflict of interest management into all areas of our work. Given prevention and mitigation is a cornerstone of conflict-of-interest management, examples of methods to prevent and mitigate include:

- No assessor (employed or freelance associate) will be permitted to assess an apprentice that they know, have trained, or are related to.
- PAL will apply the 2-year debarment rule for any assessor/IQA who has worked in training, quality assurance with a Provider, they will not be assigned to that Provider
- No member of PAL personnel will be solely and directly responsible for making any request for an apprenticeship certificate, the assessors present their assessment decisions results and overall grade; the quality team verify the grading decisions and results and notify the support services team of the quality assurance decision and grades to be awarded, and the support services team are responsible for certification requests from the relevant agency.
- Policies such as PAL's appeals and enquiry and maladministration and malpractice policies, emphasise the need for independence in any review, investigation, and decisions in such instances.
- Requests for reasonable adjustments and special considerations are scrutinised by the quality team, and all such requests are recorded by the quality team and all Directors (which includes the Responsible Officer), the Quality and Standards committee have access to these reports, for the purpose of data analysis and self-evaluation and internal audit activities
- All PAL assessors (employed and associates) and IQAs (employed and associates) will disclose any potential personal interest in the assessment of any apprentices that they have a part in requesting certification. This will ensure compliance with regulatory conditions A4.5 and A4.6.
- Assessment activities are quality assured in accordance with the quality assurance policy and procedures, which include the implementation of sampling aligned to risk banding of the assessors.

⁴ Includes all associates

⁵ As previously noted, we recognise the group structure so do not require monthly reporting regarding these circumstances

10. Central Monitoring & Review

Register of Interests: All declared conflicts are logged in a Conflict-of-Interest Register maintained by PAL. CoI EPA register is regularly updated and where a conflict is identified the specific conflict is entered on Monarch, in addition to the main log. Directors and QSC members have access to these records. For awarding activities and management of centre conflicts PAL follows a similar process of recording on a separate log and governance entity, so there is a record for EPA work, where PAL exclusively undertakes assessment and quality assurance and a record for Centre involved assessment and quality assurance. PAL's BOD and QD/RO are responsible for monitoring the Conflict-of-Interest Register on an ongoing basis.

Central Monitoring: Any new declarations trigger an immediate review of risks and necessary actions, as identified in the governance portal. Furthermore, identified conflicts of management are discussed at the quality and compliance group meeting and reviewed at the QSC to ensure all conflicts are being managed effectively and to spot any patterns or issues, which includes null returns. The QSC will make recommendations to the Board where the committee evidences the need for policy or procedure change, or an alternative approach to a conflict declaration.

When mitigations are in place, PAL actively monitors their effectiveness. For example, if additional sampling is instituted due to a conflict within a centre the PAL Quality Team checks whether any discrepancies are found between the Centre's assessments and the independent sample checks undertaken by PAL. If issues are found (e.g. systematically higher grades from a conflicted centre compared to other centres for the same apprenticeship standard and/or qualification), that could indicate the mitigation needs strengthening (or that the conflict did lead to bias that must be addressed). In such cases, PAL would take further action – possibly revisiting results, increasing EQA activity, running further standardisations, undertaking an investigation, depending on the circumstances and initial evidence found. The RO would notify the regulator in accordance with the regulatory conditions and PAL's relevant policies, at the point of identification of concern. The QSC and PAL Board would be kept informed of any work undertaken and the QSC or malpractice committee if required will advise the PAL Board of the need for sanctions and /or withdrawal. The RO will update the regulator as required via events notification on the portal.

Escalation: If a conflict involves senior PAL personnel or board members, they are recused from that discussion, decision review, in the case of the Board, the Advisory Group can be involved to oversee that specific decision. The sign-off processes for awarding and centre approval and scrutiny ensures no-one individual is ever in a position to sign off and the QSC has independent representation and the authority to advise the Board, and the MD and DAC do not sit on the QSC.

Audit & Review: PAL as part of our data review and QSC activities reviews the efficacy of conflict-of-interest arrangements. The QD, BOD or Quality Manager can undertake spot-checking that PAL personnel declarations are up to date, interviewing personnel to surface any undeclared interests, and reviewing a sample of assessment decisions for any signs of bias. The findings are used to improve the policy and procedures. The policy itself is reviewed annually (and updated as needed) to ensure ongoing compliance with regulatory requirements and to incorporate best practices. Any requests for the policy or changes to the policy are submitted to Ofqual if requested, as per A4.8, and communicated to all PAL personnel via team meetings and briefings and dashboards and Padlets and to centres via Support Services and accompanied by assessment/account management activities.

11. Managing Conflicts & Mitigations

As an organisation PAL seeks to ensure a professional relationship with all our clients which supports two-way communication and respect and understanding for each other's roles, responsibilities and contribution to the learning and assessment process and maintains assessment integrity and fair access to assessment opportunities.

This policy looks at conflict of interest from the perspective of independent assessment in accordance with apprenticeship assessment plans, pre the apprenticeship assessment principles of February 2025 and the subsequent reformed plans⁶. PAL does not undertake any apprenticeship training delivery for any apprenticeship standard and therefore the academic integrity of apprenticeship programme training delivery and assessment are maintained.

Wherever practical PAL looks prevent conflicts of interest and for EPA work PAL undertakes all assessments and quality assurance activities, regardless of the third-party provider. Assessors are subject to conflict of interest and RAG rated, sampling of assessment decisions is designed to confirm accuracy and fairness of assessment decisions, so a two-person sign-off is used prior to any issuing of results or certification claims.

The Quality and Standards Committee (QSC) will review results data and as the authority to further sample and review assessment and quality assurance activities, which would be undertaken by the independent representative.

Assessment and quality assurance arrangements that involve areas such as the provision of reasonable adjustments, or updates regarding enquiries and appeals are also recorded at the quality and compliance group meeting, which includes PAL Board representation.

Investigations and appeals and enquiries and maladministration and malpractice investigations will be in accordance with relevant policies and procedures.

Reasonable adjustments and special consideration arrangements will be made in accordance with policy and procedures, with all such requests from the third party ratified by the quality team and activities in these areas are communicated at the quality and compliance group meetings and can be reviewed by the QSC.

Our contracting process and risk management of providers emphasises and monitors conflict of interest management and whilst PAL undertakes all the assessments, invigilation and quality assurance, our QA manual and EPA manual issued to all third-party providers/colleges make it clear the significance of managing conflicts of interest.

PAL undertakes invigilation of tests to further avoid any conflicts of interest in this area of assessment delivery.

PAL's commissioning policy outlines a sign-off process, which minimise the opportunity for any one Director to monopolies commissioning and contracting arrangements.

PAL's competition policy outlines acceptable conduct regarding competition in both bidding and commissioning business. The policy demonstrates that PAL is fully supportive of free and open competition; we do not condone any activity which might prevent, restrict, or distort competition.

All suppliers and third parties are subject to contracts with terms and conditions which include conflicts of interest and confidentiality clauses.

11.1 Mitigation Planning

For each identified conflict, appropriate actions will be documented to mitigate the risk. For Centres often done in collaboration between PAL's Quality Team and the individual or centre involved, the outcomes of such discussions

⁶ As an AO PAL differentiates its service offer and operations between EPA activities and qualification delivery and apprenticeship assessment with the reformed apprenticeships

and mitigation plans will be forwarded to the QSC who will rule on the sufficiency of any actions, make further recommendations to PAL to share and agree with the centre and recommend sign-off by the PAL Board when all parties have committed to the conflict of interest mitigations.

11.2 Avoiding Conflicts Where Possible

PAL's first preference is to eliminate the conflict. For example, if a PAL associate assessor is also employed by a Provider who uses PAL as an EPAO, we will avoid assigning that person to that Provider. If a conflict arises from a staffing assignment, we will reorganise duties to remove the conflicted individual from the process whenever feasible. Similarly, if a PAL Quality manager has an interest in a centre, that manager will recuse themselves from any approval, investigations or appeals or malpractice committees and decisions relating to that centre, in addition subject to a QSC review will be signed off by the QD, or in their absence the BOD.

11.3 Reducing Influence & Additional Scrutiny

If the conflict **cannot be entirely removed**, PAL institutes the following controls to neutralise any bias. For example:

- **Two-Person Review:** In line with Condition A4.6, if a person with a personal interest must be involved in an assessment process (unavoidable due to specialist knowledge or staffing), **a second independent person will review or co-sign the work.** E.g., if an IQA at a Centre had also taught the learners (a personal interest in their success), PAL's External Quality Assurer will double-sample those learners' work or re-verify decisions to ensure objectivity. In the case of EPA activities, the IQA sampling process reviews as a minimum all final summary records and the QM can request extra sampling for the parent company where IQA feedback and data indicates assessment practices by PAL assessors that could indicate some bias.
- **EPA Gateway Validation:** Gateway validation is undertaken by the Support Services team, who have no role in assessments or quality assurance ensuring that neither the provider nor the assigned assessor can influence that aspect of EPA.
- **Assessor Assignment:** Assessors are assigned according to expertise and availability and location, there is no regime for specific assessors, assigned to specific providers and assessors do not select their assessment assignments, so the risk of assessors going native in respect to a provider or employer is reduced. PAL applies a two-year rule that if an EPA assessor has been involved with a provider in a training capacity in the last two years they will not be assigned as an assessor to that provider
- **EPA Assessment scheduling and planning:** Initial scheduling i.e. the setting up of an assessment planning meeting and likely timings take place between PAL Support services and the apprentice and employer. The detailed assessment planning takes place with the apprentice and employer, there is no provide involvement, so any involvement from this party is removed and they are not permitted to be present at any assessment activities.
- **Invigilation:** Invigilation of tests is undertaken by PAL personnel, avoiding any issues with Provider or employer personnel administering such assessments in accordance with PAL's invigilation policy and for reasonable adjustments for example the use of a prompter, PAL oversees the deployment of the second individual. For centres where PAL approves invigilation activities PAL reserves the right to spot checks and will require Centres to complete additional conflict of interest checks and adhere to PAL's policy and procedures and have a centre policy and procedure that is in line with regulatory conditions. For the parent company PAL will not permit centre invigilation's and will invigilate tests
- **Increased Sampling & Scrutiny:** PAL will increase the frequency and scope of quality assurance checks on any assessment or centre where a conflict is present. PAL expects *"greater sampling and*

checking” in areas with a declared conflict, for EPA this will be a data review and an additional QM review of outcomes.

- **Independent Decision Sign-off:** Any key decision that could be influenced by a conflict will be escalated for independent approval.
- **Firewalls in Data and Systems:** PAL maintains separation in its IT systems and communication channels between training operations and awarding operations. For instance, HIT Training (as a Provider) does not have access to any practice assessment materials or support materials beyond what any other Provider would have. Confidential assessment information is restricted to PAL personnel only.

