

Conflicts of Interest Policy



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| Trustee Owner | Andrew Cobb |
| Effective date: | 21/7/22 |
| Review date: | 21/7/25 |
| Related documents | Quality Assurance Policy and associated academic management policies Risk Management Financial Controls Policy GDPR Policy |

Approval History

| Version | Reviewed by | Amendment History | Approved by | Date |
|---------|-----------------|-----------------------------|----------------|----------|
| 1.0 | Jane Sullivan | First Draft | Andrew Cobb | 21/07/22 |
| 1.1 | Andrew Counsell | Reviewed – no amends needed | Katharine Jane | 11/3/24 |

Purpose

Newton Rigg Ltd recognises that a conflicts of interest policy is required by organisations to ensure good practice and governance under external scrutiny. It enables an organisation to identify and monitor all conflicts of interest which relate to it, and any scenario in which it is reasonably foreseeable that such conflict of interest will arise in the future.

The purpose of this policy is to provide guidance to relevant individuals on identifying and handling possible conflicts of interest that may arise whilst working for/with Newton Rigg Ltd in order to protect both the organisation and the individuals involved from any appearance of impropriety.

Scope

This policy applies to all trustees, consultants, managers, tutors, instructors, assessors, moderators and associated staff.

Newton Rigg Ltd staff and or its representatives are responsible for the maintenance, review and improvement of this policy.

Principles

It is the policy of Newton Rigg Ltd that anyone acting on behalf of the charity must be free from conflicts of interest that could adversely affect their judgment or objectivity to the charity in conducting any of its charitable aims or business activities. As a charity we are subject to the Companies Act 2006 in relation to conflicts of interest and how they are managed.

The most common dangers arising out of a conflict of interest are poor decision making, legal challenge, loss of trust, harm to working relationships and reputational damage.

Newton Rigg Ltd recognises that anyone may take part in legitimate financial, business, charitable and other activities outside of their recognised roles at Newton Rigg Ltd, but any

potential conflict of interest raised by those activities must be acknowledged, disclosed, and in relevant cases properly managed.

It is the responsibility of each individual to recognise situations in which they have a conflict of interest, or might reasonably be seen by others to have a conflict; to disclose this conflict and to take such further steps as may be appropriate and set out in more detail under the procedure below.

Definition of conflict of interest

A conflict of interest is a situation in which an individual, or organisation, has competing interests or loyalties. Conflicts of interest can arise in a variety of circumstances in relation to our activities, for example:

- When a trustee obtains direct or indirect financial benefit, such as payments, gifts, awarding of contracts/grants or property sales.
- When an individual has a position of authority in one organisation which conflicts with his or her interests in another organisation
- When an individual has personal interests that conflict with his/her professional position
- When the official responsibilities of a tutor, assessor, or internal verifier could compromise, or appear to compromise, their decisions for a particular individual who has close or familial ties
- When a person who is connected to the development, delivery or award of qualifications by Newton Rigg Ltd and 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 accordance with the awarding organisations conditions of recognition
- When employees work with a business that is in direct competition to Newton Rigg Ltd
- When employees participating in the appointment, supervision evaluation or assessment of a person with whom the person has close or familial ties
- When tutors and assessors, having a close or familial relationship with the registered learner, or learners' family, whilst being involved in decisions about the outcome of their accreditation or qualification or where the person whose remuneration is in part determined by the outcome of the assessment.

Declaration of interests: roles and responsibilities

All trustees and staff have a responsibility to be aware of the potential for a conflict of interest. It is the duty of all tutors and assessors to disclose any actual or potential conflict of interest, to their line managers or the Trustees, in writing.

Accordingly, we are asking trustees and all staff to declare their interests, and any gifts or hospitality offered and received in connection with their role in Newton Rigg Ltd. A declaration of interests' form is provided for this purpose (see Appendix A), listing the types of interest you should declare. To be effective, the declaration of interests needs to be updated at least annually, and when any material changes occur.

All information is subject to the provisions of the Data Protection Act 2018 which incorporates the EU General Data Protection Regulation (GDPR), as per our GDPR policy.

What happens next

The information submitted is evaluated to identify if any further action is required and a written record of the outcome of the evaluation is kept and a copy will be provided to the concerned individuals.

Possible actions:

- A person is removed from direct decisions that directly affect a specific person e.g. a close friend or family member's assessment decisions.
- A person is removed from any vote in which they have a conflict of interest, and voting taking by the remaining quorate members.

All decisions under a conflict of interest will be recorded and reported in the minutes of any meetings.

The report will record:

- the nature and extent of the conflict;
- an outline of the discussion;
- the actions taken to manage the conflict.

Where a trustee benefits from the decision, this will be reported in the annual report and accounts in accordance with the current Charities SORP. All payments or benefits in kind to trustees will be reported in the charity's accounts and annual report, with amounts for each trustee listed for the year in question.

If an individual concerned has any changes to their declared circumstances, they must inform their line manager/trustee immediately in writing, so that the conflict of interest can be evaluated, and the register updated.

Independent external moderation will be used where conflicts cannot be resolved through the usual procedures.

Appendix A

Newton Rigg Ltd's Declaration of Interests' form

I.....as employee/trustee/consultant/volunteer* (*delete as appropriate) of Newton Rigg Ltd, have set out below my interests in accordance with the charities Conflicts of Interest policy.

| Category | Please give details of the interest and whether it applies to yourself or, where appropriate, a member of your immediate family, connected persons or some other close personal connection |
|--|--|
| Current employment and any previous employment in which you continue to have a financial interest | |
| Appointments (voluntary or otherwise) e.g. trusteeships, directorships, local authority membership, tribunals etc. | |
| Membership of any professional bodies, special interest groups or mutual support organisations | |
| Investments in unlisted companies, partnerships and other forms of business, major shareholdings and beneficial interests. | |
| Gifts or hospitality offered to you by external bodies and whether these were declined or accepted in the last 12 months | |
| Do you use, or care for a user of Newton Rigg's services? | |
| Any other conflicts that are not covered by the above. | |

To the best of my knowledge, the above information is complete and correct. I undertake to update as necessary the information provided, and to review the accuracy of the information on an annual basis. I give my consent for it to be used for the purposes described in the conflicts of interest policy and for no other purpose. I understand that the information provided will be held in accordance with Newton Rigg Ltd's privacy policy.

Signed:

Position:

Date: