

# Conflict of Interest Policy and Procedure

## Purpose

Gateway Qualifications operates as both a charity and a recognised awarding organisation and Access Validating Agency regulated by Ofqual, Qualifications Wales, and the Quality Assurance Agency (QAA). In fulfilling its responsibilities, Gateway Qualifications is committed to upholding the highest standards of integrity, transparency, and impartiality in all aspects of its products and services.

As a regulated awarding organisation, Gateway Qualifications is required to comply with the General Conditions of Recognition set by Ofqual and Qualifications Wales, and the licensing criteria of the QAA. These regulatory frameworks mandate the identification, monitoring, and management of actual, potential, and perceived conflicts of interest to ensure that no adverse effect compromises the validity, reliability, or fairness of its qualifications.

Gateway Qualifications recognises that conflicts of interest may arise in various contexts, including commercial relationships, personal affiliations, and organisational structures. This policy is designed to safeguard the integrity of its products and maintain public confidence in its role as a regulated awarding organisation by identifying, monitoring, and managing potential or actual conflicts of interest.

Generally, conflicts of interest occur where an organisation or an individual has competing interests which might impair its or their ability to make objective, unbiased decisions which may arise within a Recognised Centre (“Centre”), Apprenticeship Training Provider (“Provider”) or within Gateway Qualifications.

The management of conflicts of interest forms a key component of our overall risk management approach. Proactively addressing potential conflicts helps to mitigate risks at both strategic and operational levels, enhances awareness of associated risks, and supports the promotion of good management and organisational practices.

## Scope

This Policy applies to all individuals and organisations working for, on behalf of or with Gateway Qualifications including staff, the Board of Trustees, committee members, our wider workforce associates, suppliers, partners, Centres, Providers and other customers including their employees or associates.

## Audience

This Policy is intended for the following audience:

- Recognised Centres (“Centres”) in relation to the offer of qualifications with the exception of End-point assessment – including all Centre staff, associates, freelance staff and contractors
- Apprenticeship Training Providers (“Providers”) in relation to apprenticeship assessment (including End-point assessment where appropriate)
- Learners
- Gateway Qualifications’ Board of Trustees and Committee members
- Gateway Qualifications’ staff
- Gateway Qualifications’ wider workforce – including consultants, qualification developers, assessment roles.

## Definitions

### Conflict of Interest

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Gateway Qualifications has adopted Ofqual’s definition of a conflict of interest, which also supports its compliance with Qualifications Wales and the Quality Assurance Agency (QAA) regulatory requirements, as follows:

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 accordance with its Conditions of Recognition or licensing criteria.
- (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 has the potential to lead that person to act contrary to their<sup>1</sup> interests in that development, delivery or award in accordance with the awarding organisation’s Conditions of Recognition or licensing criteria.
- (c) an informed and reasonable observer would conclude that either of these situations was the case.

For Centres providing Access to HE provision, the QAA defines ‘Conflicts of Interest’ as:

Conflicts may arise during engagement or tenure, where providers reasonably believe the interests of one party affect the motivations or impartiality of another. This might include close personal or professional relationships with staff, students, or previous experts involved in their area of responsibility, an excessive influence due to their standing in other roles, or because their inclusion in a team of experts creates an unbalanced view.

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<sup>1</sup> Adapted from his or her within Ofqual’s version  
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A conflict of interest may be ongoing or temporary and can also build up over time due to an excessive engagement period or re-engagement by the same provider.

## Connected person

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A connected person refers to any individual or entity with a close personal, professional, or financial relationship to someone involved in the decision-making or operations of the organisation. This typically includes:

- **Close family members**, such as spouses or partners, children, parents, siblings, and their respective partners.
- **Business associates**, including individuals with whom the person has a significant financial or professional relationship.
- **Entities or organisations** where the individual has a controlling interest or influence, such as directorships, shareholdings, or trustee roles.

In the context of Gateway Qualifications, a connected person may be someone whose relationship with a staff member, trustee, contractor, or centre could reasonably be perceived to influence decisions related to the development, delivery, or award of qualifications, or the governance of the charity.

The presence of a connected person does not automatically constitute a conflict of interest, but it does require disclosure and appropriate management to ensure transparency, impartiality, and regulatory compliance.