11.4 Organisational Conflicts Parent Company

PAL recognises that its relationship with its parent company HIT Training, now known as The Opportunity Provider, could be regarded as a perceived conflict of interest. PAL’s governance arrangements and articles of association address how PAL ensures its autonomy and independence.

11.5 Safeguards & Mitigations for AO-Training Provider Group Structures

When an Awarding/ Assessment/EPA Organisation is part of a group that includes training provision (as PAL and TOP), Ofqual expects robust safeguards to ensure impartiality.

Contracting and account management activities are comparable for all third parties, and our fees and services are articulated in our contracts and on our website.

Below are key measures PAL employs, aligned to regulatory expectations and sector best practice, to provide assurance that the awarding of HIT learners (and all learners) is unbiased.

11.6 Independent Governance

PAL maintains a strict separation of governance between its awarding/assessment operations and HIT’s training operations. None of HIT Training’s executives sit on PAL’s board, and vice versa, ensuring decisions about qualifications, assessment are made without undue influence. This structural independence – separates academic authority from commercial interests” and is a foundation for PAL’s impartiality.

11.7 Equal & Impartial Third Party and Centre Treatment

EPA

For EPA work PAL undertakes all assessments and quality assurance activities, regardless of the third-party provider. Assessors are subject to conflict of interest and RAG rated, sampling of assessment decisions is designed to confirm accuracy and fairness of assessment decisions, so a two-person sign-off is used prior to any issuing of results or certification claims.

Data analysis and evaluation reviews grades and results across all apprenticeship standards and all providers to ascertain anomalies and evidence of any form of bias which might indicate a conflict of interest or a failure of PAL’s policies, procedures or processes. The data is reviewed by PAL’s Quality and Standards Committee, which includes independent membership and the operational Quality and Compliance Group which includes personnel from PAL’s development and delivery and quality assurance teams, who can advise and recommend to the PAL Board any concerns or improvements. PAL’s advisory group can also request that the PAL Board demonstrate they manage potential and actual conflicts of interest.

Transparent Monitoring and Reporting

PAL has been consistently transparent about its group structure to the regulator from our initial submission for Ofqual recognition, in our statements of compliance and notification of company updates.

This policy outlines how we identify, monitor and manage conflicts of interest, and as a result of QSC recommendations includes the additional checks and balances placed on the parent company.

PAL has its own company house registration and submits annual accounts under PAL. All PAL's outgoings are paid for by PAL and PAL holds its own bank account which comprises of a current account and a 30-day savings account.

Commissioning

PAL's commissioning policy outlines a sign-off process, which minimises the opportunity for any one Director to monopolise commissioning and contracting arrangements.

PAL's competition policy outlines acceptable conduct in regards of professional and ethical conduct regarding competition in both bidding and commissioning business. The policy demonstrates that PAL is fully supportive of free and open competition; we do not condone any activity which might prevent, restrict, or distort competition.

PAL's commissioning and supplier arrangements ensure that PAL has ownership of our management information systems and platforms, and the parent company only has access to portals, that are made available to any other third party or centre. PAL has independent arrangements for data storage and use outlook and teams another area of demarcation as the parent company uses Gmail and Zoom.

Design and Development Activities

PAL's development policies and manuals detail design and development activities and the measures PAL puts into place to avoid or minimise conflicts of interest and safeguard the integrity of our materials. PAL leads on and facilitates all our design and development activities, from scope expansion requests to making available to third parties and/or centres our qualification and assessment products.

12. Adverse Effects

Where conflict of interest leads to identified malpractice, the policy and procedures for malpractice will be instigated.

Where an Adverse Effect is identified because of a conflict of interest, the regulator will be informed and for any certificate that has been requested in error, PAL will request from the certificating body that certificate is revoked.

Self-declarations of conflicts of interest and subsequent reviews are relatively straightforward and are unlikely to result in any form of sanction or disciplinary action for any individual, nor should they present any difficult or concern to PAL, as the declaration allows for mitigation. Self-declarations at the judgment of the BOD or QD may not require an investigative review; the conflict and mitigations will be recorded in PAL's governance records and noted by the QSC.

Conflicts of interest that are reported by other means than some form of self-declaration, can make investigative reviews more complex and challenging and may result in disciplinary action if they involve PAL personnel and sanctions, or termination of contracts if they involve Providers and suppliers and termination of service level agreements for PAL associates/Consultants.

13. Investigative Reviews

Conflict of interest reviews can include:

- Interviews with the declarer
- Discussions with any parties involved
- Companies/Business Interest searches
- Request for evidence to support claims

Investigations involve a two-tier sign off so the following sign off process is followed

Investigative Review Lead	Sign off
➤ The BOD will undertake any conflict-of-interest reviews for suppliers/partners	Managing Director
The BOD or QD will undertake any conflict-of-interest reviews for third parties and Centres	Quality and Standards Committee
➤ The BOD or QD will undertake any conflict-of-interest reviews for the MD	Quality and Standards Committee
➤ The MD will undertake any conflict-of-interest reviews for the QD and BOD	DAC
➤ For all other PAL personnel and assessors, consultants (includes associates) - conflict of interest reviews will be assigned by the BOD or QD	Quality and Standards Committee
➤ For IQAs/ associate IQAs, the Quality Manager will undertake such reviews	Quality and Standards Committee

Where a conflict is brought to PAL's attention by someone other than the person cited, dependent on the nature of the report, the suspension and sanction policy, maladministration and malpractice, sanctions policies may be immediately invoked and the procedures relating to these policies will be followed.

13.1 Investigation Timeframes

In some instances, a conflict of interest will immediately present as a potential or actual adverse effect, in which case these will be immediately reported to PAL's Responsible Officer. If the RO judges the conflict does not present a potential or actual adverse effect, PAL will continue with any investigative review in-house and report the outcomes and actions taken, seeking feedback and assurance from the QSC regarding the course of proposed action, but there will be no report to the regulator.

If the conflict presents as a potential or actual conflict of interest that could or has caused an adverse effect, the regulator will be informed as soon as practically possible, even if PAL's investigation is incomplete.

The Investigative lead will ensure the RO and QSC are kept informed⁷. In most cases (unless to do so may prejudice an investigation) the Quality and Compliance group will also be advised of the investigation, this allows PAL to start an operational review and consider the ramifications of the conflict and what if any practices by PAL need to be addressed.

The RO will maintain regular contact with the regulator and include in their communications what stage the investigation is at; what actions have been taken and what is outstanding as part of the investigation. In these cases, the timeframe will be adjusted to meet the recommendations or requirements from the regulator, if that is required

For most conflicts, an investigation, will be straightforward, as a declaration will have been made, so resolution interventions should be agreed and implemented within a 15 working days timescale.

The QSC as part of their remit consider conflict of interest management and how PAL can maintain compliance with the relevant regulations and the QSC and Advisory Group evaluate the effectiveness of arrangements in connection with the parent company.

13.2 Investigation Decision and Conflict Mitigation

The overriding principle when judging how best to mitigate against a conflict of interest will be to achieve a fair assessment for the apprentice (learner). PAL's approach to quality assurance, along with this policy, maladministration and malpractice and confidentiality policy demonstrate PAL's commitment to operating a reliable assessment offer.

Depending on the outcomes of the investigation, the mitigation may include:

- Changing the assessor/IQA for a specific client or site.
- Changing the experts being used to design assessment tools and materials.
- Identifying the assessor has high risk, resulting in additional scrutiny. This may be:
 - Increased sampling or monitoring of work in case of assessors and for IQAs, increased oversight by the Quality Manager.
 - Countersigning assessment decisions or a review to ascertain if any assessment decisions can be used and extrapolated to make an overall assessment decision or re-assessment.
- For assessment instrument design, mitigation may include the removal or permanent retirement of such assessment instruments and new instruments developed and tested by individuals not involved in the conflict breach
- Suspension from duties (because of the investigation or on-going) in the case of any PAL personnel, if the decision is the conflict of interest was knowingly withheld and the nature of the conflict of interest, undermined, or had the potential to undermine assessment integrity and was evaluated as an adverse or potentially adverse effect, suspension is an option PAL will consider and take. Notification would be made to the regulator in these circumstances
- If the conflict involves a third party /stakeholder and they are unwilling to put into place appropriate safeguards, PAL will consider its relationship with the client and review our options, in addition to reporting to relevant regulatory bodies, concerns regarding conflict of interest.

⁷ The BOD and QD can re-assign an investigative review to a senior member of PAL personnel, but must continue to have oversight

Any mitigation will be proportionate to the nature of the conflict, and the decision about how the conflict is managed will be subject to the regulator's feedback where applicable and the recommendations of the QSC and PAL Board approval.

PAL's governance arrangements provide further information regarding the handling of conflict of management investigations.

14. Breaches and Sanctions

PAL personnel, suppliers, third parties and Centres found to be contravening the conflict-of-interest policy, knowingly or inadvertently, will be subject to a rigorous and fair investigative review and maybe subject to disciplinary action or sanctions.

15. Monitoring and Review

The policy will be reviewed as a minimum on an annual basis.

16. Regulatory references

PAL is required to establish and maintain compliance with regulatory conditions and criteria. This policy relates to Ofqual General Conditions of Recognition, Conflict of Interest, Condition A4; EPA3 Notification to Ofqual certain events in relation to EPAs.

Date Created: 6th June 2017

Last Review: 20/10/2025

Next Review: 20/10/2026

Person Responsible for review: Business Operations Director

This Policy has been agreed by the PAL Board

Appendix One – Examples of Conflict of Interest and PAL’s mitigation Ofqual Guidance regarding Conflict of Interest

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.

The three parts of this definition are interrelated.

Part (a) covers Conflicts of Interest that relate to the awarding organisation. That is, situations where activities carried out by the awarding organisation itself (or on its behalf, or by a related company) might impair its ability to make objective, unbiased decisions about how best to develop, deliver or award its qualifications.

Similarly, part (b) covers Conflicts of Interest that relate to the individuals [connected to](#) any part of the development, delivery or award of its qualifications. That is, situations where a particular individual’s interests might impair their ability to make the objective, unbiased decisions that are necessary to ensure the awarding organisation can develop, deliver, and award its qualifications in line with the Conditions.

Part (c) extends our definition of Conflict of Interest to also include situations where an observer would perceive that an awarding organisation or individual has such a competing interest.

Examples of organisational level conflicts of interest include:

Where the interests of PAL in any activity undertaken by it, on its behalf, or by a its parent company 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. Examples include:

- Where the end-point assessment organisation is also a training provider
- Where an end-point assessment organisation provides qualifications that form part of the apprenticeship
- Where the end-point assessment organisation is owned (parent company) by a training provider

Examples of financial conflicts of interest include:

A personal financial interest, for the purposes of this policy, is one where there is or appears to be opportunity for personal or organisational financial gain or gain with regard to the intellectual property, end-point assessment outcomes / completion payments or other perceived advantage, related to any apprenticeship for which PAL is approved to offer.

Examples could include:

- A sector expert (consultant/technical advisor) advising on the design of assessment tools for an apprenticeship standard whilst carrying out work for a company that will be working with the apprenticeship standard
- An assessor carrying out end-point assessment activities for an employer, (who is an employer provider) that they have a financial interest in or have recently worked for.

Examples of non-financial conflicts of interest include:

A personal non-financial interest in the matters under consideration refers to a personal opinion, held by a person or persons associated with PAL for any apprenticeship standard which PAL is approved to offer and that could impact on the reliability or validity of end-point assessment judgements. Examples could include:

- An assessor (employed and/or associate) that has expressed a clear opinion about the format of apprenticeship assessment which could reasonably be interpreted as prejudicial to the delivery of any apprenticeship assessment, conducted as an EPA.
- An assessor (employed and/or associate) is related to the apprentice or has been employed by the same site/employer as the apprentice they are assigned to.
- A provider makes requests for reasonable adjustments, where the evidence, circumstances, and performance of the apprentice in the job role does not substantiate such a claim, in respect of contemporary performance but relies on historical evidence which supports funding regulations, allowing for additional funding.
- An advisory group member advocating PAL applies to go onto the register for a specific standard, that PAL typically would not consider, but the advisory group member has business contacts with providers and employers in the relevant sector.
- A consultant/technical advisor is commissioned to support assessment design, who is known to develop, publish and sell training materials to providers in support of a specific apprenticeship standard delivery that PAL offers.

Examples of Third Party/Suppliers conflicts of interest include:

- Price fixing
- Sharing customers/clients/markets
- Reciprocal arrangements
- Exclusivity arrangements (creating barriers to entry for others, or restricting options to use other suppliers/ 3rd parties)
- Restricting tender opportunities, through notification or information provided to complete a tender
- Working with third party suppliers where there is a vested interest or connection between the organisations, which could affect the opportunity for PAL to get the best value of money from a third party/supplier arrangement
- Bid rigging
- Connection to personnel working in regulatory bodies who are assigned to PAL in an official regulatory capacity

Examples of Associates, Consultant/Technical Advisors conflicts of interest include:

Potential Conflicts of interest with associates and Consultant/Technical Advisors will follow a similar line to conflicts with any individual. There are however some situations based on the nature of the relationship between PAL and an associate or Consultant/Technical Advisor that could indicate or be perceived as a conflict of interest.

- Commissioning and deploying certain associates or consultants/technical advisors over others
- Varying terms and conditions for Associates and Consultants/Technical Advisors for carrying out comparable tasks
- Associates and /or Consultants/Technical Advisors undertaking other regulatory work or commissions associated with apprenticeship programme delivery
- Associates and or Consultants/Technical Advisors undertaking work with other EPAO/AOs
-

Examples of conflict situations due to the involvement of employers in Apprenticeship Assessment can include:

Employer conflicts in the context of apprenticeship assessment can include:

- Assessor or IQA⁸ has undertaken consultancy work for the employer and has a view of the employer organisation as a result of their consultancy activities
- Assessor/IQA has worked directly with the apprentice
- Assessor/IQA has undertaken or worked with the HR or Learning and Development department, within an organisation of the planned assessment activity and been involved in any form of support or training/coaching for the individual apprentice
- Where an employer is involved or can influence an assessment decision or is required to validate evidence, they have a family or close connection to the apprentice
- An employer may hold back, or put forward an apprentice too early for end-point assessment, having an adverse effect on the apprentice's ability and chances
- Consultants/Technical Advisors or AGM members have been engaged by an employer to undertake research, or work that relates to apprenticeship provision, and subsequently they are employed by the EPAO/AO leading to the perception of interdependence or impartiality
- Employer enjoys, gains or is offered preferential assessment dates, timescales based on their relationship with a Training Provider and/or EPAO/AO
- Employers or employer representatives are asked for technical input to support assessment design and development
- Employer has significant influence or representation at Trailblazer level and is able to influence a wide range of stakeholders
- Employers requesting assessment instruments to be aligned to their brand exclusively

Examples of how apprentice relationships can create a conflict of interest include:

- Apprentice known to PAL Assessor/IQA
- Apprentice's line manager at work related to the apprentice
- PAL assessor formerly worked with the apprentice

Examples of how training provider relationships can create a conflict of interest include:

- PAL personnel have been involved in the direct delivery (i.e., acting as a trainer) of an apprenticeship standard programme for named Provider in the last 12 months
- Provider personnel have been involved in development or design of assessment instruments/materials for standards that they deliver, and PAL assesses
- Preferential treatment of one provider over another, this could be in the form of faster assessment turnaround dates, preferential assessment dates
- Training Providers failing to act in the best interests of an employer they work with, selecting an EPAO/AO based on the lowest price, as opposed to the best EPA service, and failing to advise the employer of their capacity to have the final say in the EPAO/AO selection process

