



QAA Conflicts of Interest Policy

Purpose

- 1 The purpose of this policy is to:
 - preserve QAA's independence and impartiality
 - support QAA's commitment to transparency and openness
 - protect QAA colleagues (including employees, assessors, reviewers, consultants, Board members, Committee members and Board observers) from potential conflict situations and allegations of bias
 - communicate QAA's requirements in respect of conflicts of interest
 - advise colleagues of their obligation to disclose conflicts of interest and maintain high ethical standards
 - ensure that assessment and review outcomes are impartial and unbiased, and that the standard of QAA assessments and reviews is upheld.
 - ensure that decisions are made solely in the best interests of QAA.

Scope

- 2 This policy applies to all QAA colleagues (including employees, assessors, reviewers, consultants, Board members, Committee members, and members of advisory groups) who are assigned to undertake work on behalf of the Agency.

Definitions

- 3 **QAA employees** are individuals who have a contract of employment with QAA and have responsibility for the delivery of QAA's work. This includes full-time, part-time and flexible part-time employees.
- 4 **Assessors and reviewers** are individuals trained to undertake assessment or review activity on behalf of QAA. They are engaged through a casual worker agreement, are assigned specific assessment or review work, and are not employees.
- 5 **Consultants** are individuals operating through their own limited company or other type of intermediary, engaged to undertake specific work on behalf of QAA. They are engaged through a consultancy agreement and are not employees.
- 6 **Board Members** are non-Executive Directors appointed by the Board, in accordance with QAA's Articles of Association.

7 **Committee Members and members of Advisory Groups** are individuals external to QAA who have been appointed to a QAA Committee or advisory group.

8 Throughout this policy, the term '**conflict of interest**' shall include any of the following:

- actual conflicts of interest
- potential conflicts of interest
- perceived conflicts of interest
- conflicts of duty or loyalty.

9 For the purposes of this policy, interests can be:

- **Direct:** including a colleague's own personal, family, professional or business interests. In the case of Board members this could mean the organisation by which they are employed or the body that has nominated them for appointment to the QAA Board.
- **Indirect:** including the personal, family, professional or business interests of individuals or groups with whom the colleague is (or was recently) closely associated.
- **Financial:** including where the colleague (or a relative or close associate) holds shares in, receives benefits in the form of gifts or hospitality, or benefits financially from a provider.
- **Non-financial:** including interests arising from personal or family relationships.

10 **Commercial services** are revenue generating products and services that QAA offer. These products and services are delivered through the fulfilment of contractual agreements with any individual organisation who procures a product or service from the Agency. These are separate to regulatory activities (for example, reviews and assessments) that providers are required to undertake as directed by regulatory, funding or statutory bodies.

11 **QAA Membership** is a directorate within QAA that provides resources and services which are accessible to any organisation which has a membership agreement with QAA. All membership fees are used on a not-for-profit basis as they are reinvested into the resources and services that QAA provides to its members.

Responsibilities

12 All QAA colleagues are responsible for declaring conflicts of interest as soon as they become aware of them and for following the relevant guidance on considering those conflicts (see paragraph 26). QAA takes its responsibility to behave transparently and with integrity very seriously, and colleagues should note that failure to disclose a conflict of interest of which the individual ought reasonably to have been aware, may result in disciplinary action for employees and contract termination for assessors, reviewers and consultants, or the early end-of-term of appointment.

13 Managers (line managers and/or the QAA managers that lead on areas of work) are responsible for:

- ensuring that QAA colleagues are aware and understand their obligations as outlined in this policy
- gathering information about declared conflicts, logging and reporting on it
- acting on any declarations as appropriate
- consulting with the relevant departmental directors regarding declarations, where needed.

14 Each Director is responsible for monitoring and reporting on the process for conflicts of interest in their department, for providing advice and guidance to relevant managers and consulting with the Governance team where required.

15 The Assessment and Reviews Group is responsible for monitoring and reporting on the application of the process for conflicts of interest across the daily activities of QAA and providing advice and guidance to relevant Directors where required.

16 All Committee and Board meetings will have a standing item of conflicts of interest. and members must declare at this point any conflicts of interest not previously disclosed. The Company Secretary will advise Board members and Chairs on how to handle conflicts of interest. The Company Secretary will also keep a log of conflicts of interest, which is updated yearly, and share these with the Committee or Board Chair prior to any meeting and give advice on how to handle any conflicts.

Policy statement

17 QAA colleagues are required to:

- maintain the highest possible standard of integrity in the conduct of QAA work and related activities
- reject any business practice which might reasonably be deemed improper
- never use their authority or position for personal or commercial gain
- never inappropriately use their authority or position for QAA's commercial gain
- at all times, act with impartiality, independence and integrity
- avoid being, or giving the appearance of being, in a position which may result in an actual or perceived detriment to QAA's reputation and/or interests.