- **Apprenticeship Assessment** – The assessment of an apprentice against the requirements of an apprenticeship standard, as set out in the relevant assessment plan. This includes:
  - **End-point Assessment (EPA)** delivered under legacy assessment plans; and
  - **Assessment** delivered under reformed apprenticeship assessment arrangements.
- **Centre** - An organisation approved by Gateway Qualifications to deliver qualifications and/or apprenticeship assessment. This includes organisations delivering:
  - qualifications; and
  - apprenticeship assessment under reformed standards.
- **End-point Assessment (EPA)** - A form of apprenticeship assessment used in legacy apprenticeship standards, typically undertaken at the end of the apprenticeship to assess competence against the standard. EPA is being phased out under apprenticeship reforms.
- **Learner** - An individual pursuing a qualification or apprenticeship offered by Gateway Qualifications. For the purposes of this policy, the term learner includes apprentices, and the term learner will be used throughout unless specific distinction is required.
- **Provider** - An organisation delivering apprenticeship training. In the context of this policy, Providers interact with Gateway Qualifications in relation to End-Point Assessment (EPA) under legacy apprenticeship standards.

Unless otherwise specified, references to **Centres** in this policy include organisations delivering apprenticeship assessment under reformed standards.

References to **Providers** apply specifically to organisations involved in End-Point Assessment (EPA) under legacy apprenticeship standards.

## Responsibilities

### Centre responsibilities

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We expect that staff involved in the management, administration, assessment and quality assurance of our regulated qualifications, units or entry to Gateway for EPA and subsequent assessments, and their Learners and employers are aware of this Policy.

In addition, Centres/Providers must:

- have a Conflict of Interest policy and procedure that aligns with this Policy.
- Declare any actual, potential or perceive conflicts to Gateway Qualifications immediately.
- Co-operate with Gateway Qualifications in managing and resolving conflicts.

All staff and contractors must understand and be made fully aware of their obligation to report conflicts of interest to the responsible person in the Centre/Provider for onward reporting to Gateway Qualifications.

### Gateway Qualifications' responsibilities

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Gateway Qualifications is obligated and responsible for ensuring that any conflicts of interest in the development, delivery or award of its qualifications, whether they be directly assessed or Centre assessed, are identified and managed or removed. It will do this by maintaining and complying with this Policy and through:

- Implementing procedures and taking all reasonable steps to minimise the risk of conflicts occurring, prevent them from having an Adverse Effect, and mitigate or correct any Adverse Effect that arises
- Identifying, managing, mitigating, and controlling actual, potential and perceived conflicts of interest.
- Maintaining an up-to-date record of all conflicts of interest
- Implementing processes and procedures to investigate any non-disclosure of Conflicts of Interest and to deal with any incidents should they occur, reporting to the relevant regulator where required.
- Monitoring of Centre Conflict of Interest Policies and procedures via the Centre Assessment Standards Scrutiny (CASS) strategy to ensure compliance.

### Trustees

Trustees have a legal duty to act only in the best interests of Gateway Qualifications. They must not put themselves in any position where their duties as trustee may conflict with any personal interest they may have.

## Related Policies and Documents

### Gateway Qualifications

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- Gateway Qualifications' terms and conditions (Centre agreement/Agreement for EPA Services)
- Access to HE Diploma Learner Appeals Policy
- Appeals Policy and Procedure
- Disciplinary, Capability, Grievance and Appeals Policy
- Feedback and Complaints Policy
- Malpractice and Maladministration Policy and Procedure
- Sanctions Policy

### Other Guidance

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Charity Commission for England and Wales guidance, [Conflicts of interest: a guide for charity trustees](#)

## Equity, Diversity and Inclusion Statement

Whilst developing the policies and processes referenced in this document, we have given due consideration to eliminating discrimination, harassment and victimisation, advancing equality of opportunity, and fostering good relations between people who share a relevant protected characteristic (as defined in the Equality Act 2010) and those who do not.

## Conflicts of interest types

A conflict of interest can be perceived, potential or actual and be personal or organisational, financial or non-financial in nature.

### Personal Interest

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A personal interest is a conflict of interest that relates to a particular individual, and can be financial or non-financial in nature.

#### Interests in assessment

Gateway Qualifications will take all reasonable steps to avoid any part of an assessment of a Learner/Apprentice being undertaken by any person, including any relation, within a Centre/Provider or Gateway Qualifications, who has a personal interest in the result of the assessment.

Where, having taken all such reasonable steps, an assessment by such a person cannot be avoided, Gateway Qualifications will make arrangements for the relevant part of the assessment to be subject to scrutiny by another person.