⁸ Note this applies to employed and associate assessors and IQAs

Examples of Methods to minimise conflicts of interest

Potential Conflict	Actions taken to minimise or prevent conflict
<p>Specific Apprentices/Providers/employers cannot access timely assessments, due to unreasonable barriers put in place by PAL personnel or overly bureaucratic operating systems, or PAL favouring referrals from one provider over another</p>	<p>Various communication routes to PAL and providers, employers and apprentices are advised of these, via contracting process and website and Padlets-these include free phone, access via PAL’s website, dedicated e-mail addresses. Employers additionally can interface with PAL via epaPRO. Contracts also lay out intended assessment schedule and responsibilities and timeframes. All providers receive the same assessment service and are subject to uniform processes regarding gateway checks, assessment planning and assessment scheduling and administration, in line with the specific assessment plan.</p> <p>Contracts are consistent with all employers/providers and assessment bookings are on a first come, first served basis; scheduling is managed by the support services team and is governed by demand and supply and geography in respect of allocation. PAL resources and manages its business in accordance with conditions A5 and A6 in terms of assessment scheduling, assessor assignment and allocation.</p> <p>BOD reviews assessment time frames and the Assessment/Account managers and/or support services report any issues regarding timeliness or concerns, or complaints raised about access to timely assessments or information and support. Complaints are logged on Monarch, discussed at the Quality & Compliance Meetings and reviewed by the QSC and Board and relevant Director will follow up on complaints and action accordingly. Concerns regarding a potential or adverse effect will be reported by the RO</p>
<p>Favouring particular standards, employers, training providers or apprentices to gain some form of competitive advantage</p>	<p>The QD and BOD as part of the Quality Standards committee (QSC) evaluates apprenticeship results by an assessor in the context of the standard and standard level, provider and any anomalies or significant variance to general patterns of assessment outcomes will be further scrutinised by the QSC and the QSC and or BOD or QD will flag concerns and recommendations with the Board. Concerns regarding a potential or adverse effect will be reported by the RO</p> <p>PAL seeks and collects feedback from all key stakeholders, regarding experience of service and enquiries appeals and complaints are recorded, and resolutions monitored.</p> <p>To avoid bias, we ensure assessors have a mixed portfolio of employer sites/organisations and apprentices, across the country, thereby reducing the potential for assessors to ‘go native’. Assessor assignment is undertaken under the oversight of the BOD and Assessment/Account Managers by Support Services</p> <p>The Board review and compare performance across standards; employers and Providers and check feedback comments to evaluate consistency of service.</p>
<p>Favouring particular standards, employers, training providers or</p>	<p>PAL utilises a balance of employed full-time assessors/IQAs and part-time associates for assessor and IQA work. Recruitment is on-going and is aligned to pipeline forecasts. The hybrid approach of full-timers and associates provides added flexibility. The Business Operations Director</p>

Potential Conflict	Actions taken to minimise or prevent conflict
<p>apprentices, due to insufficient assessor capacity</p>	<p>issues contracts and service level agreements and these arrangements afford all clients with the same terms and conditions. The support services team have the responsibility of overseeing the allocation and scheduling of assessment referrals are dealt with on a date chronological order and post the satisfactory gateway check, assessment planning is undertaken, as per PAL's contract terms and conditions.</p> <p>The BOD, Assessment/Account Managers and support services team monitor on a weekly basis the number of apprentices in EPA, any concerns with scheduling, delays in assessment and EPA timeframes are addressed. The BOD will bring to the QSC</p> <p>Where due to unforeseen circumstances, or challenges with recruiting specialist personnel, PAL would inform the regulator and discuss with the apprentice, employer, and Provider likely timescales for EPA completion, and support the Provider and employer decision if they wished to switch EPAO/AO or put the apprentice on a break in learning.</p>
<p>Consultants specifically commissioned to support assessment design, undertaking assessments for the same standard</p>	<p>Consultants commissioned to support product development work for a specific standard/assessment plan, do not undertake assessment for PAL with the same standards. In-house product development is overseen by the Qualifications Director, and Development Leads and fully employed by PAL.</p> <p>Consultants/Tas are commissioned as per the PAL commissioning policy consultants are required to declare conflicts and sign a service level agreement and as a rule persons used in design and development are not deployed in delivery activities</p>
<p>Consultants specifically commissioned to support assessment design, undertaking training in a college/ITP/Employer Provider for the same standard</p>	<p>PAL checks activities and work of commissioned consultants/technical advisors and makes clear in SLAs and confidentiality and conflict of interest checks, that this position is not desirable.</p> <p>If it were the case that a highly specialised area of work was required and people with training expertise were required, PAL would only give such a person an element of design and would not indicate how and when such inputs were to be used; ideally PAL would seek several experts, and the Resource Development Lead would monitor activities closely and the Qualifications Director would track assessment outcomes</p>
<p>Bias or unfair assessment practices, at standard or cohort level</p>	<p>To avoid bias or unfair practices, in addition to sampling assessment practices, the Quality Manager and quality team monitors' assessment processes and techniques to check assessment practices are in line with PAL's processes and procedures, follow the assessment plan requirements and scrutinise assessment results for fairness, accuracy, reliability and comparability. Live quality assurance (site visits or observation of webinars in real time or post the assessment and test invigilation checks) also reduce the potential for unfair or invalid assessment practices.</p> <p>Standardisations are utilised to align, reconfirm, and disseminate robust assessment practices and appropriate professional conduct in</p>