18 QAA's approach to the declaration and management of identified conflicts of interests is that conflicts:

- should be disclosed at the earliest opportunity, and updated regularly
- will normally prohibit a colleague from undertaking work with the provider with which they are conflicted, for the duration of the conflict and conflict period
- will normally prohibit Board members from participating in either part or all of a Board or Committee meeting for which they are conflicted.

19 In all cases, individuals have a responsibility to assess the potential conflict. Both actual and perceived conflicts of interest (such as interests which might reasonably give rise to the perception of a conflict) must be disclosed.

Types of conflicts

20 The following is an indicative, non-exhaustive, list of the types of conflict to be declared, and the advised conflict period applicable in each case:

Conflict description	Conflict period
I work/worked or study/studied at the provider	3 years following departure/graduation from the provider
I provide/provided (as a consultant or in a different QAA role) commercial services to a provider, individually or as part of a team, on behalf of QAA	1 year following the end of the engagement
I provide/provided (as a consultant or in a different non-QAA role) commercial services to a provider, individually or as part of a team, independent of QAA	1 year following the end of the engagement
I undertake/undertook external validation/external examining at the provider	3 years following the end of the engagement
I made an application to the provider for a post or study	3 years following the unsuccessful application
I am/was a board or committee member at the provider	3 years following the end of the period of office
I have/had a close relative studying or working at the provider	3 years following the end of the relative's course
The provider is considered a direct competitor of my institution	3 years from departure from institution
The provider is/was an awarding body or delivering partner of my institution	3 years from departure from institution or end of agreement with provider
I undertake/undertook research or publication with a member of the provider's staff or students	3 years from publication of outputs or end of project (variable depending on extent of involvement)
I hold/held an honorary position at the provider	3 years from end of period of office
I have an undisclosable conflict	3 years from the end of the conflict
I currently work with or in the organisation with which I am conflicted	Duration of appointment

21 Affiliation to an institution that is in QAA Membership does not constitute a conflict that cannot be managed (for example, it is not a bar to membership of QAA's Board), though it is clearly an interest that must be disclosed and managed.

22 It can be appropriate, and even beneficial, for QAA staff to serve in a non-executive capacity on governing bodies of institutions, groups or other agencies within the sector, but it is essential that QAA's independence is not called into question as a result. Anyone considering such an opportunity must discuss it with the Director of Corporate Affairs in advance of applying for the position. The Director of Corporate Affairs will escalate if needed and will either give approval or explain why the opportunity is not consistent with this policy.

Declaring a conflict

23 QAA colleagues are required to make an initial declaration of all known, or potential, conflicts of interest on their engagement by QAA when commencing any work. Employees (including flexible part-time employees), casual workers and consultants, must adhere to the relevant clauses outlined in their contract of employment or agreement.

24 Once engaged, QAA colleagues must keep their personal information, including conflicts of interest with providers, up to date by declaring them to the relevant QAA manager and/or using the relevant online tools. In line with QAA contracts of employment, employees (including flexible part-time employees) must declare additional employment, in writing, to the relevant Director.

25 QAA colleagues must not accept any work or agree to be scheduled to take on work if they believe that they have, or may have, a conflict of interest.

26 QAA colleagues must not engage in any activity in respect of any provider with which they have an actual, potential or perceived conflict, unless given particular and express permission by the responsible Director. The duty to declare conflicts of interest continues throughout individuals' employment/engagement with QAA.

27 If a new conflict is identified during any work (or related activity), the QAA colleague should notify the relevant manager and/or responsible Director immediately. The conflict will be assessed, and, where necessary, the conflicted individual will be removed from that work or related activity.

28 QAA Board members are expected on a yearly basis to update and declare any potential conflicts of interest, which will be logged. Any additional conflicts of interest must be declared as soon as they arise.

29 QAA Committee members are expected to declare any additional conflicts of interest as soon as they arise.

Further advice and guidance

30 Colleagues who are in any doubt as to whether a conflict of interests exists are advised to discuss the situation with the manager who has responsibility for that work. Where discussion with the manager responsible for that work is not possible or practical, colleagues who believe that they may have a potential conflict should contact the responsible Director in confidence to discuss the potential conflict. Complex cases should be raised with the Director of Corporate Affairs.

31 Board members should discuss any potential conflicts of interest with the Chair of their Committee or Board or with the Director of Corporate Affairs. Committee and Advisory Group members should discuss any potential conflicts with the Chair or Secretary of their Committee or Advisory Group.

Review

32 This policy will be reviewed at least every two years.

Owned by:	Director of Corporate Affairs	Version:	3.0
Approved by:	QAA Board	Date of approval of this version:	13 March 2024
Last reviewed/updated:	March 2024	Next review due:	March 2026

Published - April 2024

© The Quality Assurance Agency for Higher Education 2024

Registered charity numbers 1062746 and SC037786

www.qaa.ac.uk