Further examples of where personal interest conflicts can arise include:

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- an assessment and internal quality assurance activity undertaken by the same person.
- an assessment delivered by a person that has taught/trained the Learner or Apprentice.
- anyone with a personal interest in the proceedings and outcome of an investigation, appeal, complaint.

## Organisational Interest

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### Centres/Providers

Examples of Centre/Provider related conflicts include:

- a staff member pursues a qualification offered by the Centre.
- a staff member has a partnership or subcontracting agreement with a third party in which both parties have an interest.
- staff and third parties who have access to confidential assessment information also have roles in teaching or assessing Learners in the subject area.
- staff and third parties who have access to confidential assessment information have a family member, friend or colleague who is due to take those assessments.
- a Gateway Qualifications' Assessor, EQA or Moderator has a professional interest in a Gateway Qualifications' Centre or Provider.

### Gateway Qualifications

An organisational conflict relates to Gateway Qualifications and its ability to make objective, unbiased decisions about how best to develop, deliver or award its qualifications.

There are situations where organisational conflicts can be present and must be avoided. These are detailed in the Prohibited conflicts and non-disclosure section.

## Conflicts of Interest Procedure

### Centre related conflicts of interest

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#### Procedure for Reporting

Centres/Providers are required to identify and monitor all conflicts of interest, including those that involve personal interests. Centres/Providers must ensure that both actual conflicts of interest, or where there may be potential or perceived conflicts of interest, are identified, recorded, and managed appropriately.

Centres/Providers must report all declarations of all conflicts of interest to Gateway Qualifications without delay by completing the [Declaration of Interest form](#) on Gateway Qualifications' website and prior to any assessments taking place.

Where changes to an individual's conflict of interest occur, including where the conflict of interest no longer applies, the Centre/Provider must advise Gateway Qualifications.

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## Reviewing and managing conflicts of interest

Conflict of interest declarations from Centres/Providers will be reviewed by the Centre Compliance Manager to consider whether controls that have already been put in place by the Centre/Provider are sufficient and whether further mitigation is required. The removal or minimisation of any potential for Adverse Effect will be considered. Where it is considered that the mitigation applied by the Centre/Provider is not sufficient, the Centre Compliance Manager will contact the Centre to discuss the issue and agree an acceptable approach.

### Agreement on mitigations

Gateway Qualifications may seek to discuss the appropriateness of any mitigation of a declared conflict of interest with the Centre's Quality Assurance Contact. Gateway Qualifications' Centre Compliance Manager will confirm acceptable mitigations are in place, or where there are further concerns, will confer with the Director of Awarding will review the situation and agree on the appropriate mitigation..

Gateway Qualifications reserves the right to specify any controls or mitigations in relation to potential or actual conflicts of interest if an agreement cannot be reached with a Centre.

## Mitigations to support the management of conflicts of interest

The following mitigations may be applied:

- The conflict of interest is removed – for example, by moving the responsibility to another staff member
- An independent Tutor/Assessor or IQA is used
- Staff members seeking to pursue qualifications and assessments offered by the Centre are registered and assessed at another Centre, where this is not possible tighter controls are implemented, such as the requirement for external quality review prior to awarding, regardless of DCS status being held.

## Gateway Qualifications' staff, contractors, and wider workforce

### Procedure for reporting

Gateway Qualifications' staff, contractors, and wider workforce must report any conflict of interest and any activity that might create a potential conflict of interest.

All Gateway Qualifications' staff, contractors, and wider workforce will complete a Conflict of Interest declaration form upon appointment, with a requirement to confirm declarations at least annually and when they are subject to any change of status.

A change of status may include, for example, a change to their position, responsibilities, other work, or new directorships.

Assessors and IQAs involved in the assessment of Apprentices or quality assurance of this provision will also be required to declare any potential or actual conflicts on a per-apprentice basis upon allocation.

If a conflict exists, the Assessor and IQA must reject the allocation to the Apprentice, employer, or provider. If not declared, this will be treated as [non-disclosure](#).

### Reviewing and managing conflicts of interest

Declaration forms, including updated declarations, are reviewed by a member of the Senior Leadership Team. The Chair of the Board of Trustees will review and approve any mitigations and controls to manage any conflicts of interest identified for the Chief Executive Officer and Responsible Officer.