Potential Conflict	Actions taken to minimise or prevent conflict
	<p>undertaking assessments. Requests for reasonable adjustments are overseen by the QM and senior quality personnel and for any RA or SC, the QM can organise additional moderation.</p> <p>Assessments (except for observations) and test invigilation are digitally recorded, so the quality assurance team can more readily detect biased or flawed assessment practice.</p>
Apprentice known to the assessor	<p>Assessors typically have no previous experience or knowledge of an apprentice until the assessment planning stage. If an apprentice is known to the assessor- a different assessor will be assigned, wherever practical. If re-assignment is not possible, depending in what capacity the apprentice is known and for how long, increased quality assurance sampling of the assessor’s decision and countersigning of assessments are an option, but this would only be considered, if the relationship is tenuous and the apprentice is not related to the assessor, is not employed or has been employed by the assessor and has not been trained by the assessor. Note the two-year rule as stated in this policy.</p> <p>Where the 2-year rule can’t be met, or there is no viable assessor alternative, due for example the requirement of specialist knowledge The BOD, QM would review this situation and can ask the Responsible Officer for guidance and advice and seek feedback from the QSC committee.</p> <p>Invigilation arrangements see Invigilation policy and procedure.</p>
Reasonable adjustments or special considerations are inconsistently applied or applied where not required by the acting assessor	<p>Our policy regarding reasonable adjustments special considerations provide precise details regarding PAL’s handling of special considerations, and reasonable adjustments all PAL personnel and centres are required to follow the policies and the special considerations, reasonable adjustment policy is made available on the website.</p> <p>PAL will ask clients, regarding any specific assessment requests and Training Providers/Colleges are advised to inform PAL prior to gateway of any reasonable adjustments need to be made to the assessment. The QM or senior quality personnel will review all RA applications for the necessary evidence and justification and will seek further information from vested parties where appropriate. The QM or delegated quality person will confirm requirements and advise all parties including the assigned independent assessor of any arrangements granted and how they will be applied.</p> <p>The assessor will use the assessment planning meeting to check again regarding reasonable adjustments and confirm their application. If PAL receives information, that the apprentice, their employer or training provider believes any aspect of the assessment to be unfair, they will be advised of PAL’s complaint policy and appeals, and enquiry policy and the circumstances and outcomes of the assessment will be subject to review.</p>
An assessor has been directly involved in the on-programme delivery of the	In such circumstances, PAL will appoint a different assessor. The BOD will review if and how the assessor can be deployed with any

Potential Conflict	Actions taken to minimise or prevent conflict
<p>apprenticeship that now requires end-point assessment or line managed or worked with the apprentice in the last two years</p>	<p>apprentice for specific standards or cohorts, dependent on the recency and nature of on-programme delivery involvement.</p>
<p>An assessor or IQA has in previous roles designed or compiled curricula, schemes of work or training materials for a training provider, for specific standards they now assess, or quality assure</p>	<p>An alternative assessor will be assigned, to avoid any potential conflict, where the previous work undertaken was for the organisation, connected to that employer or Provider. Where the assessor /IQA has not had any involvement with the third parties (apprentice; employer; Provider) assessment and or IQA could be permitted with increased sampling and monitoring of assessment decisions, with assurance that they no longer design or deliver on-programme activities for other organisations.</p> <p>It is recommended that in such situations the assessor/IQA does not test invigilate for any MCQ/SJT or undertake question and answer or interview or professional discussion assessments.</p>
<p>An assessor or IQA has in previous roles, been a trainer for an apprenticeship programme, they now assess, or quality assure- but has no connection with the Provider or Apprentice assigned to them</p>	<p>No conflict</p>
<p>An assessor or IQA has worked for a training provider, that PAL provides end-point assessment services for</p>	<p>If an assessor or IQA had been directly involved with the apprentice or employer site in the last 24 months, the apprentice and employer site will be 'off-limits to the assessor and or IQA.</p> <p>Alternatively, in conjunction with the Quality Manager, the assessor or IQA can be placed at a higher risk and additional moderation, and sampling can be applied.</p> <p>Where the assessor/IQA has not undertaken any training work with that provider for over 24 months they can be assigned</p>
<p>A conflict or disagreement arises or exists between the assessor, employer and/ or apprentice or assessor and IQA that influences any aspect of the assessment or quality assurance process</p>	<p>PAL will assign a different assessor/IQA as appropriate.</p>
<p>An IQA has connections (to include family connections) with the EPA assessor that compromises the quality assurance process</p>	<p>PAL will assign a different IQA</p>
<p>An regulator contact is appointed to PAL who has previously worked with any member of the PAL assessment team in the last eighteen months</p>	<p>The responsible officer informs the relevant body and requests an alternative representative.</p>

Potential Conflict	Actions taken to minimise or prevent conflict
<p>A member of the PAL compliance team delivers audit and compliance services, for a client that PAL also undertakes end-point assessment for</p>	<p>PAL will issue separate contracts for work undertaken and make it clear that the two services are independent and the personnel working with the client, will work as 'separate entities. The Business Operations Director will oversee all final contract negotiations and monitor the conduct of the PAL functions, to ensure separation is maintained. Audit findings will not be shared with the PAL Board, unless the audit work by the DAC and his team find a high level of audit risk which could mean the Provider's status on APAR and their contract with DfE /DWP is at risk. This situation would place learners at risk of not completing their programme- the QSC would be advised, and the PAL Board would agree what actions the RO should take in terms of reporting to the regulator</p>
<p>A Director, Quality Standards Committee advisory group member or Assessment/Account Manager or Quality Manager has a direct business connection or relationship with a supplier or prospective supplier</p>	<p>Conflict declared and any contractual negotiations, or meetings involving this supplier, the PAL representative with the conflict would not be involved in any purchasing decisions- contracting would be overseen by the Business Operations Director, unless they had the conflict, in which case another Director would oversee the contracting process.</p> <p>PAL's articles of association and governance detail how conflicts of interest are managed and where Directors will declare conflicts for conflicts with parent company see summary information in this appendix.</p>
<p>Non –Exec roles/governor held by Directors and or Advisory Group members⁹, with businesses/organisations that could be deemed as competition, or PAL is working with as an EPAO/AO</p>	<p>Involvement declared and acknowledged and Director and or AG member recuses themselves from any discussions, decisions involving the business/organisation. Note regarding Advisory Group AS declares membership of another AO, which does not work with EPA or apprenticeship programmes or funded programmes. JM notes she acts as a consultant to other EPAOs/AOs/ LAF and AR work for Providers that PAL or parent company has no connection with or does business with. KH on the QSC is an independent consultant.</p>
<p>Conflicts of interest concerning business practices- generally</p>	<p>The PAL Board with the support of the QSC and AG leads on general working arrangements to ensure business dealings are transparent and equitable</p> <ul style="list-style-type: none"> ➤ Arrangements with parent company are based on contracts and goods and services are charged for at the market rate and PAL's financial statements are independently audited ➤ Avoiding arrangements that might reduce competition or create exclusive arrangements- PAL does not bundle our services, separate arrangements for our AO/EPA and audit and compliance work and we never enter exclusive arrangements with any Provider ➤ Avoiding practices that could be construed as an anti-competitive or restrictive practice ➤ Providing employers and apprentices with objective advice on the assessment services and ensuring all information is

⁹ Currently no such conflict

Potential Conflict	Actions taken to minimise or prevent conflict
	<p>understood and memoranda of understanding and contracts specify the service to be provided and the cost of the assessment services.</p> <p>Where the Board, QSC or AG regards a conflict of interest as a potential or actual adverse effect, this will be reported to the Responsible Officer who will notify the event to the appropriate regulatory bodies. Where required agreements, contracts will be reviewed, renegotiated or terminated</p>
An employer acting as a line manager for an apprentice is a relative, family member or friend.	In respect of gateway validation, where such a conflict is declared or discovered, PAL will inquire if another employer representative can confirm readiness (in a micro business this might not be possible), in which case we will confirm with the Provider/Employer provide College representative that assessment readiness is accurate. Where an assessment plan, requires the employer representative to be present for an element of the assessment, to corroborate evidence, an alternative representative or source of confirmation will be requested. If this is not possible, the complete set of assessment outcomes will be used as the basis of an assessment judgement.
Test invigilation –trainer/tutor/line manager	Refer to Administration of Test and Invigilation policy- PAL undertakes test invigilation- most invigilation is undertaken remotely and is recorded. On site testing is invigilated by PAL personnel. Reasonable adjustments guidance and policy state the use of scribes, prompts etc must be undertaken by a second person.
A Provider has a vested interest in processing gateways and getting apprentices to end-point assessment.	<p>PAL will undertake gateway validation as required by the relevant assessment plan and if during the assessment planning phase has concerns about the apprentice’s readiness, will discuss this with the employer and apprentice and if required postpone the assessment, to allow for further development.</p> <p>If a referring Provider/employer has apprentices that meet the gateway checks, but have a disproportionately high number of fails, resulting in resits and retakes for periods back in training, the BOD will discuss the results with the QSC and either the BOD or PAL’s QM will set up a meeting with such parties to review the situation and agree what if any actions need to be taken by any party.</p>

The above list is not exhaustive; however, by adhering to the principles of neutrality, openness and fairness PAL believes conflicts can be avoided or managed without compromising the assessment and quality assurance practices associated with independent assessment. This conflict-of-interest policy, as with all our policies, is applied to all stakeholders, including our parent company.

Summary of PAL’s Governance Arrangements to Ensure Impartiality

Professional Assessment Ltd (PAL) has established robust governance structures and operational safeguards to ensure impartiality in all awarding and assessment activities, particularly in light of its group relationship with HIT Training Ltd (TOP).

- PAL operates with an autonomous governance framework, including an independent Board and a Quality and Standards Committee and has an Advisory Group. These bodies oversee assessment integrity, policy compliance, and conflict of interest management.
- PAL has since its inception and approval by DfE/Apprenticeship service and when working with EQAs and as part of its application for Ofqual recognition described its company status and arrangements with the parent company
- Although HIT Training Ltd is PAL's parent company, PAL maintains full operational independence. No HIT executives sit on PAL's Board, and PAL's Responsible Officer and senior leadership report solely through PAL's internal governance lines.
- PAL has its own articles of association which includes detailed arrangements regarding conflicts of interest, underpinned by PAL's governance manual which expands on PAL's governance approach.
- All transactions between PAL and HIT are conducted at market rates, with no preferential terms or discounts and are subject to a service level contract
- PAL's Conflict of Interest Policy, aligned with Ofqual's General Condition A4, mandates regular declarations, maintains a central register, and applies enhanced quality assurance measures (e.g. increased sampling, independent moderation, dual sign-off) where any perceived or actual conflict may arise.
- The Quality and Standards Review Committee, which includes independent representation, reviews the Conflict of Interest Register quarterly and ensures that all conflicts are appropriately mitigated and adverse effect reporting for conflicts of interest is as detailed in this policy

These arrangements collectively ensure that PAL's qualifications and assessments are developed, delivered, and awarded with integrity, free from undue influence or bias