Where conflicts are identified, details are added to the Conflicts of Interest Register along with the controls required to manage the conflict of interest. In certain circumstances conflicts of interest may not be tolerated and not permissible, details of which will also be recorded. Where mitigations are to be applied this will be communicated to the appropriate line/contract managers to implement the specified controls which will also be communicated to the individual.

Where a conflict of interest is identified, that is not prohibited, and cannot be removed or avoided, it will be escalated to the Chief Executive Officer in the first instance for consideration as to appropriate controls to be established.

### Mitigations to support the management of conflicts of interest

The following mitigations may be applied:

- The conflict of interest is removed – for example, by moving the responsibility to another staff member, consultant or wider workforce.
- Applying additional scrutiny and controls where a member of Gateway Qualifications' staff or WWF involved in the assessment or quality assurance process has a personal interest in the outcome of a Learner's or Apprentice's assessment.
- Apprenticeship related - An independent Internal Quality Assurer (IQA) is employed where the usual IQA undertakes assessment activity.
- Not allowing individuals to participate in any discussions/decisions relating to any mitigations put in place and ongoing management of the conflict of interest.
- Contracts that include information on other roles or responsibilities the individual is not permitted to carry out whilst engaged by the contracting organisation.
- Where an individual has previously worked for a Centre/Provider, not allowing them to participate in assessment decisions where a perceived or actual conflict is deemed to arise.
- Individuals involved in assessment development will not deliver training to Providers where this would be deemed to be prohibited training.

## Gateway Qualifications' Trustees and Committee members

### Procedure for reporting

Trustees and Committee members must report any conflict of interest and any activity that might create a potential conflict of interest.

All Gateway Qualifications' Trustees and Committee members will complete a Conflict of Interest declaration form upon appointment, with a requirement to confirm declarations annually and when they are subject to any change of status.

A change of status may include, for example, a change to their position, responsibilities, other work, or new directorships.

### Reviewing and managing conflicts of interest

The Chief Executive Officer will review and approve any mitigations and controls to manage any conflict of interest identified for Trustees. The Vice Chair of the Board of Trustees will review and approve conflicts of interest with regard to the Chair of the Board and update the conflicts register.

### Mitigations to support the management of conflicts of interest

At the commencement of any Board or Committee meeting, Trustees and Committee members are additionally asked to consider and declare any conflicts of interest with regards to the business of the meeting. Any change to declared conflicts will be recorded, and appropriate mitigations agreed to progress the meeting.

In some cases Trustees may decide to remove a conflict by:

- Not pursuing a course of action
- Proceeding in a different way
- Not appointing a particular trustee or securing a trustee resignation.

## Prohibited conflicts and non-disclosure

### Prohibited conflicts

Having a conflict of interest does not prohibit Gateway Qualifications from permitting it, so long as actions are taken to mitigate/manage, monitor and review the conflict to prevent any adverse effects from arising. However, there are certain conflicts which are prohibited by regulation:

- A trustee having a competing legal obligation or duty to another organisation or person
- a member of Gateway Qualifications' Board of Trustees or a Committee member has a professional or personal interest in a matter or decision relating to a Gateway Qualifications' Centre.

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- where employment, monetary gain, gifts, or hospitality could be gained from a decision made in favour of a particular supplier.
- when the awarding organisation is also a training provider.
- anyone with a personal interest in the outcome of an investigation into potential malpractice from carrying out investigations of suspected or alleged malpractice
- 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
- anyone with a personal interest in the decision being appealed from taking decisions on that appeal.
- when the awarding organisation has a financial stake or interest in any of its Centres, customers, suppliers or third parties.
- an individual is writing, assessing, marking, or moderating assessments for Gateway Qualifications' works for a Centre or a training provider that delivers the same or similar qualification(s).
- a staff member from the apprentice's employer has a personal relationship with a staff member in the organisation or other vested interest in Gateway Qualifications or vice versa.

The lists detailed above are not exhaustive.

## Non-disclosure

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Gateway Qualifications will investigate all alleged breaches of non-disclosure. Investigations will be carried out by individuals who have appropriate expertise and who have no personal interest in the matter. Alleged conflicts of interest may be identified through whistleblowing, complaints, or quality assurance activities such as sampling and observation.

### Recognised Centres or Providers

Failure to declare a conflict of interest will be investigated in accordance with Gateway Qualifications' Malpractice and Maladministration Policy and Procedure.

### Gateway Qualifications' Board of Trustees and Committee members

Failure to declare a conflict of interest will be investigated, and action may be taken by the Board of Trustees. In the case of Trustees this will be in accordance with the Charity Commission for England and Wales guidance, [Conflicts of interest: a guide for charity trustees](#)

### Gateway Qualifications' staff and wider-workforce

Staff who fail to declare a conflict of interest will be investigated, with action taken in accordance with Gateway Qualifications' Disciplinary, Capability, Grievance and Appeals Policy. Wider workforce who fail to declare a conflict of interest will be investigated, and action may be taken in accordance with Gateway Qualifications' Contract for Services.

## Investigations

If an actual or potential conflict of interest is found not to have been disclosed, Gateway Qualifications will carry out an investigation to assess whether the conflict of interest has had an Adverse Effect, and appropriate action will be taken.

## Recording conflicts

All reported conflicts of interest are recorded and maintained within the Gateway Qualifications' Conflicts of Interest Registers and meeting minutes (where relevant).

## Data protection

The information provided in any conflict of interest disclosure will be processed in accordance with the data protection principles as set out in the Centre Agreement terms and conditions.

Data will only be processed to ensure that all persons to whom this policy relates act in the best interests of the Learners/Apprentices, the Centres delivering the qualifications and Gateway Qualifications. The information provided will not be used for any other purpose. Gateway Qualifications will only disclose information if required to do so by law, government, or Regulators.

## Review Arrangements and Monitoring

Gateway Qualifications will periodically review this Policy and the associated procedures and revise as necessary. As part of the review consideration will be given to feedback received and regulatory/legislative requirements.

If you would like to feedback on any views on this Policy, please contact us via the details provided at the end of this document.

Gateway Qualifications' Quality and Standards Committee is responsible for monitoring the effectiveness of the application of this Policy. An annual summary is provided to the Board of Trustees for monitoring and ratification.

## Legal and Regulatory References

This Policy addresses the following legislation and/or regulatory requirements:

Regulator or Relevant Governing Body	Reference Details	Legislation/Regulatory Reference
Ofqual	General Conditions of Recognition	Condition No: A4 Conflicts of interest A8 Malpractice and maladministration

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		C1 Arrangements with third parties C2 Arrangements with Centres G4 Maintaining confidentiality of assessment materials, including the conduct of specified training events I1 Appeals process
Qualification Wales	Standard Conditions of Recognition	Condition No: A4 Conflicts of interest A8 Malpractice and maladministration C1 Arrangements with third parties C2 Arrangements with Centres G4 Maintaining confidentiality of assessment materials, including the conduct of specified training events I1 Appeals process
Qualification Assurance Agency	QAA Licensing Criteria (until 31 <sup>st</sup> July 2026)	Criteria: 2 Governance 68 Provider and course recognition 105: Standardisation and moderation
	QAA Access to HE Conditions (from 1 <sup>st</sup> August 2026)	Condition A5: Complaints and appeals Condition E4: Moderation
Charities Commission	Charities Act 2011	Conflicts of interest: a guide for charity trustees
Department for Business and Trade, Companies House	Companies Act 2006 (the CA 2006)	176 Duty to avoid conflicts of interest

## Contact us

If you have any queries about the contents of the policy, please contact:

Telephone: 01206 911211  
 Email: [enquiries@gatewayqualifications.org.uk](mailto:enquiries@gatewayqualifications.org.uk)  
 Post: Gateway Qualifications, Gateway House, 6 Tollgate Business Park, COLCHESTER, CO3 8AB

## Document Controls

<b>Document Name</b>	Conflicts of Interest Policy and Procedure
<b>Version</b>	8.2
<b>Approval Date</b>	May 2026
<b>Review Date</b>	May 2028
<b>Owner</b>	Chief Executive Officer

## Revision History

Revision Date	Version	Updated By	Summary of Changes
May 2026	8.2	Quality Improvement Manager	Update to remove references relating to End-point Assessment with Apprenticeship Assessment as applicable.  QAA Regulatory reference update to show the Conditions effective from 1 <sup>st</sup> August 2026 and Licence Criteria effect to 31 <sup>st</sup> July 2026.
September 2025	8.1	Director of Awarding	Policy transferred to the new policy document template, and a change for staff and wider workforce to confirm declarations of conflicts of interest from quarterly to at least annually. Clarification on wording including scope of the policy relating to individuals and organisations and presentation of tables updated. Further detail relating to conflicts of interest and Trustees. Updated legal references to include the Charities Commission and Companies Act.